

Approved May 11, 2015

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, APRIL 13, 2015

**Present:**

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

Others: Duncan Hastings (Manager), Rosemary Audibert (Clerk), Tom Elwood, Troy Dolan, Arjay West, Peter Moynihan

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

**1. Call to Order**

Gordy called the meeting to order at 6:00.

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

Walter said he wouldn't be able to stay for the whole meeting so he suggested moving the most important items earlier.

Gordy said he wanted to publicly thank Ellis and Chris for their years of service on the trustee board and welcome Bob and Scott. This will be Gordy's last year as a trustee.

Gordy explained to Bob that Duncan may send an email to all 5 trustees. Each person can respond to him or one trustee can email another, but no one should use "reply all" because state law does not allow that. Sometime in the near future, maybe in May, Gordy would like the trustees to have a tour of village property with Troy, Tom, and maybe Arjay, to see the equipment and buildings.

Duncan said an addition to the agenda is public input from Peter Moynihan. Duncan doesn't know what he wants to talk about.

**3. Organizational Meeting**

Duncan said election of a chair and vice chair doesn't have to be done tonight. It could be postponed. Walter said he thinks it would be best to postpone it until all 5 members are present. It was agreed to postpone elections and appointments until the next meeting.

**4. Review and Approve Minutes of Meetings Past**

**Walter moved to approve the minutes of March 9 and March 30, 2015, Bob seconded, and the motion was passed.** (David arrived at 6:13.)

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

Walter asked why we are at 77% for supplies and chemicals in the water department. Did we stock up for the year? Tom said he doesn't know. That is a good question.

David asked why miscellaneous expenses for the electric department are above 70%. Rosemary and Duncan thought it was probably for dues. Duncan said the amount probably won't change again for months.

Rosemary said Brosseau has only billed us once all season. Duncan said we have called them several times asking them to send bills.

Walter asked how we did on winter plowing. He sees the operations salary amount is high due to plowing. How did the equipment hold up?

Troy said the equipment is currently working. He feels we need to replace one Bobcat soon. We have been offered \$8500 to trade it in. Given its current hours and condition, it could fail at any point. He feels \$8500 is a very reasonable offer. He is afraid that if it develops a major problem it won't be worth repairing and at that point it will no longer be worth as much as a trade-in. He feels we should be thinking about trading it in.

Rosemary said the tax sale is currently scheduled for July 14. (*Scott arrived at 6:26.*)

**Walter moved to authorize Gordy to sign a sewer lien on Greg Marsh's property at 1066 Route 100C, David seconded, and the motion was passed.**

Rosemary said taxes are delinquent on the Cattelona/Jewett cabin on village property. Does the village want to pay the taxes or ask the town to abate them? The amount owed is \$240. Gordy explained to Bob and Scott that the property is on French Hill by the water reservoir. A deer camp has been there for a long time. We asked the owners to enter into a lease agreement where they would pay enough in rent to cover the taxes, but they refused. Walter said we then asked them to remove the building. As of last fall about three quarters of the building had been taken down, but it was still there in piles. David said he doesn't understand why we don't own the cabin. Duncan said he thinks we do own it now. Gordy said the camp was probably put on village land with a handshake agreement 50 or 75 years ago. Duncan said the owners were taxed just on the camp. They owe taxes to the town. The village could write to the board of abatement explaining the situation and asking them to abate the taxes as a favor. Walter said we have no legal standing to ask for abatement. Duncan agreed but said we can advise them of the situation so they can consider abating the taxes, because they will never be paid. **Bob moved to send a letter to the Board of Abatement explaining the situation with the Cattelona/Jewett cabin and to authorize Gordy to sign the letter on behalf of the trustees, Walter seconded, and the motion was passed.** Duncan said he can draft the letter.

Rosemary said our IT person has been asked to spec out a new computer server. Ours is from 2009 and it has crashed a couple of times in recent months. The cost for a new one will probably be \$5-6K, split with the town. Walter asked if he is looking at all possibilities, such as using the cloud. Rosemary said she is sure he is. Walter suggested maybe we could lease rather than owning.

Rosemary said Kim Dunkley cannot serve as auditor if Scott, her spouse, is on the trustee board. Scott said Kim is okay with that. Duncan said the board will need to appoint another auditor.

