

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, OCTOBER 12, 2015

**Present:**

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

Others: Sandy Miller (Interim Manager), Rosemary Audibert (Clerk), Troy Dolan, Tom Elwood, Diane Geoffrey-Porter, Gunner McCain, Tasha Wallis, Jake Loeffler

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

**1. Call to Order**

Gordy called the meeting to order at 5:05.

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

Sandy asked for a # 26 to be added related to "Transformer Replacement." Sandy asked for a # 27 to be added regarding "Opportunities for Solar Power." Sandy also indicated that under # 2 in the agenda, Change Orders 1, 2 and 3 would be discussed. Sandy indicated # 6, Richard Whittemore, could be deleted from this meeting and held over to the next meeting as the fee had not been received.

**3. Manager's Report and Action Items**

Gordy asked Sandy to go over a few items while waiting for Dave to arrive.

The Abridged Power Bill Summary for August was reviewed.

Crystal Earle's request for excess water usage billing adjustment was discussed. **Walter moved that Crystal Earle's water bill be adjusted to three (3) times the average bill or 3 x 3,636 gallons and that the sewer bill be adjusted to \$129.71. Bob seconded and the motion was passed.**

Dave arrived at 5:15.

**4. Executive Session to Discuss Village Manager Applications and Candidates**

**Scott moved to go into executive session for personnel and contract discussions, the premature disclosure of which would put the village at a substantial disadvantage. Walter seconded and the motion was passed. At 6:15, Dave moved to come out of executive session. Scott seconded and the motion was passed.**

The trustees agreed to hold a special meeting Wednesday, October 28, 2015 at noon, to include Rosemary, Troy, Tom, Lea and Sandy to discuss operations and the Village Manager position.

**5. Review and Approve Minutes of Meeting on September 8, 2015**

**Walter moved to approve the minutes of September 8, 2015, Scott seconded and the motion was passed.**

**6. WWTF Chief Operator Report and Action Items**

Tom said the wastewater plant and water plant are running well. The state recently used some of our water to fill tankers. Sandy said in 2010 the trustees adopted a policy that calls for using a bulk billing rate in cases like this. There were a couple of times when VTrans filled tankers to wash our bridges and the village chose not to bill them. Now he thinks the word is

out that we will fill up tankers without charging. Tom told them to expect a bill. The board reaffirmed that we should follow the 2010 policy and bill the state for water used to fill its tankers.

Tom asked if the trustees would allow him to train our part-time employee in sewer and water so he could do some of the weekend work and cover for absences. He could work under Tom's and Steve's licenses and eventually get his own licenses by getting the necessary experience and taking exams. He and Steve have each been working every other weekend. It is a grueling schedule and it is hard for them to take time off. With another employee able to handle some of the work they would be able to take a 2-week vacation. He thinks the budget would go down because the newer employee would be paid at a lower rate than Tom or Steve. Walter said if he moves to full-time employment then he will qualify for benefits.

**David moved to enter executive session for personnel discussion, Scott seconded, the motion was passed, and the board entered executive session at 6:23. David moved to exit executive session at 6:42, Scott seconded, and the motion was passed.**

**David moved to hire Jeff Parsons full time at his current wage of \$18 per hour, seconded by Scott.** (*Diane Geoffrey-Porter, Gunner McCain, and Tasha Wallis arrived.*)

The board agreed that Tom and Troy can work out a plan for getting water and sewer training for Jeff. If the selectboard would like to use Jeff, the trustees are open to it with approval from Troy. **The motion was passed.**

Tom said over the last month we had to repair the electric motor at the River Road lift station. A couple of start capacitors came off their mounts and arced out. It was a pretty new motor. He contacted the manufacturer asking why the brackets were not locked with sealant. He hasn't heard back yet. Bob suggested it might be a good idea to check motors once a month or when employees are in the area. (*Tom left at 6:46.*)

**7. *Diane Geoffrey-Porter Sewer Line***

Sandy said Duncan wrote Diane Geoffrey-Porter a letter about her sewer line. She was disappointed with the decision and asked to come to tonight's meeting. Gunner McCain said he is here representing Diane. He finds it hard to believe that the trustees are taking the position that the village has no culpability. Diane's attorney, Paul Gillis, feels the town and village do have responsibility. The municipality didn't follow its own protocols when work was completed in 2013 that caused the freezing problems. There is no reason to suspect the line won't continue to freeze. He doesn't believe sliding a force main into it will keep it from freezing. He thinks that will make it worse because it will always be full. What is the board's position?

