

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, NOVEMBER 13, 2017

**Present:**

Trustees: Dave Goddette, Scott Meyer, Walter Pomroy, Gordy Smith

Others: Meredith Birkett, Rosemary Audibert, Troy Dolan, Melanie Mele, Hunter Thompson, Dan Noyes, Kyle Nuse

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

**1. Call to Order**

Gordy called the meeting to order at 6:30.

There was discussion about our fuel provider. We are still using Brosseau. Board members wondered if we should look into pricing from different providers. Meredith said we looked at it last year and didn't change. She and Brian need to figure out the right time of year to have that discussion. It is a little late now. Maybe she can make note to put it on the calendar next year.

**2. Additions, Changes to Agenda**

Meredith said a question came up today about the boundaries of the town sewer service area. She will discuss that along with the East Johnson sewer line item already on the agenda.

**3. Review and Approve Minutes of Trustee Meetings**

**Walter moved to approve the minutes of October 11 and October 30, 2017 and the motion was seconded and passed.**

**4. Treasurer's Report/ Review & Approve Bills & Warrants/Budget Status Report/Action Items**

The board reviewed the budget status reports. Dave asked about over budget spending for truck maintenance. Meredith said we can ask Troy about that when he arrives. Rosemary said she can check and make sure some of that shouldn't have been in a different line item.

Rosemary said we got about \$5K more in state PILOT money than was budgeted. The town has paid for fire service and paid the ten cents on the Grand List. Sterling Market repaid their entire loan. They paid it all off early.

Walter asked, Belvidere and Waterville still haven't made their fire payments? Rosemary said no. We will send another notice.

**Walter moved to authorize Gordy to sign the loan discharge for Sterling Market and the motion was seconded and passed.** Rosemary said now we have to loan out more money. Scott asked how much we have. Rosemary said she thinks \$150K. Walter said he thinks there will be uses for it between the Brownfields study and the light industrial park.

**Walter moved to authorize Gordy to sign the release of the \$181.90 water and sewer lien on Steven Roberge's property and the motion was seconded and passed.**

Meredith and Rosemary got a quote of \$1995 for a book binding machine that could be used to bind the village report. We now spend over \$800 per year for binding. We only send out a little over 200 reports. We could bind them only as we need them.

Walter said to him the biggest issue is that it would increase the work the office staff has to do. Is it too much? Rosemary said she thinks they can fit it in. The report would be printed on our copier. We could include colored pictures. We would buy the machine in January out of next year's budget.

**Walter moved to authorize Rosemary to purchase a binding machine for delivery and payment in the next fiscal year, Dave seconded and the motion was passed.**

Meredith said VPPSA members who can't provide audited financials by September of the following year could face penalty charges because it can put VPPSA at risk. We will need to put strict language on our bid documents about the auditors needing to have audit reports done by a certain date. She will ask VPPSA to provide that language.

Walter asked if we have the 2016 audit report yet. Rosemary said no. Walter asked if we will solicit bids for the 2017 audit. Rosemary said yes, she will do that soon. She has a list of 5 different companies.

**5. *Discussion with Dan Noyes***

Gordy asked if the board could add an item to the agenda to allow Dan Noyes to speak if he wishes to. He appreciates him coming to the meeting. Meredith said we can add an item. Walter said he would like to hear what we can expect from the coming legislative session.

Dan said there is a budget meeting on December 2 that will give projections on money coming and going out. That will dictate what the budget will look like. He can come back after that. He said he would be interested in hearing more about the solar panel costs that had been mentioned earlier in the meeting. That must be a problem for other towns also. It sounds like multiple people have to be paid individually for a solar installation.

Meredith said group net metering rules don't put a cap on the number of customers that can be part of a group. The net metering rules have changed multiple times. Now there are different classes of net metering customers we have to keep track of. Different rules apply to different classes. It is administratively labor intensive.

Dan said another issue he sees is promoting the community. Is state tourism reaching out to small towns and providing assistance specific to them rather than just looking at the state as a whole? Board members said we have a conversation coming up about the state byway system.

Walter said he wants to make sure the report from the Brownfields study makes it very clear that we think our village center designation should be increased. We tried to expand the area and the state said no. We would like to grow the village center down Railroad Street. The trustees know the community better than the state. Our economic center will be shifting because of the rail trail. We want to have tax credits and funds available to take advantage of

the shifting center. We are thinking forward and they are thinking backward and trying to play big brother. Dan said he would be glad to go and talk to them about that.