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

Tom said the wastewater plant is running well. Flows are relatively low. Effluent numbers are good. There were no call-ins and no overtime this past month. The water plant isn't in as good shape. We are at 38% water loss. He shut off service to a house on 100C where he is pretty sure there is a broken pipe in the basement. We haven't had access to it. The house on

Gillen Ave. still has low pressure. He has listened at the curb stop and it sounds like there is a bad leak. He thinks it is in the line that goes across the river. Is that our line? There is a curb stop, then after the curb stop it splits into two lines, one for the college house and one for the Gillen Ave. house, each with another curb stop. Bob said he would guess the village put that line across the river, but it was before he came here in 1969. Tom said the original work order said a town truck went off the road and there has been low pressure ever since then. He can't find anything coming out of the ground, but he can hear water at the curb stop and he is missing 25-30 gallons a day. He guesses the leak is by the curb stop.

David asked how we can stop the leak. Tom said we can shut the curb stop off. Duncan said that also shuts off water to the property. Tom said they don't have enough water pressure to take a shower or flush toilets now. They have been dealing with this through the winter. That line has never frozen in winter before.

Tom said we are under the impression it is their line. Duncan said our regs say we own to the curb stop and the property owner owns from the curb stop to the house. But in this case a line goes from the water main to a curb stop, then goes across the river (on the bottom of the river), then splits and goes to two curb stops, one for the Gillen Ave. house and one for the college farmhouse. Tom said the college house has been abandoned for a long time. The meter has been pulled and the water shut off.

Bob compared the line ownership situation to one in the area where he lives. He feels we need to take care of the water pressure situation since there are people living in the house. Scott asked about replacing the line under the river and having it go across the bridge. Tom said we could also bore. Duncan said we could do a bandaid repair if the break is right by the curb stop, but that line is inadequate and sooner or later will need to be replaced. Tom said we would need permits to replace it. David said he is concerned that customers are not getting enough water. He wants to figure out tonight what we are going to do. He asked what it might cost to fix the problem. Tom said if it is right at the curb stop it could be fairly cheap, but it is not our property there. It is probably college property. We would need their permission to dig. And it is right on the edge of the river. If we get into the river at all we need a permit and have to submit a plan. We haven't done anything so far because the ground was frozen and we were under the impression that it was their line. Tom said he doesn't know for sure where the leak is. He can't operate the two curb stops closer to the houses; they are frozen. He thinks if it were after those curb stops it would come to the surface. Gordy asked if the curb stops can be repaired so he can shut them off and determine better where the leak is. Tom said we can try. Gordy said he thinks it is probably our line.

Scott asked how much it would cost to put the water line up under the bridge. Duncan said tens of thousands of dollars, and Tom agreed. Tom said boring it would be cheaper. Duncan said he wasn't sure it would be. Scott suggested terminating service and letting them drill a well. The village generally doesn't want people drilling wells, but we need to look at the economics. It would be cheaper for us. A well would cost \$5-10K.

Bob asked what correspondence we have had with the customer. Tom said he has talked to them and given them suggestions about how to find the leak. Troy and Tom said the property

owners did work around the curb stops that we weren't involved in. That may have caused the problem with the curb stops.

Scott asked if anyone would object to them drilling a well. Walter said our ordinance says those in the village have to hook up to village water unless that would be a hardship. Scott said he thinks this situation qualifies. Walter agreed. If we say our ownership stops at the first curb stop, then the line is the responsibility of the owner. They could use the hardship clause and drill a well and he wouldn't object. Scott said it sounds to him like it's our line, since it feeds to two houses.

David asked, if we allow them to dig a well are we saying we would pay for it, or they would? Scott said if the village owns the line, we have to get water to the other side and it seems easier for us to dig a well. David asked, a shared well for both properties? Scott said yes, so it would have to be permitted. Duncan said the college house will never use water, so there is no need for a well to serve both.

Scott asked if there would be anything in the deed about the water. He also questioned whether the property is actually in the village. Bob said he thinks the college house is in the village, but he is not sure if the Gillen Ave. house is.

Scott asked, if we advised them to drill a well, could they say they don't want to and they want us to provide water? Duncan said he thinks they would have a strong legal argument. It comes down to who owns the line. He read the definitions of a service connection and a service line. They describe how ownership works for new connections, but in the past things were sometimes done differently, so the definitions don't help a lot in this case.

Walter said we have to be consistent. We have to say our line goes to the first curb stop from the distribution system.