Walter said our position has been that the line in question is not part of the main system but is an auxiliary connection line owned by the property owner. He has yet to hear evidence to the contrary.

Gunner McCain said he and Diane are not addressing ownership of the line. The point is that a development plan was proposed for an adjoining lot but development on the lot was not

done in accordance with the plan. There is no record that the municipality made the developer deal with existing infrastructure in the town right of way. A preliminary letter was sent indicating the town believed a connection would be made to a 6-inch pipe but it was actually a 4-inch pipe. Walter said that would be a town issue. Gunner said he and Diane believe the trustees and selectboard should be working together on this. They are addressing the inappropriateness of the work done and the lack of oversight and review of the work done in the right of way. Village workers did install the line originally, which would suggest municipal ownership.

Bob said the developer used the exact same pipe that was there before. But, Gunner said, they put in a wider driveway that is not in the configuration shown in the plan they used to get a permit. He and Diane believe the driveway is an issue. Driving on it drives the frost deeper and may have caused the sag in the line.

Gordy asked if Gunner has a proposal. He said the proposal is that Diane would buy pipe and fittings and the village would dig and put the pipe in the ground. He said Diane did not do anything to cause the problem. From 1989 to 2013 she had no problems. Then after the new driveway was put in on the neighboring property the line froze for the first time ever. His understanding is that the line was scoped in 2014 and a sag was found in the line under the driveway.

Walter suggested that Diane submit a claim to our insurance company. They will do an investigation and make a ruling. Sandy asked Gunner to send an email asking him to submit a claim to the insurance company. He can forward the documents already sent. *(Diane and Gunner left at 7:00.)*

#### **8. Loeffler Sewer Connection**

Jake Loeffler is ready for final approval on his project. We have final approval from the state. However, the cost estimate he received is problematic and he would like to talk to the trustees about that. Final approval from the village is good for one year. He can renew it for 2 additional years but would have to pay the capacity fee again.

Jake said he knows of 4 property owners who need to connect to the line he has proposed. He is asking for help getting the other property owners to commit to the project or help with the financing.

Sandy said the Community Improvement Fund offers low interest loans for projects like this. That is one option. Walter said water and sewer connections are high priority and if he comes with a formal request the trustees are likely to approve the loan. Jake said the bid he got was for about \$80K. Sandy said there is enough in the fund to cover that.

Sandy said another possibility is the creation of a special assessment district. Everyone in it would have to contribute to the cost of the project. There would have to be some research to figure out where to draw the lines. He would need an attorney to help with that. A special assessment district can be created by the board if everyone within the boundaries asks for it to be created or it can be approved by voters of the municipality after the board designates boundaries. The people in the special assessment district would cover the cost of the project

so other ratepayers outside the boundary would not pay anything additional. Since that is the case, special assessment districts usually pass overwhelmingly when put to vote.

Another option in addition for creating a special assessment district is for the village to take over the project. If we took it over we could decide whether the line should go further than what is currently planned. We have already asked Jake to upsize beyond what he needs for his property. We could borrow money from the Community Improvement Fund to cover the cost. The project benefits much more than the Loeffler property. We are asking Jake to do improvements beyond what an individual would normally do and it will be hard for him to recover the cost of the work. Even if 2 or 3 people shared the cost the amount could be prohibitive. Drawing a special assessment district would let the cost be spread over more people.

Walter asked how people in the special assessment district would be assessed. Sandy said they would be charged a little on their water and sewer bills. Walter asked, what if they don't want to connect? Sandy said we have the authority to require those within 500 ft. of a sewer line to connect. One person in the area is already under state order to connect. If property owners in the special assessment district did not connect they would still be charged as if they had. That becomes a great incentive to them. If we took out a loan for 10 years we could allow them to make payments over a 10-year period.

David asked if we would need to call a special vote to borrow the money. Sandy said trustees are the loan approval authority. We can loan money to ourselves. Creation of a special assessment district would require voter approval.

Walter said we have said we would be willing to pay for the upgrades beyond what Jake needs for his own property. Jake said he hasn't broken out what part of the \$80K would fall into that category. Part of the cost, perhaps \$15K, is relocating the driveway. He is trying to get other bids.

Jake said if the board is going to go down this road he is able to wait.

Walter said he is uncomfortable with forcing people to pay us money to connect. If all the property owners involved asked us to create a special assessment district he would be okay with it. David said he feels the same way.

Jake said he thinks his neighbors are interested but there is a lack of organization. Sandy said the district could be drawn larger than just the 4 properties we have discussed. There is the industrial park to consider in the future and there is some land that could be a subdivision in the future. There may be way to write the language creating the special assessment district so people don't have to connect immediately. He would need to talk to an attorney about that. We may not need to charge people until their system fails or until ownership of their property is transferred.

