

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, MAY 12, 2014

**Present:**

Trustees: Gordon Smith, Ellis O’Hear, David Goddette, Walter Pomroy, Chris Parker

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

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

**1. Call to Order**

Gordy called the meeting to order at 7:00.

**2. Appointment of Vice-Chair**

**Chris moved to appoint Walter Pomroy as vice-chair, Ellis seconded, and the motion was passed.**

**3. Review and Approve Minutes**

Duncan said he had not reviewed the April 14 minutes.

**Chris moved to approve the minutes of February 26, 2014 as written, Walter seconded, and the motion was passed.**

**Chris moved to approve the minutes of April 14, 2014 as written, Ellis seconded, and the motion was passed.**

**4. Treasurer’s Report & Review and Approve Bills and Warrants**

Duncan said March was another bad month for power purchases but it should be the last one. VPPSA is estimating they will be back below budget for power supply by the end of the year. VPPSA voted to set a bandwidth range of 95-105% to determine when they will sell or buy. We have to notify them if we want something different. Duncan thinks that is a pretty good range. It provides a great deal of certainty. Board members agreed they are content with that.

David asked if we will see sales to JSC continue to drop. Duncan said we will if they undertake energy efficiency improvements. There can also be fluctuations in their power use due to changes in the number of students. Duncan and Steve said JSC continues to make energy efficiency improvements. Steve said that has meant a continuous decline in revenue from JSC.

Rosemary said all the towns have paid the first installments for their fire contracts.

**Walter moved to authorize Gordy to sign a water and sewer lien on Bruce Perry’s property at 136 Lower Main West, Chris seconded, and the motion was passed.**

**Walter moved to authorize Gordy to sign a water and sewer lien on the mobile home owned by Theresa Billings at 85 Park St., Lot 13, Chris seconded, and the motion was passed.**

Duncan asked if we have had any luck with collections. Rosemary said no; the collection agency has not collected anything so far. But we don’t pay unless they collect.

Rosemary said Sharon Green’s office will be doing a tax sale, probably in the first part of July.

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

Tom presented a written operator's report. During the last flood peak flow was 439,000 gallons per day. He set the flood gates and got some overtime watching the plant during the flood, but he comped the time.

He would like to know whether he should get estimates from contractors for the SBR roof. Are we looking at engineering on it? Gordy asked what we ended up with for solar grant funds. Duncan said nothing. Tom said the cupola on the roof over the reactors is starting to deteriorate. He thinks the best option is to take the cupola off, weatherproof anything electrical and leave it open until the next upgrade. Or we could put up another roof and do away with the cupola. He thinks winter would be more difficult because it would be colder if it were uncovered, but other places like Morrisville are uncovered. Usually if a plant is covered a composite dome is used so water comes back down into the tank, but that is expensive.

Gordy asked, is it about 4 years until the bond is up? Duncan said yes. Steve asked where we are now capacity-wise. Tom said we are not near the capacity we are permitted for. Duncan distributed a capacity chart. Tom said he thinks the physical layout and capacity are good. With some repairs, he thinks there are a lot of years left. We may need to replace the sewer pumps soon but the piping and concrete seem good to him. Walter said the roof helps to preserve the concrete, etc. Tom said the steel superstructure needs to be primed and painted. We could take the cupola off and leave it vented. Steve said the cupola was put in so the windows could help alleviate moisture, but they are closed all the time. Tom asked, if we remove the cupola, do we want to do it in house as much as we can? Steve said we don't have the equipment. Tom said he thinks something needs to be done this summer. Board members agreed we should get quotes. Walter suggested getting one for just removing the cupola and leaving the roof partially open. Tom said we could build something in the center to cover the motors and leave the rest open. Steve said there would not be a whole lot of added cost to use the steel from the cupola and close it all in.

Tom said he wants to optimize alum usage to allow for just one delivery per year. He just got a delivery of 2500 gallons of alum and wants it to last the whole year.

