

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, JUNE 8, 2015

**Present:**

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

Others: Duncan Hastings (Manager), Rosemary Audibert (Clerk), Tom Elwood, Troy Dolan

**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**

Duncan added a couple of agenda items – the new legal requirement for recycling bins in public locations and an OSHA host employer rule change. Gordy said he wanted to add an explanation for why he voted against pursuing the grant for sidewalk in front of Parker & Stearns. Bob said he wanted to add discussion of Lamoille View Cemetery. Walter said he would like to slightly rearrange the agenda. He would like to put Duncan's items 6 and 18 one after the other, then offer his comments on VPPSA, and he would like to put item 12 before item 11. David said he wanted to discuss the next steps in the hiring process.

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

**Walter moved to approve the minutes of May 11, 2015, David seconded, and the motion was passed.**

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

Walter asked what the legislature did with PILOT. Duncan said he believes they left the funding alone but tinkered with the formula. They were going to make sure any additional funds went to making PILOT 100% and after that they were going to dedicate a higher amount of the 1% option amount to the state education tax, but he doesn't know how it ended up. (*Scott arrived at 6:06.*)

Rosemary said the fire department collected a couple thousand dollars for the recent truck accident on Route 15. Belvidere hasn't paid any of their fire installments yet. She is going to contact them.

The current power bill is about \$95K.

David asked about a labor item shown as overbudget. Rosemary and Duncan said they can look at it. It may be miscoded.

Rosemary said the interest rate for a one year loan from Union Bank for the new Bobcat is 0.89%.

**Walter moved to approve the Resolution for Highway Equipment Borrowing, Scott seconded, and the motion was passed.**

**Walter moved to sign the highway equipment note from Union Bank for \$21,846 for purchase of a Bobcat skid steer, David seconded, and the motion was passed.**

**Walter moved to sign the Village of Johnson Tax Certificate for Highway Equipment, Bob seconded and the motion was passed.**

5. *WWTF Chief Operator Report and Action Items*

Tom said the sewer plant is running well. A plant air compressor broke down and he replaced it at a cost of \$458. He met with an engineer for the properties across from the Jolley store about some options. He will bring it to the board once he has engineering estimates and a plan. Tom described a couple of different options he had discussed with the engineer. One includes picking up the failing septic system. Walter asked if he had mentioned our interest in the Jewett property. Tom said yes, the engineer is planning for an 8-inch main.

Tom said he met with engineers recently about the waste pump and access for the twin bridges replacement project on 100C, which is supposed to start in 2017. There will be an informational meeting about the project here on July 20 at 8:00. The highway will be closed during the work. Scott asked what the state is doing to control damage on town roads caused by locals taking the fastest detour. Not much, said Duncan.

Tom said the water plant is running well. We had 30% water loss for the month, but it is much lower now since some leaks have been fixed. The water line to Gillen Ave. was fixed using the suggestion to find the leak with air. He doesn't know how long it will last. He has two safe samples from the Audets' spigot so their boil order has been lifted. The board agreed that a meter reading for their house should be taken and we should start charging them for water as soon as that is done.

Scott said he understands from Duncan's notes that the college wants nothing to do with that water line. Duncan said they thought it was great that we were able to bandaid the line. They don't have money to put into a long term solution. They are currently paying the minimum charge to maintain a permitted connection to their farmhouse. If they give that up and we disconnect their service and then they decide they want a connection, they will have to provide separate service to the property. Or drill a well, said Scott. Duncan said part of the college property is in the village and the rest is in the town. The Audets are in the town.

Tom is hoping to get a decision tonight on who owns that water line.