Scott asked, under this proposal do we have to maintain the line? Sandy said we have talked about taking it over after a year anyway.

Sandy asked if it would change Walter's and David's minds if we could figure out a way so people in the special assessment district would not be required to pay for a new connection immediately. Walter said no. We would still be saying they have to pay and if they don't all other sewer/water customers will be on the hook. Us doing the project is out of the question for him. Jake's property will increase in value as a result of the project, so he should pay for it. All the affected property owners will see their property values increase by enough to pay for that line. He is willing to work with them, but he wants a group to come in, not one person.

Scott said there are secondary benefits to the town and village when the tax value of the properties increases.

Walter said if the industrial park happens a lot of this could be paid for with grants, so no one would pay, including us, and rate payers would not be at risk. Right now we are talking about putting the rate payers at risk for the cost. He doesn't want to do that but if all the property owners come in and say they are interested then he will agree to a special assessment district.

David asked, all the properties that could potentially connect are for sale, right? Jake said one of his is for sale. He is going to close soon, so this potential project is not benefitting him in that sale. He can't speak to who it will benefit.

Jake said he would like help from the village or town with getting his neighbors to participate. Duncan has written a couple of letters over the years but that hasn't been enough. Maybe he needs to knock on doors. Does the board have any ideas? Walter said he should go and knock on their doors.

David said he agrees with Walter on certain points but he thinks there is a benefit here, not only to potential rate payers but to the long term vision of the industrial park. He doesn't want to go to someone and tell them they have to pay for something if they don't want to but he would be willing to create a special assessment district if the wording did not require people to pay to connect until their current system fails.

The board agreed that Sandy should look into this. (Walter said he is not in favor but isn't really against it.) There was general agreement that "may" rather than "shall" would be preferable in language describing connection to our system. David asked Jake to reach out to his neighbors.

**9. *Manager's Report and Action Items (continued)***

Gordy said he had to leave. He would like 2 people from this board to be on a committee to look at personnel policy regarding CTO, etc. Sandy said the committee is proposed to have 2 trustees, 2 selectboard members, Rosemary, Duncan, Sandy, one village employee, and one town employee. He recommends letting employees choose who should represent them. It was agreed that Bob and Gordy will serve on the committee and village employees will choose a representative. Gordy left at 7:30.

**10. Loeffler Sewer Connection (continued)**

Jake asked for advice about whether to get final approval now from the board for his project. Sandy said it is unlikely that he will be able to get the work done before spring. Walter said the board can act on it now, but there are a lot of issues and the clock starts ticking as soon as the board approves the permit. Jake said he will wait then, and if he gets to a point where he needs a permit he will come back to the board. He will do what he can to get more people on board. Jake left at 7:32.

**11. Tasha Wallis from LCPC**

Tasha Wallis of the Lamoille County Planning Commission introduced herself and everyone else introduced themselves to her. She said she started in her position there in July. She has been visiting selectboards and trustee boards to introduce herself and see if people have any questions or concerns.

Scott said it has been hard to get flood zone mapping information. Is this done through LCPC? Tasha said they don't do flood zone mapping but they are happy to provide the village with whatever they are looking for. Scott said it would be nice if we had a map set up where we could do overlays with flood zone information. Walter said we have all of Johnson on a GIS web page. A flood zone overlay on that would be ideal. Scott said a lot of people could use a GIS mapping system showing riparian areas, flood mapping, river corridors, etc. Lea said flood plains are on the GIS system, but not river corridors. We do have printed river corridor maps LCPC produced for us. The Planning Commission is trying to fight river corridor designations because they seem illogical in some areas. Walter asked if that is something LCPC can help our Planning Commission with. Tasha said yes. She can go back and ask more questions. Tasha left at 7:40.

**12. Manager's Report and Action Items (continued)**

Sandy said the board needs to consider a change order for the School St./College Hill project. The drainage on College Hill needs to be redesigned and put in deeper than in the original design. It can't be built as originally designed. The additional cost is \$7107. Our share is 20%. The additional cost may be the town's responsibility but the village is the contract signatory and must provide authorization to proceed.

Scott asked what happened with the original design. Sandy said they probably never thought to ask whoever would fabricate this whether it could be built. David asked why we are on the hook if the design was faulty. Sandy said the additional cost is due to the additional work to dig deeper. If the design had been correct the additional cost would have been incurred anyway, and would have been included in the bids.