VLCT did a safety walk through. They mentioned the grating in the effluent space and a small hole in the walkway of the abandoned clarifier, both of which Tom will take care of. The grating can be put in with a grant.

Efficiency Vermont would like to do a free comprehensive energy audit and if we take their suggestions they will give us a \$1K bonus. They also have a rebate system for equipment. Would the board like Tom to have this done? Board members said yes.

Tom tried to negotiate a lower price for sludge removal by Casella, without success. The price is still \$70/ton. Duncan asked, at that price are we getting close to the point where we could talk about a cooperative deal with Morrisville to reopen the composting facility? Tom said he thinks we could get to a point where it would be feasible to run that again. The equipment is still up at the transfer station. Duncan said it may be worth looking into. He said the solid waste district was interested in possibly operating it as well.

Tom reviewed maintenance activities, operational status, and callouts for the collection system and the water plant.

Duncan said there was recently a sewer back up at the Woody's building. We initially told them it was not on our mains and was their responsibility to fix. Hartigan cameraed the line for them and identified that there was a crushed pipe at the end of the cast iron line coming out of the building. It appeared to be right where the repair by Percy had been. Duncan told Rich and Nicole Whittemore that if it was part of the repair Percy did we would fix it at no cost to them, but if it was beyond Percy's repair we would ask them to reimburse the village for repair costs. We dug and repaired and it was on the section that Percy did. The Whittemores have submitted bills totaling \$825 for the camera work and line jetting from Hartigan.

Tom and Steve brought up the issue of how long we will continue to pay for repairs in areas where work was once done. Tom said now we have just fixed that line again. Are we going to warranty that work?

Gordy said similar issues have come up for other people in the village and we have fixed them. Steve said he knows of at least 6 instances where repairs done in 2006 failed. Gordy asked, if any of those were cameraed, who paid for that? Steve said the customer. Duncan said we haven't paid jetting bills for anyone else.

Steve said Percy's warranty was 1 year. Steve said at some point the board will have to say there will be no more free repairs to areas where there was previous work. Or continue to fix them for eternity, said Duncan. Steve said he wants to know what the board's wish is for the future. Duncan said our ordinance says any point from the attachment to the sewer main back to the house is the owner's responsibility.

**Ellis moved that, whereas the board has in similar situations not paid for additional third party costs such as camera work or jetting, the repair to the Whittemores' line should be treated the same as other water-project-related sewer issues since 2006, with no third party costs covered by the village. David seconded and the motion was passed.**

Steve said he wants to know going forth if the board wants the village to fix similar problems or leave them up to the customer. Duncan said Rich Whittemore's opinion as a master plumber is that a Fernco coupling to a cast iron pipe is an inadequate solution. But it was a standard provided by a professional engineer. Gordy asked what other areas besides the 2006 water project experienced past work that could potentially lead to problems for customers. Steve said there are a lot of areas, including Clay Hill, Railroad St., Main St., 100C, and East Johnson. Gordy suggested tabling this discussion for a month to give Duncan time to check on other towns' policies, etc. Duncan agreed he would do that.

Tom said water loss was 12% this past month. The Katy-Win leak is up to a gallon a minute. It is slowly getting worse. Duncan said he had a phone conversation with George Desmarais Sr., whose opinion is that the line that is leaking is one of the mains included in the easement accepted by the village. Walter asked if a legal easement is recorded in the books. Duncan said there are two easements that refer to laying of water and sewer lines in the park. The location of the easement is described as 10 feet on either side of where the lines are laid. The only problem is that we don't

have a map of where the lines were put. Walter asked, this is all in the village? Duncan said yes; George Desmarais Jr. said there are no trailers outside the village boundary that are hooked up to village water and sewer. George Desmarais Sr. said he has nothing more than the map his son showed the board last month. Ideally, we would find out from him his best understanding of what he deeded the village and then we would map it ourselves so we would have a map going forward.