**David moved and Scott seconded to authorize Duncan to sign the final sewer and water connection permit approval for Ken Harvey's additional 6 lots in the Highland Heights Park once he shows Duncan the design and state permits. The motion was passed.**

**David moved and Walter seconded to authorize Duncan to sign the final sewer and water allocation connection permit approval for James Gustavson. The motion was passed.**

Travis Hill is has indicated he may have his attorney deal with his water line issue. The town owns Legion Field and he has made a claim against the town for damages because the town

plows Legion Field for the skating rink. His attorney drafted a letter that was supposed to go to VLCT PACIF but she sent it to the town's attorney. She indicated that the reason for PACIF to reopen the case and reconsider his claim is that the town supplies his water. Dave Barra responded back that the town and village are separate and that the village operates the water system and the town plowed the parking lot. Travis emailed Gordy that the town attorney said it was really the village's responsibility. Duncan recommends that Travis submit his claim to PACIF and see if they decide there is a claim. He suggested that Travis contact him to talk about ways to resolve the situation without spending a lot on legal fees.

David asked how much time we spent helping Travis – 3 or 4 hours? Duncan and Tom said that is right. Tom said the town also spent about an hour plowing Legion Field so he could have an excavator come in. Duncan told Travis he would be responsible for cleaning up and reseeded after the work on his pipe and he agreed at the time, but now he says he won't spend money on that. The town reseeded and cleaned up and kept track of the time it took.

Travis has not formally made a claim against the village. Doug Molde has typically been the village attorney but since he is on the selectboard he probably would say he can't act on the village's behalf on this.

Scott asked how deep the frozen line was. Troy, Tom, and Duncan said it was about 4 and a half feet. Scott asked who put it in. Duncan said no one knows. At the time it was put in the college owned all that land so an easement wasn't needed, but there should have been one when the property was transferred.

Walter asked, there is a curb stop on School Street and also one up at Travis Hill's buildings, right? Duncan said there are two curb stops at the buildings. The garage was converted to residential use, so he teed off separate lines to the house and garage. Walter said he imagines we stipulated that the whole line is his. Duncan said he doesn't know that we addressed it. He believes we had him put in a curb stop so the other unit could be shut off for non-payment. Walter said at that time we had our policy in place that made it clear that extension would not be ours.

Scott said he worries that if we say we will help Travis out then others will ask for assistance for any line that crosses a sidewalk or other plowed area. Duncan said that is more of a town issue and the selectboard is not inclined to accept the argument that the parking area should not have been plowed. It has been plowed and maintained that way for years and the line has never frozen.

Scott said he thinks we should rely on VLCT. Duncan agreed. The board not to spend more time on this issue until there is a claim to address.

The board needs to make a decision on who owns the section of water line that runs under the river to the Audets' and the JSC farmhouse. Duncan feels we should treat it as a service line. Walter said we need to be consistent about having our service start at the first curb stop. Scott said the village put in the line and both curb stops. He thinks we have a historical responsibility to maintain the line. He thinks legally this could be challenged. It is village

property if we put it in. Walter said not if the village did it as contract work. David said he agrees with Walter. We need to set a policy and stick with the policy. There is the fact that an engineer considered it not to be a main line. Scott asked if the engineer looked at the historical development of the line. He said he agrees with saying our responsibility ends at the first curb stop, but where there are two curb stops there could be a legal challenge. Bob said he agrees with Scott. Gordy said he leans toward Walter's point of view. Bob said he thinks there is more than one historic situation like this. Board members are assuming an awful lot. Gordy said we need something set in place so we can treat everyone the same.

**Walter moved that the village is not responsible for the water line serving Rene and Cheryl Audet's house or for repairs to it beyond the first curb stop, David seconded, and the motion was passed with Bob opposed and Scott abstaining.**

**Walter moved that, as the costs were minor, the village not bill Rene and Cheryl Audet for materials used to repair their line so far.** Bob asked if the village is going to put a flared fitting on the line. (*Kyle and Jane Nuse arrived at 6:59.*) Tom said he is unable to put a flared fitting there. Bob said he disagrees that it is not possible. **David seconded the motion.** Duncan said the previous motion makes the water line beyond the first curb stop the Audets' and they can decide whether to put in a flared fitting. **The motion was passed.**

Tom said a meter was put in for the rail trail water fountain. It was put in just for tracking. He doesn't care whether or not the village bills the town for the water.