David asked who put that line across. Duncan and Tom said they don't know. Tom said he has no records. Cliff Hill, the employee who has been here longest, said it was done before he was here. Bob said he hired Cliff and the line was there before he got here. He feels confident the village put it in. David said if Walter is correct, then the customer is responsible. Scott asked, what if there is something in the deed that says differently? David asked if we can look at the deed. Gordy said he thinks we own up to the last two curb stops, but we need to check the deed.

Bob asked about putting a temporary line across the bridge with a valve on the other side. Scott asked what that would take. Tom said we would need a permit from the state. David said it would take time to dig a well. Duncan said the simplest thing to start with is digging up the 2 curb stops and fixing them. He is assuming they are on college property. We can look at parcel maps to determine that. We can see if that fixes the leak. Bob agreed that would be a good start. David asked how soon we could do that work. Duncan said he is not sure we would need a permit as long as we aren't getting into the stream. Scott said there are new rules for river banks now. The board agreed that we should start by digging up the curb stops and determining where the problem is. Scott suggested doing some research on the

deed to try to find out who owns the line in the river. If it is not our line, he would like to be able to offer the landowner the ability to drill a well. Bob suggested determining where the village boundary is in relationship to the property. David asked if they are paying village taxes. Rosemary said she thinks they are paying on a small portion of their property, but not where the house is.

We recently had a sanitary survey. They identified a couple of minor things. One was a cracked well head cap, which has already been replaced. The second was they said we should install a manual disconnect switch at the booster pump stations so an emergency generator can be plugged in to power up the booster pumps. Tom got a quote on disconnects. They are a little expensive. We believe minimum required pressures would be maintained at Katy-Win even during a power outage. Duncan wrote a letter telling them that we will put in a pressure gauge to make sure the whole park meets minimum pressure specifications even when the power is out. He thinks that will be sufficient.

Bob said most of Katy-Win is outside the village, so why are we supplying water to it? Gordy said he brought that up in the past because he thought the same thing, but as best we can tell it is in the village.

Duncan said he did not commit to putting in emergency disconnects, but he said we would at least put in a pressure gauge at the upper booster station so we can monitor pressure. The board agreed to see what the response to Duncan's letter is. Scott asked if we can get one more quote. Tom said yes, he wants to get one from a local electrician.

Duncan said the board had asked for more information from Jake Loeffler on his CIG loan application so he wrote him a letter. When we were going to give a loan to the previous owner of the property, that was going to be for a sewer line big enough to accommodate other houses. Jake hasn't applied for a sewer permit yet. In the past, the board has asked loan applicants to have any necessary permits in place before approving a loan. It seems the board would want him to upsize the pipe if he is going to make a connection to our line. Walter said we had originally talked about kicking in some money to help with upsizing it. Duncan said our earlier plan called for an 8-inch line to handle the industrial park. A 6-inch line would probably be enough to accommodate the additional houses, but he could see if the town is willing to kick in some of the difference in cost for an 8-inch line. Duncan said his letter to Loeffler said he probably won't get approved for a CIG loan until he submits a plan for the board to review. Scott said he would be in favor of putting in an 8-inch line. He would rather be ready in case the industrial park flies. *(Tom left at 7:26 and Arjay joined the meeting)*

#### **7. Follow-up to Large Equipment Capital Plan**

Arjay said he wanted to give an update on the fire department's capital truck plan. The truck that was scheduled to be replaced after the next one has some mechanical issues and they would like to move it up in the rotation. He would like to come back to the board with a new spreadsheet showing that. The new plan will use the same contributions. Proceeds on the recent sale of the old truck were higher than expected and the bank loan cost was less than expected, so the balance is better than projected when the plan was first set in place. The fund can support the proposed changes to the schedule. The two small rescue trucks are the next ones scheduled to be replaced. R1 is the ambulance-style one and R2 is the 1-ton dual.

R2 was slated to be replaced next, then R1. R1 has some problems with the body construction. There have been some broken welds. Door assemblies have had to be rebuilt and latches have had to be changed. That truck is wearing more quickly than anticipated and it is heavily loaded, so he would like to replace it more quickly. A more rapid purchase schedule shouldn't require more contributions or affect taxes because the balance has grown.

Arjay said the fire department submitted a PACIF grant application for turnout gear. The usual plan is to buy 2 and a half sets per year. The grant would cover 4 sets. The sets involved in the recent flashover need to be replaced. If the PACIF grant comes through and covers 4 sets at a cost of \$10,200, he would like to use rollover money from last year in the small tools account to purchase a 5<sup>th</sup> set at a cost of \$2,035. He would like to use the same vendor we have used previously so all the sets will be the same brand and model. He would like permission from the board not to go out to bid but to continue to use a single vendor. Scott asked if the vendor is in state. Arjay said their main headquarters is not, but they have reps in state.