David asked how much the leak is costing us. Tom said pennies. And no one has complained about low pressure so far. Walter asked if the leak is probably on the main line. Duncan said there is little doubt that it is. Walter said he thinks we might as well fix it now since we will probably accept it as ours in the future. Then we can work on getting the paperwork squared away. Tom asked if we can dig without liability. Duncan said we will assume we have an easement. **Walter moved to direct Steve and Tom to fix the water main leak in Katy-Win park that at one point was accepted by the Village Trustees of Johnson, Chris seconded, and the motion was passed.**  
(Tom left at 8:06.)

#### 6. ***Public Works Superintendent Report***

We have been asked to find a different emergency dispatcher and due to this Duncan and Steve have discussed getting on the VELCO radio system as all our surrounding utilities are now on it.

David asked about the recent power failure. Steve said it was a substation step down failure. Until we get our distribution feeders upgraded we will have occasional outages. Converting the feeders will be expensive and will require a bond.

Steve said we would have a mobile base here. We would still keep our municipal radios. Duncan distributed a contract with VEC for dispatch. Steve said it is not dependent on buying VELCO radios, but he thinks we should buy them. They will do dispatch for us for about a dollar an hour. In the event of a major outage someone will have to man the phones in the municipal building. The issue for the sheriff's department was that during a recent issue of ours their lines got so overloaded that people were calling 911 and tying up those lines. So they want us to have different dispatcher.

**Ellis moved to authorize Duncan to sign a contract with VEC for after hours emergency dispatch, Chris seconded, and the motion was passed with Gordy abstaining.**

Steve said we are looking to put radios into the bucket truck, two pickups, and the office. It will probably cost \$5-6K total. They will use an electricity-utility-only frequency. We have to keep our existing radios because the fire department and town highway department can't use the same frequency as the VELCO radios as it is for electricity utilities only. Walter asked, can't we get radios that can switch back and forth? Steve said no.

Duncan said he and Steve would be asking for authorization to buy these radios even if we were not switching dispatchers. VEC, who will do our dispatch, uses these radios and Lamoille County Sheriff's Department is in negotiations with VELCO to get a VELCO radio for emergency response. Steve said he would like to be able to communicate with VEC dispatch from the trucks. It is a safety issue. Duncan agreed it is a life safety issue. Steve said he is not sure yet what the final cost will be.

**Ellis moved to authorize expenditure of up to \$7K to purchase a VELCO radio system for Village of Johnson trucks, Gordy seconded, and the motion was passed.**

The board agreed Steve has permission to go the NEPPA conference in August.

Gordy asked about tree pruning on School St. that left branches on the ball field. Duncan said that was done by the tree board.

Walter asked about crosswalk painting. Steve said he is hoping to start on that next week.

**7. *Manager's Report***

Duncan said we were partially successful at the PSB regarding Comcast's petition on pole attachment fees. They turned down Comcast's petition to establish a uniform "1 foot rate" for pole attachments. But he thinks there is probably going to be a docket opened on this issue.

Encore Development agreed to a solar credit for JSC of \$0.19/kwH.

A PACIF Equipment Grant was approved for a ladder rack and a sewer camera. This is a 50/50 grant.

We now have a signed Fire Service Contract with Belvidere and they have paid their first invoice.

Duncan has filed the annual Electricity Utility Inventory report with the Listers.

Duncan put out a query to all Vermont managers and administrators to see who had brick paver crosswalks and if any town had replaced them. He got very few responses. It was stated at the annual meeting that Montpelier and Morrisville had used brick crosswalks and they had failed and they had removed them. Montpelier said they had used colored imprinted asphalt to look like brick but it wore off after a year or two so they now paint them. Morrisville said they did not have any brick crosswalks but they did have some brick paver sidewalks they replaced. Gordy said St. Albans has brick crosswalks.