Lea said this project is principally funded by the village's LTF grant and the town's structures grant. The majority of the drainage-related work is funded by the structures grant. Duncan realizes that probably a lot of the additional cost will have to be absorbed by the town, but the village's grant may have to pay for part of it.

Walter said he is concerned about voting to spend town money. Lea said she spoke to Duncan. He didn't see it as a problem for the village to approve the change order because the village signed the contract. Walter asked if anyone has talked to Eric about this. Lea said we just heard of it today. We are in a very unusual situation with the village LTF grant because

we have grant resources available that will go unspent if we don't use them. We don't have to worry about additional cost to the village that was not planned for. We have a 20% match, but the money to cover that is all set aside. Sandy said we have about \$25K set aside for change orders and there is \$100K in grant money still available.

Scott said we paid someone for a service and there is already a change required. At what point do we bring up with the engineer the cost of change orders due to problems with the work they did for us? Sandy said that is a valid question. He could call Otter Creek, the designers, but this is literally tomorrow's work. The whole project has been reviewed by the contractor and he isn't hearing about any other issues like this. If we want the project to proceed there is no choice. Lea said Duncan said if it needs to be done, it needs to be done. Sandy said he can talk to Duncan about whether we should talk to Otter Creek about our dissatisfaction. Scott said he would like to let Otter Creek know that we have already had a problem and we are not happy. Lea said the design error added 7 days to the schedule because it took about a week to figure out how to do the project right. Scott said he thinks it is worth notifying Otter Creek that they put us behind schedule.

**David moved to authorize Sandy to sign Change Order #1 in the amount of \$7107, seconded by Scott.** David and Scott said they want to make sure we follow up with Otter Creek. **The motion was passed.**

Sandy said plans for the project included 4 pads for street lights but not the street lights or crosswalk lighting. Since we have a cushion of money we should decide whether to go ahead and install streetlights and a flashing crosswalk light. If we do it now, using grant funds, we will pay only 20% of the cost rather than 100% if we do it later. It would require a change order.

Scott asked if there are street lights on School St. now. Lea said not on the same side of the road as the school. Scott said aesthetically it will look awkward if we put in some new street lights and still have old ones there. Sandy said he can be fairly confident the state will not let us include the cost of taking the old lights down. If we put in new lights it will look better than it does now but not like it was perfectly planned and designed.

David asked for clarification. Our plans didn't include lighting? Sandy said his opinion is that street lights and flashing crosswalk lighting should have been alternates in the original design and then we could have decided to spend the money when we found we had enough. But they were not included.

For the street lights, Sandy would estimate a cost of about \$20K plus engineering costs. Solar powered street crossing flashers would be \$10K installed. He estimates \$5K in engineering costs, so a conservative estimate for the total cost for both street lights and crossing lights would be about \$35K, broken up into 2 change orders, one for the street lights and one for the crossing lights. He thinks the real cost will come in a little lower.

Scott asked exactly where the flashers would be. Lea said she talked to the school board and they said they would like to see flashing lights like the ones on Route 15 by the high school,

a little before the place where people cross. Sandy said a different type of crossing flashers was discussed at the project meeting. Bob said he doesn't think there is room to put up flashing lights like the ones on Route 15. Sandy said the speed limit on School St. is already only 25 mph. He doesn't understand what the school board is thinking. Scott said the flashers will be very bright. If there is any house nearby, we will get complaints. Sandy said he doesn't know the cost for the type of flashers the school board wants. David said he thinks that type would be a waste of money. Bob agreed. Scott said the lights wouldn't be used to lower the speed limit like the ones on Route 15 because it is already at 25 mph.

Sandy said the money to pay for the lights would come from the LTF grant. Our \$7K share of the \$35K total cost would come from the money we already have set aside and the rest of the cost would come from the grant funds we still have. But there is no guarantee the state will approve the crosswalk lights or street lights. He doesn't think the state will like the idea of flashers when school is in session like the ones on Route 15. Scott said if we were going to put up flashers like that, it would make more sense to put them on Pearl St. Sandy said anything on Pearl St. couldn't be included in this project so we would pay 100% of the cost. He think the state is highly likely to approve street lights and less likely to approve crosswalk lights.

Lea said her conversation with the school board was very brief. She told them about the crosswalk lights and they said they envisioned something more like the lights on Route 15. She thinks the board should go with what the trustees are comfortable with. There is still time to take it out if the school board is totally against it. Scott said the flashing lights could be a problem for homes nearby. David said the lights will flash for about 30 seconds after someone pushes the button to cross. Bob said there is an empty lot on one side of the crosswalk. Walter pointed out that the crosswalk is moving closer to Pearl St. than its current location.