Scott asked if the vendor will decontaminate any clothing. Arjay said the fire department has a laundry facility in house. If anything has been contaminated either the vendor will assist us or we will be in contact with our insurance company. If the article cannot be used after contamination our insurance company tries to get payment from the insured body experiencing the event. This vendor has been in business a long time and he feels our ability to continue to use this product is there.

**Walter moved to authorize purchasing turnout gear from a single source, Bob seconded, and the motion was passed.**

Arjay said he will proceed after finding out if the fire department got the grant funds.

Arjay said the electric department recently used the fire station for a class, with his permission, because there is no other public meeting space with equipment for a PowerPoint presentation. The instructor left a lot of trash behind. That instructor is no longer welcome in the fire station. Duncan said he and Steve Towne usually cleaned the room after trainings like that. Troy said he would have cleaned afterwards if he had known he had to. Arjay said he felt the instructor disrespected the facility. If were asked again to let that instructor use the fire station he would deny access.

Scott suggested we could consider a cleaning fee if a room is used and it is not left as it was found. Gordy said he wonders if the town and village should look into getting projection equipment for the upstairs room. Walter said he doesn't think it is unreasonable for an instructor to bring his own projector. Scott said that is typical. Projectors are not expensive. Duncan said we don't have a screen. Walter said the wall can be used. Walter suggested being clearer that we expect those using rooms to leave no trace. *(Arjay left at 7:44 and Peter Moynihan joined the meeting.)*

**8. Peter Moynihan: Various Issues**

Peter Moynihan said he is here about some School St. issues. He doesn't necessarily expect the board to do anything about them tonight; he just wants to raise the issues. He said he

would discuss the issues in order from least to most important. Least important is that he wonders why the Union Bank and Pepsi signs are on Legion Field. Is the town getting money for them to be there? He has never seen them used for scoring and he would like to see them removed. Walter said those are sponsors of Tuesday Night Live. Duncan said Legion Field is owned by the town, not the village. Peter said those signs were up long before Tuesday Night Live existed and other sponsors don't have signs there. He will take this issue to the selectboard.

He would love to see "No Parking" signs from the corner of School St. to the yoga studio. He is a tenant in the building on that corner. There is no curb from the corner to the yoga studio. Particularly on the night of Tuesday Night Live, residents of that house have had trouble getting in and out. It seems signs would alleviate the issue.

Walter said the issue is not parking, it's illegal parking. Those are completely different issues. There is no need to ban all parking to prevent driveways being blocked. Duncan said it is not clear there where people can park. The problem is that it's not like a driveway. Gordy asked if it could be striped as sidewalk. Peter thought that could be useful. David asked if that is considered a driveway. Peter said it's a parking area with no curb so tenants can get in and out. It is like 6 or 7 driveways with no dividers. Walter asked if the building owner has the proper curb cut permit. Duncan said there is no real identified parking there. Peter said tenants park in the yard, which is paved on the street side. Duncan said there is no other place for off street parking there. David said in Burlington many tenants have to park on the street. On nights when cars are parked in front of the building, tenants might have to park on the street. Scott said they won't find a spot to park on the street on Tuesday Night Live. Gordy said there could be a "Resident Parking Only" sign on the building. Walter said this seems to be the landlord's issue. David asked if Peter has spoken to his landlord. Peter said not recently. He asked if the landlord could put up a sign. Board members said he could put one on the building but not in the right of way. Walter suggested each tenant could take a night to be the "parking police." He said people don't read signs. People park in front of his building where there is a "No Parking" sign. David suggested starting by talking to the landlord to see if he has any solutions. It is ultimately his responsibility. Gordy agreed. He said Peter can always come back here afterwards if he gets no results from talking to the landlord. Other board members agreed.

Peter said he often sees people crossing the center line to park against traffic on School St. He started to see it more when the yoga studio went in. He sees it happen a lot on Tuesday Night Live. He called the sheriff's department and spoke to a sergeant who said it is illegal to do that but in order for LCSD to enforce it each municipality must have an ordinance against it. He thought the sergeant told him Johnson does not have one. Duncan said we do have an ordinance prohibiting it and LCSD has issued tickets for it before. He can speak to the sergeant about it. Peter said he not really advocating that they write a lot of tickets. He is thinking maybe someone could go on Front Porch Forum and mention that people have been seeing this happen and that it is illegal. Maybe word would get out and LCSD could write a couple of warnings. He thinks it is dangerous. Duncan said he will contact LCSD.