Duncan said the village has a planning and design loan out for the design of the River Road West pump station. The design is mostly complete but it requires additional easements from Chan Parker. The loan is scheduled to be set up for repayment beginning next year. The board put the project on hold, thinking it would be best to replace the pump station after one of the big loans is paid off. Should we have Otter Creek finish the design work or cut it off now? Duncan's recommendation is to have them finish the job. The loan was for \$20K and the total engineering cost will be in that vicinity. Chan was more inclined to want to sell the village the entire lot but he had a price in mind that Duncan thinks is excessive. Duncan's recommendation is to see if we can work out an easement agreement and have OCE complete the design. (*Stacy Waterman arrived at 7:06.*) Gordy said in years past we have sometimes had a design completed before funds were available. Then when funds were available everything was on the shelf ready to go. **Bob moved to direct Otter Creek to complete the pump station design and the motion was seconded.** Duncan said if we want to have OCE finish the design we will need to extend the loan out. **The motion was passed.** (*Tom left at 7:11.*)

#### **6. Kyle Nuse: Village Green**

Kyle Nuse said she had come to talk about the village green, which is of particular interest to her because she and her husband own the business next to it. She thinks it is an important part of the village. According to a map Duncan sent her, the driveway with the 3 parallel spaces beside it is supposed to be 22 feet wide. Recently the town repaved that area and widened the pavement so now it is actually 29 feet wide, which makes the green space narrower and oddly shaped. She wants to discuss how to keep the parking spaces but make the green more spacious so picnic tables can be put there and people can enjoy the space. She

showed her husband's sketch of a possible design for the parking spaces. There could be curbing made of wood and maybe some stone with bump-outs delineating the parking spaces. Now there is no delineation of the edge of the green so people drive right up on to it to park. And the driveway material spills into the grass because there is nothing to keep it on the driveway.

Gordy suggested the village could stripe the parking spaces with white. Would she be willing to see how that works for a month? Troy said he thought the lines would need to be painted about twice a year. Duncan said they were painted when the parking was first put in. It had to be done fairly often, but it helped people see the right way to park.

Scott said he parks at the village green once in a while, but he wasn't sure people were allowed to park there. He didn't know there were designated public parking spots.

Kyle said she feels the sketch her husband did helps with the delineation issue and from an esthetic point of view makes it feel nicer. Walter asked if she even wants that parking. Gordy said he does. Walter said Jack and Roo asked for those spots for parking for their store. That is why they are there. We can take them away. Duncan said he doesn't think we can. It is part of Main St. parking. The total number of spaces were based on the number lost on Main St.

Scott suggested maybe work on the village green could be a community project for Laraway, JSC, or the Boy Scouts.

Duncan said the Nuses' curbing idea would be a nightmare from a snow removal standpoint. Precast concrete curbs could be removed for plowing. Landscape timbers could also be removed.

Troy said he priced out 6 and 8 ft. precast concrete parking curbs. Six ft. curbs cost \$92.50 each. We would need about 16 of them. Eight foot curbs cost \$112.50. We would need about 13 to box in the area where the three parking spots are located. Eight by eight landscape timbers cost \$29.50. We would need about 13 of those. We could drive rebar down through the concrete curbs and he assumes we could do that with landscape timbers, too.

Troy said he might have misunderstood Kyle before. He thought there wasn't enough room for people to park by the store. That is why he widened the driveway. Kyle said no; there is enough room if people don't park diagonally.

Scott said he likes the landscape timbers idea. Troy said once the timbers are in place we could put in white lines to delineate the 3 spaces. David asked if we have money available. Duncan said probably we could find the money somewhere. Rosemary said she thinks we still have some beautification money.

After some discussion it was agreed that Troy should make the driveway narrower again, aiming for a width of 23 feet.