The board and Lea looked at a map of where the crosswalk will be and where the streetlights would go. Lea suggested putting in 3 street lights rather than 4.

**David moved to pursue funding for street lights as part of the School Street project and to authorize Sandy to sign Change Order #2 for street lights for an amount not to exceed \$25,000, Scott seconded, and the motion was passed.**

**Bob moved and Scott seconded to pursue funding for flashing crosswalk lights as part of the School Street project and to authorize Sandy to sign Change Order #3 for flashing crosswalk lights for an amount not to exceed \$15,000.**

David asked what it means that the school board is asking for something completely different from what the board voted on. Sandy said he thinks someone will have to go back and explain our thinking and our decision to the school board. If they object to what we are doing they may let AoT know that and that may affect their decision to approve funding. He thinks we are less likely to get the crosswalk lights approved anyway. It is our project. We are paying for the match.

Scott asked if we are at risk of being without enough money if other change orders that really matter are needed later on. Sandy said there is \$125K available between grant funds and funds set aside for our match. Walter said any of the \$25K we set aside that isn't spent is our money that comes back to us. But we can leverage it nicely by spending it to get 80% of the total cost grant funded. Sandy said we have talked about spending \$42K so far. That still leaves \$75-80K. He doesn't think there will be change orders to that extent.

**The motion failed with Bob and Scott voting in favor and David and Walter opposed.**

Lea said she asked the school board if they would be willing to help us with the match for the street lights and crossing flashers. They are willing to entertain the idea. They are waiting for specific figures. They didn't say for sure how much they would be willing to pay.

Walter explained that he voted no on the motion about the crossing lights because the board wasn't given clear direction from the school board on what they wanted. He doesn't feel we can do a change order when the school may want something different.

Sandy said the new street lights need to be connected to someone's meter. It could be the village's, the town's, or the school's. The closest connection point, if it can be used, is the school. We might consider asking the school to pay the ongoing cost of the street lights instead of or an addition to helping with the match. Troy said the electrical inspector will have to evaluate the connection through code. Sandy said we need an electrical engineer to evaluate these street lights.

Lea said the school board would like to approach the trustees at some point about considering putting street lights along College Hill Rd. after the sidewalk is put in. Walter said that would be a good discussion to have after all the lights are up and we see what it looks like in the dark.

Lea is willing to help out with the application for the Electric Vehicle Charging Station Grant if the board wants to pursue it. Sandy said a charging station probably can't go at the Village Green because it would interfere with snow removal and take away parking spots. He thinks it needs to be in the municipal building lot. David asked if it will ever be used back here. Sandy said people have apps that tell them where charging stations are. People who have electric cars tend to be willing to walk a bit. He has talked to the company that installed the charging station in Morrisville. Our station may cost a bit less than \$12K it cost Morrisville. It would have a Level 2 charger. It takes about 6 to 7 kW per hour. A 2 hour charge allows a car to go about 40-50 miles. A large part of Morrisville's cost was installing the pad and conduit, which involved cutting across a parking lot. We think there may be conduit already run by a light pole out back. We would have to sign a couple of spots. It would be in the place that least interferes with snow removal.

David asked about our match. Sandy said it would be 25%. If our cost was \$12K, the same as Morrisville's, the match would be \$3K. He estimates payback would be in 3 to 4 years. People pay to charge their cars. They can either use a credit card or a system where they swipe a fob and we get a check from a company that already has their credit card

information. We can set a rate by the hour or by the kW. He learned today that there is an annual software cost. It is \$560 for the first year. We could sign a contract to reduce the cost after the first year. Morrisville gets \$60-80 per month from its charging station.

David said people who would use this would not be likely to be those who live here. They would be people from outside the community coming here to shop or visit restaurants. What benefit would it give the community? Sandy said more people might stop if we had a charging station. Walter said people commonly drive a loop that involves going over the Notch. To do that loop in an electric car they have to stop somewhere. David said he would want the charging station somewhere visible, even though he understands there is an app. Walter said people with electric cars live by the app. They plot their days around charging stations. Sandy said we could have a sign on Route 15. David said if we invest the money he wants to make sure we do all we can to get it back. Sandy said the charging station has to be on village-owned property. Walter asked, not leased? Sandy said he doesn't believe so. Walter said he thinks a charging station would send a positive image of Johnson. David said he agrees, but he is also looking at the budget. Sandy said the local match would come from the electric utility. Walter said he feels that since we will get the money back eventually and it will send a positive message it is worth doing. Scott agreed. Walter asked, we can submit the grant application now and then decide against accepting the grant, right? Sandy and Lea said yes. Sandy said the application is due October 30.