Peter asked if School St. is being repaved in 2015. Board members said they hope so. Peter asked if the road, sidewalks, and curbing are all part of the project. Walter said yes, but we are dependent on the state, so it might not happen this year. Duncan said we are waiting for final approval of the plans by VTrans. If we get that, we hope to go out for bid on the whole project in a few weeks. Before the paving work there will be realignment of the drop-off zone, replacement of crosswalks, and storm drainage work. Peter asked if there was any public input on the project. Duncan and the board said yes, there have been public hearings. Peter said he didn't know about the project. How could he have found out? Duncan and the board said notices were in the paper and posted on the bulletin board. Peter said he doesn't think anyone on School St., except maybe one affected property owner, knows this is happening. *(Peter left at 8:04.)*

**9. Foreman Report and Action Items**

Troy said he has done some research about whether we could paint the crosswalks before putting down striping. There is asphalt paint, but he couldn't find anything he thought would last. He contacted AOT and found out we can paint the crosswalks ourselves if we choose to. The person he talked to at AOT suggested that when they repave in 2017 perhaps we could have color impregnated pavement put in at our expense.

David asked what the least expensive option is. Troy said painting two stripes across each crosswalk. There are templates you can lay down to make painting faster. He is waiting for a call back from someone who can give him more information about them. Walter said a lot of people are using a block pattern now because it stays visible longer. The blocks can be laid out so tire tracks mostly go between the white areas. Scott asked about the cost of painting the crosswalks. Troy and Duncan said we have the equipment and the paint so the only cost is the labor and possibly traffic control.

Walter said he would like us to get into the habit of painting crosswalks as soon as possible in spring and again in fall, instead of once a year as the state was doing. Scott said he would like to see the crosswalk painting get done soon as it is a life safety issue. Walter said he is in favor of using the block pattern. The rest of the board agreed that pattern should be used. The board agreed that Troy can buy crosswalk templates if they are not too expensive.

Troy said the village crew has been working on Clay Hill the last few weeks. They put in a new conductor and retired 3 transformers. They have one account left to transfer. That project will be done in about 2 more days. There was an account on French Hill where the meter was behind the residence and hard to get to. Sometimes a dog prevented the meter from being read. The meter has been moved to a more accessible location. David asked if we paid for the relocation. Troy said yes. There was just the cost of our labor and a meter socket. He feels it was worth it to prevent an employee from being bitten.

Duncan and Troy recently met with a state engineer to discuss the twin bridges project. The state came up with a proposal for relocating our line during the project. Troy thinks he has come up with a better and cheaper idea. We were going to have to build a temporary line and then retire it, but he has a plan to do something permanent.

Our trucks both passed safety testing. Nate has gotten the upgraded gear he needed. The crew has started street sweeping. There may be an issue with storing sweepings. Duncan said sweepings are now being considered special waste. There is an area where the village composting facility was that we may be able to use for street sweepings and the sediment from catch basin cleaning. The sweepings are supposed to be put in a place where they won't run into any waterway and left for a year, then tested. After that they can be reused. In the past we have put them back on the sand pile. Troy said the total amount of sweepings is 25-30 yards. Scott asked if we can just leave the sweepings and not use them again and forget about testing. Duncan said we will have to look into it more, but if we have 25-30 yards of sand, why not spread it again? He would suggest we do that if it is possible.

Troy said the Bobcat he recommends replacing has developed a lot of rust. It sees a lot of hard mechanical use. He strongly feels we should replace it this year. David asked if we have the money to replace it. Duncan said no, and if we borrow for more than a year it requires a village vote. We can't borrow for more than 5 years without a bond vote. If we want to replace it this year we will have to warn a special village meeting. David asked if it is used by the electric department at all. Some, said Troy. David said the electric department has some revenue that could help pay for it.