**7. *Library Trustees – Sidewalk to Library***

Jane Nuse said she and Stacey Waterman had come on behalf of the library trustee board. The library trustees are in favor of having some kind of sidewalk or safety feature from Main St. to the library, on the same side of the street as the library.

Walter said that has been discussed. It was originally part of the plan for the Main St. project but it got chopped because there was not enough money.

Stacey said the library trustees understood there was a grant available to pursue that would have provided money to put a sidewalk on the west side of Railroad St. and that there wasn't sufficient support from the trustees to pursue that. They wondered what the perceived downside was. A lot of children walk to the library with or without parents and would benefit from a sidewalk. They wonder if it is true that the village trustees did not support applying for the grant.

David said we have a sidewalk already on Railroad St. Could we put in a crosswalk from where the sidewalk already is across the road to the library? Jane said that would help, but the ideal would be a sidewalk on the same side as the library. What is the downside of having a sidewalk? David asked if the grant would cover the complete cost or if we would need to provide a match. Duncan said there would be a 10% match. David said the question is how much of our own money we would need to come up with to start the project. It's not in the budget. He can't see spending money like that without planning for it. His initial thought was that we have equipment to put in a crosswalk. It would be quick to do that as a start and then plan for a sidewalk down the road if we decide that is what we want to do.

Scott asked where the kids are walking from. Donna said as a parent who takes her kids to library programs, she would ideally like to be able to park in the grocery store lot and walk from there. There is limited parking at the library and few other good places to park. Jane said people may go fast on Railroad St. and not stop at crosswalks. It is worrisome.

David asked for details about the grant. Walter said it is the VTrans bike and pedestrian grant that is offered every year. It is a 90-10 grant.

David asked if a crosswalk would be sufficient for the time being. Jane and Stacey said they thought that would help a lot. Walter said we have to put in 2 ADA ramps on each side, where there are curbs now, in order to be legal. Jane said there is no curbing on the library side. Duncan said he doubts we could comply with ADA ramp requirements on the side across from the library.

Gordy said he thinks a crosswalk would be better than a sidewalk that would go through Bobby Hoag's business and eliminate tenant parking for the apartments between Hoag's and the library. Walter said Bobby Hoag already signed off on the original Main St. project plans. Gordy said there would have to be rate increase on village property to pay for it.

Stacey said she thinks a crosswalk would help a lot. The library trustees are concerned that the idea of a sidewalk will fall through the cracks. They wonder if there will be a future opportunity to look into it. They think safe access to the library is important.

David said his concerns are safety and whether we can afford it. If this is a grant that is available every year it is something we can plan for in the future. We can decide whether it is a priority and save money for the match.

Walter said if we are concerned about speed a slightly elevated crosswalk that can act as a speed bump could be a good idea. We need the selectboard's permission to paint a crosswalk. He doesn't know if the town would be willing to have an elevated crosswalk. There is the plowing issue. But if the ultimate goal is safety, a raised crosswalk seems best until a sidewalk is built. Kyle said college kids don't pay attention to crosswalks. Maybe one of those crosswalk dummies in the middle would be helpful. Gordy said we tried that. Walter said they got destroyed. They were in the shop all the time.

Gordy said we have been planning for 5 years for the School St. project. We have had to take money every year to pay for it. And some people on Pearl St. want their sidewalks fixed because they are in bad shape. It is a question of priorities.

Jane asked if there are signs we could put up to make people realize there is a library up ahead. Scott said he thinks there are, but he thinks the only thing that makes people slow down is blue lights. He noticed in the sheriff's report that they are handing out more warnings than tickets. He would like to talk about that. Jane said a lot of children live on Railroad St. and play on the sidewalk and they sometimes dart into the street. Scott asked when the last time was that the sheriff's department hung out on Railroad St. Duncan said they do that. Scott is right that they issue more warnings than tickets. That has been an issue of his for 14 years. Sheriff is an elected position and the officers don't hand out a lot of tickets. The town brings in less than \$10K annually from fines and we are spending \$368K for police coverage. He feels that is out of whack. Scott said he thinks it is something that needs to be addressed.