Walter said the legislature should not pass a carbon tax without talking to municipalities. Dan said he doesn't any legislation will go anywhere on a carbon tax this session.

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

Meredith said when a customer complained about low water pressure Tom did quite a bit of customer service to address the problem. He noticed there was no meter horn at that location. One will be put in.

Tom will use GW Tatro to do excavation for replacing priority curb stops. The cost should be \$3-4K.

Dave asked what happened when the state was working near the retaining wall. Did they drill through our line? Meredith said no. They found no evidence of water. We don't think the problems in that area are due to the water main leaking. There is ongoing frustration on the part of the property owners. They felt like they were led to believe that VTrans would replace the retaining wall quickly. Now VTrans is saying it will be several years. The property owners are concerned about whatever is causing the small sinkhole. We have tried to make it clear we don't think it's our infrastructure causing the problem so we don't intend to do anything.

Scott asked about Tom looking for a water leak on Clay Hill. Meredith said yes, he has been trying to locate the source of water loss. Scott said he wonders if the sewer line work that was done near there with no one from the village to oversee it could be the cause. Meredith said water service to that home was recently turned off for the season.

Meredith said an engineering firm has given us a proposal for a preliminary engineering report on the wastewater treatment facility to be funded by the state revolving loan fund, knowing that we will be paying off our bond and hopefully will have money available to do top priority asset management.

Walter asked about the asset management work that was being done. Meredith said the consultants said they would get in touch with us in early November for training on the database. She will check in again with them.

Meredith said she understands that a preliminary engineering report is the first step to get grant money to do work. The engineering firm came up with a proposal for a scope of work and a grant application to fund that work. She told them we would meet with them at the end of November. She would come back to the board before hiring them for anything. We probably would want to talk with some other engineering firms.

**7. *Foreman Report and Action Items***

Troy said there was a planned outage on October 24 so Fairpoint could do work at 100C and Sinclair related to the twin bridges project. There was an outage on November 6 on River Road East caused by a broken cutout. It affected one customer. Power was restored in 30 minutes.

On October 26 we participated in ISO New England's fall voltage reduction. All our equipment operated as it should with no issues.

We installed a 100 amp service to serve new storage units. We upgraded a service on School Street from 100 amp to 200 amp.

Jeff Parsons successfully completed his first year of lineman school. Nate and Tom both worked for Stowe for 3 days dealing with wind storm damage. We didn't have any issues here due to that storm.

Our crew attended the Vermont Safety Summit conference in Burlington. There were 4 different sessions. One thing they learned about was suspension trauma, which can happen if someone is dangling from a harness for too long.

All village fire extinguishers went through six month inspection. All equipment is ready for the winter season.

Troy has been working with contractors at the new Maplefields and with Fairpoint engineers. We had to move two of our guide anchors that were overlooked when the Maplefields site plan was developed.

Troy completed an estimate for a new 200 amp service on Prospect Rock Road. He has been working with an engineer on a solution to the problem of high voltage from Alan Lehouillier's solar array.

Troy asked if the issue with plowing at the Gould Hill array has been solved. Troy said he thinks so. We will give them notice every month when meters need to be read and they will keep it plowed. If we have to plow it to get in for maintenance we charge them for that. Meredith said we created an addendum to the interconnection agreement outlining requirements for access.

Walter asked if the system study for the Cole solar project has started or if we have heard anything from them. Meredith said when last she spoke with them they balked at the price we got to do the study and they wondered if we could come to a more specific agreement with them. She told them she wasn't willing to do that until we got more information about VPPSA's solar projects so we could compare. VPPSA is looking at proposals they got to do solar projects for VPPSA members. They don't want to do the study unless we commit more and she doesn't think we can commit more until we find out if there is a better deal for us. VPPSA is doing analysis right now so she thinks it makes sense to wait until that is done, which should be in a week or two. Then we can compare to the Cole solar proposal.

The agreement we signed with VTrans for them to pay for us to go underground with our service near the twin bridges requires us to have the work done by January 15. Troy said he has a contractor. He is waiting for Fairpoint to set poles but they are behind. There will be poor working conditions by the time we are able to get started and we will have our regular

winter work maintaining sidewalks. Walter asked what recourse we have if Fairpoint doesn't come through. Meredith said she thinks we should reach out to Fairpoint and VTrans about the situation. Fairpoint was supposed to have poles set by November 30. She wants to make sure we won't be penalized for a delay that wasn't our fault.