Troy said he completed the final invoice for the JSC solar project, did an estimate for new service for AT&T at the college, and did pole estimates. Walter asked what we use for an overhead rate. Troy said we charge a 25% markup on materials and a percentage above our cost for labor, benefits, etc. Walter said in the contract we have been talking about, they have an 80% rate. There is no reason we shouldn't be making money. David asked how our charges come out hourly. Duncan said they are about 150% of what our labor rate would be. David asked how our charges compare to other utilities. Troy said he thinks ours are lower because they are based on our wages. What we charge is enough to compensate us for what we do. Duncan said we cover our employee costs, including benefits. The 25% storage charge for parts and materials is probably low. The people we are charging are our customers and we haven't wanted to make money. David said he is just interested in looking at all areas. Walter said he thinks all areas have to be on the table. Scott asked if we have an equipment charge. Troy said yes. Duncan said we looked at what other utilities charge for similar equipment and we are in the same ballpark.

Scott asked if it would be worth discussing bumping this up to bring in more money, since now we are talking about replacing a Bobcat when we don't have cash for it. Duncan said we are talking about only a few thousand dollars in total. Troy said he thinks we have only done about 3 new services or upgrades in the past year. Walter said he thinks there is enough money in the budget for the Bobcat if the cost is spread over two years. Plus there is the capital reserve.

Bob asked if we will be using the Bobcat during the summer. Troy said yes. Bob said it seems to him that we should act on replacing it before it breaks.

The board reviewed the spreadsheet Troy had prepared showing equipment replacement needs. There is a truck that could also use replacing, but he thinks we can get another winter out of it. The Bobcat is the priority.

David asked about leasing a Bobcat for a year. Troy said he has seen 5-year leasing options. He thinks leasing for one year would be very expensive. Bob said he thinks we would be better off buying one. When leasing makes sense is when the vehicle gets very hard use. Troy said the attachments we have now would fit a new Bobcat, but we need a new spreader. Walter suggested discussing this next month.

Troy said Gordy had asked him to discuss his plan for trouble calls when he is not here. Next week he will be out of town and Cliff will be in charge. MW&L is willing to help us if needed. If they are unable to, Cliff has been told to contact VEC.

#### ***10. Municipal Manager Report and Action Items***

Duncan reminded the board that the budget included 2% across the board increases in compensation. **Walter moved to increase compensation for employees by 2%, seconded by Scott.** Gordy asked if we are going to leave Nate's wage where it is. Walter suggested leaving that as a separate issue. **The motion was passed.**

Duncan said he had anticipated providing the board with a letter tonight stating that he planned to move his retirement date up. He was going to give the 30 days' notice required by his contract and let the board know that he would stay as long it took to find a replacement, within reason. He had let Eric and Gordy know about his plans. Gordy called him yesterday and asked him to reconsider. He is not sure yet what he will decide to do. One of the reasons he thought about retiring earlier is the divisiveness on the trustee board relating to the electric department. He felt he was no longer the right person to help the board get through the process and maybe someone new would be better poised to help. He wants to give board members an opportunity to say whether they think his retirement is a good idea. It could take 6 months to find his replacement, depending on the process. The board could decide to hire an interim manager and he could leave in 30 days. He envisions a process where the board decides what they want from his position then the position is advertised and maybe Duncan would work with his replacement for a while. Does the board think it is more appropriate to start that process now or for him to stay? He is not saying he will definitely stay if the board wants him to.

Scott said now that there are two new trustees, does Duncan still see divisiveness issues? Duncan said he doesn't know. Scott said he thinks Duncan should give the new board a chance. He thinks it would be a loss if he left. He thinks he has been a valuable asset to the village and town and has a lot of knowledge and experience.

David moved to enter executive session for a personnel issue. Scott said he would like to have an open conversation first. One reason he wanted to get into town politics was to hear what people had to say and come up with rational choices. He is not sure what has happened in the past.

Bob said he is here because the people spoke when there was talk about contracting out electric department work. People had trust enough in him to ask him to serve on the board. He thinks we have to listen to the people and work something out. He is not here to block everything. He is going to work on the people's behalf to see what we can do. What happens will be what the majority wants. What people feel is that we have been running the electric department like it's a big corporation. They would like to see it run like a village. They are the owners and we have to listen to them. There is a lot we have to explain about what we can or can't do. He thinks we can run the department. We are in golden shape as far as equipment. He thinks Troy is doing a great job.

Scott said he thinks we can discuss the electric department decisions without being contentious.

Gordy said he is only one board member. He has two ideas about what we could do. One, which he doesn't like, is to hire a public works superintendent for all town and village employees and equipment. He thinks a higher priority would be to keep Duncan and hire an administrative assistant to work under him and eventually move up into his position.

Bob said he wonders if Troy might be able to pick up more work to lighten Duncan's load. He is in favor of Gordy's second idea.