Jane said the library trustees would be thrilled if we could at least have a crosswalk. Duncan said we will have to look into it with the selectboard. Walter said he thinks we need to look into what we need to do to be ADA compliant or we will have someone else in here complaining. Stacey said she is not sure the crosswalk can end at the library drive, which is considered a road, so the crosswalk may have to go to the side of there.

Jane asked if the board will let the library trustees know what they find when they investigate. The board agreed they will.

Duncan said in the past the selectboard has considered a sidewalk to the library a fairly high priority. He would be willing to talk to them and see if they would meet the 10% cost share. Walter suggested that maybe the library has different funding options and grant opportunities. Jane said they can look into it. *(Jane, Kyle, and Stacey left.)*

**8. Foreman Report and Action Items**

Troy said within the last month the electric department has had applications for 9 new accounts – 8 at Harvey's trailer park and one on Wescom Rd. for VTel. He has done one of the Harvey's estimates and will work on VTel's estimate this week. He met a contractor at JSC and gave an estimate for the AT&T account. He is waiting to hear if they will proceed.

Due to high winds, a tree came down on our 3-phase. We had to de-energize that line and 53 customers had no power for about an hour.

Sweeping has been completed. Flags and banners have been hung. Crosswalks were painted. Seed and fertilizer were added to green areas. Everything has been taken care of to buy the new Bobcat. We should receive it in August.

Walter asked about the crosswalk on 100C. Troy said the state always does that as far as he knows. Duncan said they will probably get to it this fall, if at all. Troy said he would have rather done it when he did the others if he was going to do it. That would have been more cost effective. The board needs to decide if the village should paint it or not. Duncan said he can send a letter to the state and say we should be first on their list since they didn't paint it last year. He said crosswalk painting should be done on Pearl St. too. We are responsible for delineating parking spaces on Main St. and the lines are getting a little faded. Walter said he would put that as a low priority and crosswalks as a high priority.

Duncan said at the foot of Clay Hill there is quite a bit of gravel and sand between the road shoulder and the sidewalk. He suggested that Troy take a look at it. It would be good to get it off the road so it doesn't wash into the storm drain. He said he would like to see Tom use the Vactor to clean the plugged storm drain.

David asked if we have used the Vactor. Troy said none of the municipalities that own it have used it. Scott asked if there is a reason we are not using it. Gordy said Tom is the only person that can drive it. Troy said it is too heavy to pull with any of the village trucks so we will need to use one of the town trucks. Duncan said that piece of equipment is supposed to be used by public works departments. We should be able to pull it. If there is an issue we should contact the manufacturer. Walter said we can save money with the Vactor by not having to hire Hartigan. Gordy suggested maybe this should be on the agenda for next month. Duncan said he has talked to Tom about fabricating a funnel to sit over a manhole as a way to decant from the Vactor. We can find a way to decant. And these things are not meant to be towed by a tandem dump truck. There has to be a way to pull it with our truck.

Troy said he started a new safety training tracking spreadsheet, updated all our training records, and scanned training records. He spoke with a safety person for Washington Electric Coop, who sent him guidelines for annual training requirements. So far this year we have done what was required. He and Jim have been working on estimates and billing one day per week. They are currently working on an estimate for pole replacement on 100C. Troy recently attended a meeting in Waterbury. There was a lot of talk about solar projects and safety concerns for line workers and also concerns about metering and how the public is affected.

Troy said our contract with our current uniform supplier ends in December. We need to start thinking about what we want to do for uniforms. Walter suggested starting to solicit bids and then the board can compare bids to allowances. Troy said his thought was to provide a stipend for clothing but the way clothing is laundered can compromise the FR rating. Scott said he would be against that. Duncan said we can have a policy about laundering and train people. Gordy said most utilities give workers a clothing allowance. Troy said what people buy needs to be monitored to make sure it meets the requirements.