Duncan said if anyone wants to read and comment on the Lamoille County Regional Plan 2014-2022 we have a digital copy.

Duncan handed out a public notice about the meeting schedule for the board to review and sign. It will go up on the bulletin board. It lists work session meetings as happening on third Mondays at 6:00 p.m. The board can choose to schedule them for other times and then Duncan will have to post a notice. **Walter moved to approve the new Public Notice for Village Trustee's Meeting Time Change, Chris seconded, and the motion was passed.**

We will need temporary construction rights of way for three property owners on School St. during the School St. project. Lea and Duncan will meet with them to go over the plans and try to secure the easements.

Duncan handed out the updated wastewater treatment capacity, which we are supposed to calculate yearly.

Duncan handed out a sheet showing the estimated impact of net metering on rates.

The Historical Society Building Committee has developed bid specs for work at the Holcomb House. That building needs a new roof so we will try to tie together the bids for the Holcomb House roof and for the Municipal Building roof to get better pricing. The Historical Society Building Committee approved the specs today and the selectboard has authorized Duncan to put the Municipal Building roof out to bid. Now Duncan needs authorization from this board. There will be two distinct bids, billed separately. Walter asked who has the final say on the bidder chosen. Duncan said the trustees and the town together have final say on this building. It will be a standing seam steel roof. David asked if it needs to be standing seam. Isn't that twice the cost of asphalt shingles? Duncan said it will last at least 50 if not 75 years. **Walter moved to authorize Duncan to let the bids for the Municipal Building roof, Chris seconded, and the motion was passed.**

VLCT Health Trust has changed carriers and can offer long term disability coverage at approximately 20% less than their current carrier. Right now we offer long term disability only. Duncan has asked them if the difference in premium is enough to add short term disability coverage. They are not sure but are looking into it. If it were possible to get short and long term for the same money we are paying now, would the board want to offer it? He explained that employees would get the benefit regardless of and in addition to what they had in their sick leave bank. Walter said he would not want to offer both even if the cost were the same. Just because we save money doesn't mean we should give away the savings. He would need a lot more detail before agreeing to it. **Gordy moved to continue to offer long term disability but not short term disability, Ellis seconded, and the motion was passed.**

Ken Harvey is looking for an additional 8 units worth of sewer and water capacity for Highland Heights. The units are located in the Town Sewer Service Area. An application has not been filed yet. The board agreed to authorize Duncan to sign Preliminary Approval permits for the 8 units, pending town approval.

Duncan has looked more closely at the Lamoille Valley Rail Trail Master License Agreement and he has some concerns that make him uncomfortable with signing it. He drafted a response letter saying he has a great deal of concern over the onerous nature of the agreement and doesn't think we can support it at this time. He encouraged them to re-draft it to be more user friendly.

The Monthly Water System Operation Report has been filed.

**Walter moved that both Steve and Duncan may attend the 2014 NEPPA conference, Gordy seconded and the motion was passed.**

Lea has been working on a review of town and village ordinances. The goal would be to develop a uniform "Code Book" for town and village ordinances. The Johnson Safe Community Action Committee was interested in setting up a reparative board so if someone got a ticket, instead of paying a fine they could go to the reparative board, but VLCT's attorney doesn't believe statute allows us to do that at the municipal level.

The final documents for the MW&L purchase have been mostly prepared. We are waiting for Craig Myotte to provide a description of the facilities for drafting the easements.

A joint trustee/selectboard meeting has been set for May 19 at 6:00 p.m.

Duncan distributed an Abridged Power Bill Summary.

**Chris moved to enter executive session to discuss a legal matter and a personnel issue, Walter seconded, the motion was passed, and the board entered executive session at 9:04.** The board came out of executive session at 9:32.

8. ***Adjourn***

**It was moved and seconded to adjourn at 9:32 and the motion was passed.**

*Minutes submitted by Donna Griffiths*