Duncan said if he had announced his retirement tonight he would have said August 2015 would be the outside date for his leaving. If the boards needed more time than that within reason he could stay longer. He doesn't want to leave the town high and dry. He will do whatever he can possibly do to facilitate a smooth transition. The board has a bunch of challenges and he doesn't want to stand in the way of dealing with them or make himself sick over them. In addition to the decision about what to do with the electric department, Steve Smith has announced his retirement. There is an opportunity to do things differently after Steve leaves. Gordy is not inclined to go in that direction but Duncan thinks we should at least think about it. Duncan said if he feels he can help, he will stay on. If not, he thinks it would be better for the board to find someone else.

Scott said when Duncan is contributing and good things are coming out of his work, he doesn't think he should have to leave because of people's challenging behaviors.

Duncan said Bob mentioned people's perception that we are running the electric utility like a corporation. The rules and regulations have changed. Pressures on a little utility are drastically different than they were even 10 years ago. The board needs to be willing to step up and deal with OSHA training and safety regs.

Bob said he hopes to have Duncan stay.

Scott said he likes the assistant idea Gordy brought up. He asked if Duncan thought it was a good idea. Duncan said he doesn't know. He thinks it could be hard to find someone. There will be plenty of candidates for his position but a lot will have the same concern he had about working for two boards. Fortunately, Gordy and Eric have had a spirit of cooperation. When

he first got here the town and village would barely talk to each other. Steve Towne and Steve Smith also worked together well and got the town and village crews working together better. A candidate with municipal experience may hesitate to work for both town and village. When he thinks about that, he isn't sure where to draw a pool of people from. If we had an internal candidate, the assistant idea would make more sense to him. He doesn't think there are any internal candidates.

Duncan said one thing that concerns him is how to deal with the day-to-day things Troy is not doing (and maybe can do) that Steve Towne did and that Duncan is doing now. Troy said he doesn't know everything Steve was doing. Everything he does comes from Duncan. Scott asked if there is a learning opportunity. Duncan said maybe. He said if the board decides to keep the electric utility he feels someone needs to be hired to fill Steve Towne's position. The OSHA regs are a serious concern. Steve kept track of those. Scott said the OSHA regs are minimal standards. If we can't meet a minimal standard there are huge issues. Most folks in the industry are trying to go above OSHA standards. Walter said he feels we should maintain the highest standard, whatever it takes.

Walter said he feels the voters have spoken in their choices of trustees they replaced and put on the board. He will listen to the voters in terms of the non-binding resolution. He thinks our direction is now clearer and less contentious and Duncan's years of experience are very helpful. He would hate to lose him sooner rather than later. His analysis skills are really good. He thinks we need to give more work to Troy to lighten Duncan's load. There will be some stress involved in the big changes. Let's get rid of some other stress. The world is changing, but the voters have spoken and they want us to change more slowly. But we have to make things more affordable and part of that is changing how we do things. He thinks Duncan will be helpful in the process. He would like him to stay and have us either hire an administrative assistant or give more work to Troy.

Troy said he doesn't want to limit his ability to do work in the field. If that happens we will have to hire another person. Maybe we should have a safety person. Duncan said Steve Towne was a safety person. He feels we need one person who has supervisory control over all the departments, including water and wastewater.

Scott asked if we are up to date with OSHA regs. Duncan said he thinks we are but if we don't continue to pay attention to them we will fall behind. Scott asked if VLCT can help us with that. Duncan said no, it is too specialized. We have training through NEPPA, but he has some questions about NEPPA trainings. He is trying to get them to improve their safety trainings.

The board signed the resolution saying the hazard mitigation plan has been approved.

Duncan said at the last board meeting there was interest in trying to find out if VEC might possibly consider a contract with us. Jeff Wright said his board does not want to be a service provider and won't sign a contract for distribution work or substation work but they will make people available if we have a substation issue. Jeff Wright suggested we execute a new mutual aid contract.

As Jake Loeffler has not responded to the request for more information, Duncan recommends either putting his CIG application on hold or denying it. Walter said he thinks we should put it on hold.

Regarding the sanitary survey, Duncan said there is a contact line outside the filter building – a 20-inch diameter pipe that goes about 200 feet. They would like us to put a sampling tap at the end to get a more accurate reading on chlorine retention. Duncan and Tom talked about it and they don't think the difference would be measurable. It was designed and approved the way it is. Peter DeGraff is going to draft a letter in support of our statement that the sampling tap is unnecessary.