Meredith had previously briefed the board via email about the need for winter staff assistance. **Walter moved to go into executive session to discuss a personnel issue, Scott seconded, the motion was passed and the board entered executive session at 7:30.** The board came out of executive session at 7:38.

Meredith said we will plan to advertise a full-time temporary position for December and January. She and Troy thought \$20/hour would be a reasonable pay rate given the level of skill and experience required. After some discussion the board agreed to advertise a range of \$18-20 dollars.

**8. *Village Manager Report and Action Items***

Meredith showed the board a proposed sidewalk disturbance policy and some information about other municipalities' permit processes. She thinks she will need legal advice on our authority and the right process to use (policy, ordinance, etc.) This would address people digging up our sidewalks and replacing them. The village charter does say we have the authority to construct sidewalks and to make ordinances related to sidewalk standards. She wants to make sure we get our permit process right so it will be enforceable. The policy would include construction standards and the timeframe for allowed work. Other communities limit work between April 15 and October 31 except in emergencies. A minimum notice period before starting work will be required. Most municipalities have an application fee. That would cover Troy's time to meet with people and discuss their plans. We want people to turn in a site plan and we want to make sure they have proper insurance. Other municipalities require work to be done within 30 days of when the permit is issued. The policy lays out who is responsible for OSHA and MUTCD standards, Dig Safe, and traffic control. She thinks it is important to have an appeal process. Permits would be administratively approved and not have to go through the trustees, but the applicant could appeal to the trustees.

Scott said the timing of replacement after a sidewalk is removed is important. Walter said we have to address that if a sidewalk has to be removed for an emergency in winter it may not be able to be replaced then. Scott said there are some pavement sidewalks on Pearl Street. If we have construction standards and someone removes sidewalk that is just pavement, how does that work? Another question is whether the policy addresses boring underneath the sidewalk without impacting it. Troy said he thinks that will depend on what depth they go to.

Walter said someone putting in a new curb cut has to get a permit from the town. Can we make it easier for the permittee, maybe using one sheet of paper for both permits? Meredith suggested putting a note on each permit about the possible need for the other.

Walter said he assumes the policy also talks about curbs. They are ours too. Some are granite and are expensive. Meredith said she will talk to an attorney about this.

Scott suggested a warranty period for any work done to protect against shoddy work.

Meredith said after the last meeting she let the property owners at 1077 and 1079 100C know the board wants separate service lines. They are now proposing a plan with separate lines. They have met our requirements and they have paid. **Walter moved to approve the preliminary and final wastewater allocation for the Peinert property at 1077 and 1079 VT Route 100C contingent on the state permit being received and the motion was seconded and passed.**

Meredith said we had ergonomic assessments done of all staff in the spring. She and Brian developed PACIF equipment grant applications. She hoped we would get 50% but we were only awarded 40%, so we will get \$2000 instead of \$2500. Scott asked, will they send someone out to fit the people to the furniture? Meredith said she thinks they will send their ergonomic person out if we ask. **Walter moved to move forward with purchase of ergonomic equipment and the motion was seconded.** Scott said the motion should include that that someone comes in and sets up the furniture correctly and gives staff training on how to set it up. **The motion was passed.**

Meredith said the board had asked her to look for grant opportunities to help with purchase of AED's. She applied for a few but we didn't get them. She thinks we should go ahead and buy them. We did budget for the full purchase price. The town was going to share 50% of one for the office and the village will get one for the bucket truck. Some office staff still need to get trained. Walter said we should get all employees trained. Gordy asked if Troy is still willing to do yearly checks of batteries, etc. for both AED's. Troy said yes. Meredith said we already budgeted for this purchase so a motion is not needed.

Meredith said we were going to wait until the end of December and see how we are doing budget-wise and whether we can afford the more expensive refrigeration unit Tom would like to get. If so we will get it; if not, we will delay purchase until next year.

We budgeted \$9K to get the water plant building and booster station painted. Meredith will get a quote.

We budgeted \$25K for a full electric system study. We started working with an engineer who did an impact study for the Lehouillier project. Meredith doesn't think \$25K is a realistic number. She would say the cost would be closer to \$50K. Her hope is that if we move forward with the Cole project we could have them pay for part of it. It needs to happen but she doesn't see it happening before the end of the calendar year.