**Scott moved to apply for an Electric Vehicle Charging Station Grant, Bob seconded and the motion was passed with David opposed.**

***13. Treasurer's Report/Review and Approve Bills and Warrants/Budget Status Report/Action Items***

Rosemary said electric department revenue is about 75% of budget. Water revenues are at 76% of budget. Sandy asked about miscellaneous water revenue, which is much higher than budgeted. Walter said most of that is connections, but the amount seems high for that. Rosemary said she will have to look into it. Walter noted that expenses for all three departments are below 75% three-quarters of the way through the year. Rosemary said there is a big set of orders tonight, so expenses will go up.

Rosemary had paperwork related to short term borrowing for the School St. project. We need to borrow so we can pay the bills from the project before we are reimbursed. Sandy said we are investing the money so some of the interest will be offset by revenue and the rest is an eligible expense under the grant.

**David moved to sign the Resolution for Current Expense Monitoring, the current expense note and the tax certificate necessary to borrow \$100K from Union Bank for no more than 6 months at 0.7% interest, Bob seconded, and the motion was passed.**

**Scott moved to authorize Walter to sign a water/sewer lien in the amount of \$255.51 for Vermont Mars Properties, David seconded, and the motion was passed.**

**David moved to authorize Walter to sign a water/sewer lien in the amount of \$538.24 for Valerie Koval at 593 Railroad Street, Scott seconded, and the motion was passed.**

Rosemary showed the board the listing of electric, water, and sewer accounts from 2012 that were sent to a collection agency with no results and may need to be written off. David asked if we have any liens on the properties. Rosemary said we can't place liens for electric bills but the customers will need to pay the amount owed in full if they want to get service from us again (even if we have already written it off.)

**David moved to write off \$4022.13 in unpaid electric bills from 2012 and \$407.49 in unpaid water and sewer bills from 2012, seconded by Scott.** Walter asked Rosemary to check whether those water accounts are lienable. Rosemary said she thinks it was probably a travel trailer that is gone. **The motion was passed.**

#### ***14. Foreman Report and Action Items***

Troy said the transformer in the sewer plant failed on September 9. We had a 20-year old spare we were able to use. We need a replacement. He has gotten estimates of \$7900 for a rebuilt transformer and about \$8900 for a new one. We have money in the budget for this.

David asked if we could wait until next budget year to replace it. Troy said no, he doesn't want to take that chance.

Sandy said rebuilds come with a 3-year warranty and new ones come with a 1-year warranty, but a new one will probably last longer than a rebuilt one. David said he thinks it is worth paying the additional money for a new one. Troy and Sandy agreed. Troy said his experience is that new ones last better than rebuilt ones. Walter asked if we can keep the one being used now as a backup. Troy said yes, he is comfortable using that one as a backup. Sandy said the cost of a rebuilt transformer includes hauling away the old one for free. It has to be handled by specialty haulers. But we have 3 others to dispose of and Troy got a quote to haul them all for \$500.

**David moved to authorize expenditure of no more than \$9000 on a new transformer and \$500 for removal of old transformers, Scott seconded, and the motion was passed.**

Troy asked if he has permission to start looking for another part-time employee. We will need one person who will be called in just for snow removal, the same as last year. The board agreed he can start looking for someone.

Troy said there were a couple of outages last month. One was from the end of Foote Brook Road to the end of Prospect Rock Road due to a broken cutout. Another was halfway up Prospect Rock Road due to a homeowner digging into a secondary underground. The homeowner paid for that. A new service was installed on Plot Road.

We have been cleaning catch basins with the Vactor unit. Hartigan will come in to do some of our sewers on the 20<sup>th</sup>. We can't currently use the Vactor for sewers. The agreement doesn't allow it because of contamination.

Bob asked about the status of the catch basins at the foot of Clay Hill Rd. Troy said they were unable to get the two plugged catch basins unplugged. Gordy asked him to get an

estimate from Tatro on replacing those. He put in a call and hasn't heard back yet. He feels the pipe is collapsed in one. The other could be full of contaminants.

Troy said Sandy asked him to get an evaluation on the sidewalks on Pearl St. The paving company hasn't come yet to give an estimate. His opinion is that just paving over the top of them won't work because they are so broken up now.

David asked if there are grants available to replace those sidewalks. Sandy said there potentially are grants for sidewalks. He is not sure if they have a preference for fixing old ones vs. putting in new ones. What kind of strategy does the board want? Replacing existing ones? Adding new ones? Adding new sidewalk increases sidewalk plowing and maintenance costs. There is a several year old sidewalk plan that probably needs to be updated. Does the board want to just look at a specific project or the whole village?