Duncan distributed copies of the prints and plans for the School St. project. He can print out the full bid specs if anyone wants to see them. If the bids come in near the engineer's estimates we will potentially have \$117K more than needed. Duncan secured a structures grant of about \$115K for drainage work, which is probably the main cause of the \$117K difference. If VTrans gives approval on the design before the next meeting, Duncan would like to get the project out to bid as soon as possible. Should we schedule a work session meeting? Gordy suggested an evening walk-through for the board on School St. and other board members agreed that would be a good idea. (*Walter left at 9:19.*)

Geico has refused the claim for the person who ran into a pole on 100C. The driver had insurance on a vehicle, but not the vehicle he was driving. Should we go after the driver? The cost was around \$1300. Scott asked why we wouldn't bill him. Duncan said the chances of him paying are small. Conditions were very icy at the time of the accident, but speed could also have been involved. David said if we bill him we have to take into consideration the cost of collection. That could cost more than just writing it off. Scott asked, why would it cost us anything just to send a bill? Duncan said it wouldn't. David said he agrees with sending a bill, but if he doesn't pay we have to decide whether we will pay fees to collect or write it off. Scott said we could ask for \$1300 worth of community service. Bob said that would be something more for us to keep track of. Troy said liability if something happened to him on the job site would be a concern. The board agreed to send a bill and see what happens.

Robert and Sons have agreed to keep the same price as last year for lawn mowing. The board agreed to renew the contract for lawn mowing with Robert and Sons.

Duncan said he had distributed a resume from someone referred to him at VPPSA who sounds pretty qualified for a public works superintendent position. David asked if he has the qualifications to replace Steve Towne. Duncan said possibly, but it is hard to know without talking to him more. His qualifications look similar to those Steve had when he came here.

Duncan said he had been asked if the town and village would be willing to donate money for the JES 5<sup>th</sup> and 6<sup>th</sup> grade trip. He said he would put the request before the board if it were put in writing. They are not seeking a specific dollar amount. Gordy said we haven't given such donations in the past. If we do it for one group it will be hard not to do it for others. The board agreed not to give a donation.

Lamoille Economic Development Corporation is looking for additional membership fees. The minimum fee is \$100. The town pays \$1500 per year. Last year he thinks the board gave \$250 or \$300 out of electric department funds. **Scott moved to pay a membership fee of \$200 to the Lamoille Economic Development Corporation out of electric department funds, David seconded, and the motion was passed.**

A finding in the single audit done by Gene Besaw was that the village overpaid \$4528 on the Main St. project. We disputed this finding after we did a lot of research. The total invoices from Kingsbury and total reimbursement from VTrans equaled each other, so we took the position that we didn't owe VTrans anything. Financial Operations is asking for more information on the finding. We have to respond by April 30 with an explanation. Hopefully they will agree with us.

There is a 2-day VLCT PACIF VOSHA training coming up. Troy is interested and Duncan would recommend that he attend it. It is geared toward highway foremen/superintendents but it is relevant to a large part of what our crew does. The fee is not high, maybe \$75-100. No overnight is required. The board agreed Troy is authorized to attend.

Duncan sent a letter to Diane Geoffrey indicating that the village does not own the service line and they will have to assume responsibility for repairs in the future. He also sent the bills and stated that the trustees wanted to be reimbursed. He has not had a reply.

#### ***11. Trustee Issues/Concerns***

David asked if there is any new info on MW&L. Duncan said no. They had a negotiation meeting today.

Scott asked if we are missing a "Welcome to Johnson" sign. Duncan said it fell over and is in the shop.

Scott asked if the electric department decision is wide open for discussion at this point in the process. Duncan said it is wide open. Gordy said he thinks we need a work session. We need to take a fresh look at it. Scott said he would like to make sure employees are involved in that. He thinks we need input from people working in the village. It was agreed to schedule a work session meeting for April 29 at 6:00 pm. Scott asked if everyone agreed to have employees brought in. They said yes. Duncan said that is okay with him, as long as all board members are involved and it is not happening behind the scenes.

Bob asked about the issue with Nate's pay that had been mentioned earlier. Gordy said his pay is way below the other line workers'. Troy said he feels Nate's pay needs to be increased. He is fully qualified. Duncan said he was on disciplinary probation.

#### ***12. Adjourn***

**David moved and Bob seconded to adjourn at 9:41 and the motion was passed.**