Meredith provided a draft letter to the Green Mountain Byways steering committee. The intent is for the town and village to sign the same letter. Meredith shared this draft with Brian and with Rob Moore, who came previously to talk to the board about the Byway. They thought it was okay. The Byway steering committee is not asking for money now. **Walter moved to authorize Gordy to sign the letter to the Green Mountain Byways steering committee, Scott seconded and the motion was passed.** Meredith said the goal of submitting the letter is that next time the Byway map is reprinted we will be on it.

Brian asked Meredith to check in with the trustees about where we stand with transfer of the East Johnson sewer line to the village. Duncan told Meredith he thought the town needed to do some confirmation that there isn't any problem with the transfer related to how the project was funded. Brian may need to research that.

Walter said he understands that the history was that the town was going to put in the line and pay off the loan and as soon as it was paid off we would accept it, but it was low on Duncan's priority list.

Gordy said his concern is that if the line is over 30 years old the pump station may need work soon. Maybe we should have an engineer look at it. Troy said he thinks the whole system should be inspected. He mentioned that he had seen a house on Sinclair Road with a town sewer line going right through the cellar. He doesn't think we should take over something like that. Gordy said he feels we should wait until the twin bridges project is done. He thinks for the village's protection we should have an engineer review the system so we will not have major financial expenses. Other board members agreed. Scott said he would like to have the line checked with video. He asked if we can find out about the liability of having a sewer line go through someone's basement.

Meredith said several months ago a property owner on Sinclair Road asked about getting hooked up to the sewer system. She told him he was within the town sewer service area and needed to go to the town and get an allocation first. It turns out the edge of his property is within the town sewer service area but the home actually isn't. The question has come up of whether the boundaries should actually follow parcel lines or if we want to stick with the way the map is currently drawn. Rosemary said this is the same person who sued the village in the 1980's. The village denied sewer service to that person in the past. That was before the town sewer service area existed. Walter said another property owner sued us for the same reason. A judge threw it out. He feels he would be willing for village sewer service to go anywhere the town would invite us in. Meredith said there is an intermunicipal agreement that says boundaries can be amended if both parties agree, so it looks like we could agree to have boundaries aligned with parcel boundaries. The board agreed Meredith should ask for a formal request to bring to the December meeting.

Gordy said the beautification committee discussed different ideas about the village green. Before the committee spends too much time and energy on plans for the green he wanted to get guidance from the trustees. One suggestion was to put in a screening hedge to block the parking from being as visible. Kyle said Todd Haun, who does the flowers for the Studio Center, suggested shrubs to separate the green from the parking lot, making it more cozy and inviting. Now it feels like a parking lot with a green strip. The committee was also talking about potentially putting in a small gazebo-type structure.

Scott said he likes the idea of a gazebo. He wonders about graffiti and who would maintain it. He doesn't like the idea of the hedge due to public safety issues. He would want to be able to see the cars to prevent people camping out or loitering in the parking area. He would be okay with small bushes that would still allow people to see the car rooftops.

Kyle said she thinks while sitting at picnic tables people would see only the hedge but standing people would see the cars. She doesn't think they are talking about a tall hedge.

Troy asked if the hedge would affect plowing. Gordy said that is another question he has.

Dave said we have to think about maintenance of landscaping. Maybe the Studio Center would help out with that. Walter said the cold spring gardens are a mess. The municipal building gardens are a mess. An ugly garden is worse than no garden. We need to also think about existing gardens. Dave said we need to talk about how we are going to maintain landscaping. He thinks we would have to hire a contractor or see if the Studio Center or the college could help.

Walter said at the Brownfields meeting there was a lot of talk about what should be done at the talc mill property as far as trimming vegetation and providing access to water. He thinks the beautification committee should be thinking about that property too. And in the vicinity of the cold storage and smoke house buildings there are piles of materials such as gravel and spare poles. That area is now adjacent to the rail trail, another entrance to our community. He thinks we need to think about the making that area nice. Troy said he thinks a lot of the material was left from work on the rail trail.

Dave suggested that the beautification committee discuss speaking to some contractors and getting an idea what it would cost to maintain the current landscaping and any proposed new landscaping. Before any money is spent we should know the cost to maintain the landscaping. He thinks it is a good idea to beautify the green and make it welcoming. He thinks a gazebo sized appropriately for the small space is a good idea.

Kyle said the beautification committee has money that has to be spent before the next fiscal year. Dave asked if the money can be used to maintain the things we have. Roof trusses at the talc mill park are blown out and need to be fixed.