Scott said he thinks we should just maintain what we have. Walter agreed, except for maybe a library crosswalk. He said a lot of the sidewalk on the south side of School St. is in bad shape. Bob agreed. He thinks the chances of getting grant money for repairs are low, but we would have a better chance of getting a grant if we tied sidewalk work on Pearl Street into plans to narrow the intersection of Pearl and School Streets. Troy said he thinks it would make sense to repair catch basins at the same time we do sidewalk work.

Sandy said grants won't solve all our sidewalk maintenance problems. Is the board thinking of starting a fund? Walter said yes. Board members agreed that the proposed budget for the next fiscal year should include some money for sidewalks. David said maybe there could be a capital reserve fund for sidewalks.

Sandy said we could do a portion of the sidewalk work each year. The money we are not spending on School St. may cover one year's worth of sidewalk work. Do we want to make sure to do something with sidewalks each year?

Walter said we have been earmarking a large amount of money each year for our matches for the Main St. and School St. projects, so now in a way we have free money. We have extra coming to us from the Main St. and School St. projects. Maybe we could use that for new sidewalk on one side of Pearl St. Troy said he thinks a new concrete sidewalk would be best.

David asked if we could put together a priority list for sidewalk repair. Sandy said he asked Troy to put on paper an inventory of sidewalks and sidewalk conditions.

Bob asked if we are going to take into account how many people use different sections of sidewalk. Sandy said that will be the board's call. Troy will put together a list and the board can factor in utilization and cost and set priorities. Troy said he can have the inventory by the next meeting. David suggested that between now and November maybe we could talk to Lea about grant opportunities.

Troy said he and Nate attended a big safety meeting for all Vermont utilities. They took one class on grounding and one on meter safety. The classes were very good.

Walter said he noticed a broken railing at the cold spring. Troy said he is trying to determine how to repair it.

Sandy said we didn't get any bids on the Honda Civic. Our starting price was \$1500. He and Troy recommend sending the car to Thomas Hirschak Auctions. Scott asked if we can put it on Front Porch Forum. Troy said there are other options, like Craigslist. Sandy said the time Troy would have to spend answering calls about it needs to be taken into account.

**Bob moved to advertise the Honda Civic on Front Porch Forum for \$1000 and if it is not sold after 10 days to authorize it to be sold by Thomas Hirschak Auctions, Scott seconded and the motion was passed.**

Rosemary asked if it should be posted in Front Porch Forum for other towns besides Johnson. She thinks Susan can post it on Hyde Park's FPF. Sandy said it should be posted in any we have an account for. (Troy left at 9:18.)

**15. Manager's Report and Action Items (continued)**

Sandy said work is proceeding slowly on municipal office renovations. Neither office is operable. He thinks the manager's office will be done before the listers' office. Rosemary said she bought some used furniture from state surplus.

Sandy submitted an application for VLCT PACIF renewal for 2016 with assistance from Rosemary, Duncan and staff. We identified two pump stations that were not on the current insurance, added them for 2016 and asked PACIF to add them to our 2015 coverage. **Bob moved to confirm our 2016 VLCT PACIF renewal, Scott seconded and the motion was passed.**

VLCT made a visit to inspect our facilities for loss control purposes. The only item for the village to deal with was an old damaged ladder owned by the fire department that was stored at the town garage. We need to either wrap and label it or dispose of it. Arjay is going to take care of it.

Jane Nuse emailed Sandy to ask about the status of the crosswalk request from the library trustees. Sandy discussed it with Lea. It would need to be coordinated with the town. He will bring it to Duncan's attention and request the town's assistance if the trustees wish to pursue it. Walter said the June 8 minutes show that Duncan planned to take this to the selectboard because their permission would be needed and he thought they might be interested in providing some funding. The village would also be involved because the crosswalk would need an ADA-compliant curb ramp on our sidewalk. On the library side, we could put a landing at the bottom of the library's handicapped ramp. One suggestion was to put in a raised crosswalk to serve as a speed bump. It is a town road so the town would need to give permission to paint the crosswalk. Sandy said he will follow up with Duncan. David said this could be part of the overall sidewalk discussion.