Kyle said the committee decided that this year's money would be used for one or two projects that would give a lot of bang for the buck – showcase projects. Then in the next cycle there would be an application process where individuals could apply if they have a vision of what they can beautify. Gordy said the priorities were the village green, a mural for the rail trail, and Main Street. Kyle said small streetscape projects for Main Street were discussed. Dave said he would love to see the sculpture spaces being used.

Gordy asked, if a hedge were on the inner perimeter of the green, could the crew still snowplow around it? Troy said yes.

Walter said the committee should make sure to talk to the tree board. They may have a source of money.

Meredith said power supply expenses were a little below budget but load has been more below budget. That is reflected in our financials, which are a little tight but not too severe.



Walter asked if this budget had Manchester Lumber in it. Meredith said we knew Manchester Lumber would be shut down when we did the power supply budget. Revenue has been down even more than expected. A little is due to the Lehouillier project, which we didn't budget for. We also didn't budget for Maplefields being closed during their construction project.

Meredith said we talked previously about the Tier 3 electric vehicle pilot project. She recommends that we participate. She handed out a sheet listing some of the benefits. We don't have a Tier 3 requirement until 2019. We can bank any credits we earn before then. If all other VPPSA members are doing a pilot project allowing credits for electric vehicle purchase and we didn't offer that option to our customers it might look bad. We would be billed quarterly by VPPSA. The cost would probably be in the \$9-10K range. If the money is not spent it will be carried forward to 2019 for meeting Tier 3 requirements. If we have customers purchasing electric vehicles there will be additional revenue to us – about \$1200 over the life of the vehicle if they charge it at home.

Dave said if we participate our ratepayers would get a rebate if they purchase an electric vehicle. Scott said he thought it was only if they purchased from one dealership. That was the problem he had with it. Meredith said it now looks like people wouldn't get the rebate from a dealer but from VPPSA. So it would not be just one dealership. Scott said he is fine with it then.

Gordy said Hyde Park is the only muni not participating and they are doing something on their own, so he feels participating is the right thing politically.

Meredith said there is an extra rebate for certain low income individuals. She doesn't think there is a downside to participating. If no customers want to buy electric vehicles we get to roll the money into 2019 and if they buy them we get Tier 3 credits.

Walter said he was partly against participating because if the Cole project goes through we don't need this. Meredith said she doesn't think the Cole project will be done in 2019. There probably will be a market in credits that could be traded among VPPSA members. If we end up with more than we need we might be able to use the extra to recoup our costs. It looks like any large scale project may be opposed by VEC.

Dave said he thinks this is good PR.

**Dave moved to participate in VPPSA's 2018 pilot electric vehicle program and the motion was seconded and passed.**

Meredith said the board had previously agreed to assign our shares to VPPSA for the December Transco equity purchase so they will do the purchase for us. **Walter moved to authorize Meredith to sign the Transco equity assignment to VPPSA at a cost of \$123,210, Dave seconded and the motion was passed.**

Gordy said visitors to the municipal building often have to park far away. He asked Meredith to check on whether we can take down one of the handicapped parking signs and put a 10

minute parking sign up instead. Meredith said we need one handicapped parking spot for every 25 spaces. Walter said he feels we should maintain the two handicapped spots because this is a senior center. He thinks we should add a 10 or 15 minute parking spot in addition. Gordy said the seniors don't use the handicapped spots. But they could, Walter said. He feels we need a spot where a customer can park and come in and pay a bill. There is discussion from another source about asking employees to move. He doesn't want to do that. He feels our customers should come first. **Walter moved to create a "10 minute parking only" spot outside the municipal building, seconded by Scott.** Gordy asked Meredith to let office staff know the board's intentions and to have Brian bring it up at a selectboard meeting. Scott said most municipal buildings have this already. **The motion was passed.**

Meredith said we have done the necessary advertising for the special village meeting. We need to discuss what else we want to do. Dave suggested using the Facebook page. We would want to check the legality. Scott suggested getting Sue Lovering to write about it. Walter suggested a mailing to village residents about a week before the meeting, using the mailing list that is used for village reports. The board agreed to that.

**Walter moved to go into executive session to discuss a personnel issue with only board members remaining, Dave seconded, the motion was passed and the board entered executive session at 9:00.** The board came out of executive session at 9:09.

**Walter moved to adopt the workplace agreement as drafted by the village attorney and to authorize Gordy to sign it on behalf of the board of trustees, Dave seconded and the motion was passed.**

9. *Adjourn*

**Dave moved to adjourn at 9:09 and the motion was seconded and passed.**

*Minutes submitted by Donna Griffiths*