Sandy said Duncan was successful in getting VTrans to accept our claim that we were owed \$8670.26 from the Main St. Project. We have received a revised project memo from VTrans

which, once signed by the village, will allow us to receive this money. **David moved to authorize Sandy to sign the project memo from VTrans to allow us to receive the \$8670.26 owed to us, seconded by Bob.** David asked where that money goes – back into our general fund? Walter and Rosemary said yes. David asked if it could be earmarked for something. Sandy said if it goes into the general fund it goes into the fund balance. Rosemary said it could be dedicated to something at the end of the year. Sandy said we didn't budget for the roof replacement. We have some money coming back that we didn't expect but also some expenses that we didn't budget for. **The motion was passed.**

Doug Molde is the attorney for George Desmarais. In looking at title information in anticipation of a potential future sale Doug noticed that a deed covering the second pump station at Katy Win had not been filed when provided to the village in 1994. The village could choose not to accept the pump station but as we have been maintaining it and we should probably own it as part of our system, Sandy would recommend having the deed recreated and executed. Doug has offered to recreate it so we could file it. Scott asked if it is free from any kind of contamination that we would be responsible for. Sandy said he isn't aware of any issues. Duncan couldn't think of any reason we wouldn't want to own it. The board agreed to have the deed recreated. Doug said he would do it at no charge. It is in his client's best interest to have us accept the deed.

With Doug Molde's retirement, Sandy feels it would be good idea to search for another village attorney. There are pluses and minuses to either having a local attorney or someone who specializes in municipal law but is further away. Sandy and Duncan both independently thought of Brian Monaghan, who specializes in general municipal law. He is located in Burlington.

Walter said at times we will have some small day-to-day legal issues and we will probably look for a local attorney as well. He thinks the new committee looking at personnel policy may want someone to review the policy and make sure we are compliant and up to date. Municipal lawyers are not necessarily the best human resources lawyers.

David asked if there is a firm we could look at that has several lawyers, each specializing in a different area. Sandy named a couple of firms that meet that description. He said these firms have pluses and minuses. David said he thinks it would make sense to use just one firm. Sandy said Brian Monaghan is with a full-service firm.

Walter said he would like to recommend that the personnel committee look at the whole personnel policy. Sandy said VLCT has some model policies that could be reviewed without involving an attorney. If there are specific things Walter wants to look at he could look at model policies without necessarily involving the whole committee.

Scott said he would like to entertain using Brian Monaghan. He would like to use a firm with good resources and experience. David agreed we should move forward with Monaghan. Sandy recommended bringing him in to meet the trustees. It was agreed to do that at the next meeting.

Sandy said it doesn't look like we need to do much at this point about providing water to Legion Field. There are two possible options for water and sewer connections that would not involve interfering with the School St. project. Sandy recommends waiting until the town has come to some conclusion regarding how Travis Hill can continue to be served. Whichever option is chosen it looks like there is potential under the ordinance for the trustees to grant multiple connections.

The company that originally developed the JSC solar project initially agreed to pay the true up bill sent to them but now they are not returning Troy's calls. Troy is recommending legal action. Scott agreed that we need to move on this. Walter asked about a lien. Sandy said we can't put a lien on a property for an electric bill. He doesn't think we can do much. Rosemary agreed. He doesn't know if the college knows about the situation. Walter said he thinks we should let Woody Dionne and the new JSC president know about it. Sandy said he can talk to Brian Monaghan about this issue and when he comes to meet the board he can talk about how he might address it. Scott said he thinks we need to push information about this situation to people around the state who are pushing solar.

A former Cyprus Minerals reimbursement form for September was signed by Lea and Sandy.

Sandy thinks there should be a joint village and town effort to investigate opportunities for solar power. A lot of the properties that could potentially be used are owned by both the village and the town and putting more opportunities out there might interest more companies.

David asked if this would be something our electric department would undertake as its own entity. Sandy said it could be done that way. His recommendation is to do it as the municipality. Then the taxpayers would get the benefit, as opposed to the ratepayers. Walter said the ratepayers will subsidize the taxpayers.

David asked what the first deadline regarding renewable energy is that we need to meet before getting fined. Walter said VPPSA is treated as one big unit and VPPSA already almost meets the first requirement, with a deadline a couple of years from now. So VPPSA members are okay. A few years after that there are some additional requirements and that is the point where VPPSA starts falling behind as a group. David asked, so we have time to plan? Walter said yes.

Sandy suggested working with the town to inventory properties and then send out a request for expressions of interest. Companies will want to make site visits and he and Duncan can coordinate that. The next step would be for Sandy to talk to Duncan, who would go to the selectboard. If the selectboard agrees then he can put together a draft request for expressions of interest and the trustees and selectboard can authorize sending it out. The board agreed the proposed process is worth pursuing.

#### ***16. Adjourn***

**David moved and Scott seconded to adjourn at 10:08 and the motion was passed.**