Duncan said if we fail to notify the uniform supplier of non-renewal the contract may renew automatically. We need to look at the contract.

Gordy suggested discussing the lineworker pay and mutual aid items. Duncan said the board wants to make sure we have some kind of plan for mutual aid in place. If we belong to NEPPA we have a written contract for services from any NEPPA utility. There are two ways to get mutual aid. A quick and easy way to get help is for Troy to call Morrisville or Hyde Park and ask if they can send a crew. For a major outage, we can call the NEPPA statewide coordinator, who puts out a statewide request via email and pager. He would encourage Troy to do that for major outages. For small things he thinks it is just as quick and easy to make a phone call. The board and Troy agreed to that approach.

Duncan said if we provide mutual aid for VEC they will want to know that our workers have had the necessary training. We need the same information if Hyde Park provides mutual aid for us. We should implement a uniform report that every utility can email to others once or twice a year to have on file.

Troy said he would like to discuss the lineworker pay rate. **Walter moved to enter executive session for personnel issues, David seconded, the motion was passed and the board entered executive session at 8:21. Walter moved to exit executive session at 8:49, David seconded, and the motion was passed.**

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

Duncan said there is a new legal requirement for recycling bins wherever there is any public waste collection. Walter asked if we are required to have separate containers for recyclables or to recycle. Both, said Duncan. He showed pictures of a basic recycling container we can purchase. They would need to be secured in some way. He thinks we can come up with a way to do that.

Troy asked if village employees will need to check whether things put into the containers are recyclable. He is not interested in doing that.

Duncan said our employees use the village dumpster for their personal trash. That trash will need to be sorted. Troy said he got a recycling dumpster and started recycling village waste.

Walter said all he would ask of employees is that they take whatever is in the container and dump it into the recycling dumpster.

David asked who takes care of the bins. Do we contract with Casella? Troy said yes, our recycling and trash dumpsters are from Casella.

David asked if we have money in the budget for recycling containers. Could we get by without them until next year? Duncan said we can probably postpone any action until the next board meeting. Lea is trying to find out if there are any grant sources.

An OSHA host employer rule change goes into effect July 1. Duncan distributed information about the requirements. We have to make sure we communicate certain things to people who work on our system as contractors or as part of mutual aid. Duncan and Troy have talked about it. They will probably put together a packet of information.

The board has authorized Duncan to execute planned power purchase agreements in between meetings if needed, but Planned Purchase #12 is due a week after the meeting so there is time for the board to review it. Duncan distributed information on it. He recommends approving it. It is below budget pricing. He asked to buy a little more than their recommendation because our total coverage ratio was below where he thinks it should be in the years going out. Board members said they have already authorized Duncan to execute these agreements and they are comfortable with him executing this one.

Duncan suggested that Walter go to the last VPPSA meeting and he did. The next one is in September after Duncan is gone. Walter is the alternate. At the meeting, Duncan floated the idea of having VPPSA either hire an employee to provide safety services for all the utilities or contract with someone to do it. He thinks the sense of the meeting was that it would be best to look at a vendor to provide the services under contract. There was enough interest that it was decided to turn it over to the transmission generation working group. They will look into contracts. At the meeting the board also talked quite a bit about H 40 and ramifications of solar.

Walter said he was glad he went to the meeting. If we there is a period of time after Duncan leaves when we have not yet hired a replacement for him it is critical that VPPSA purchases still get done. We need to decide who will make those decisions. Will the board do it as a group? There will be critical things from VPPSA that come to the table. He plans to go to VPPSA board meetings but he doesn't know if he is the person to be involved in any of its working committees. He thinks it is important for the person we hire to replace Duncan to be at the table and part of the committees. He plans to go to the September VPPSA board meeting. H 40 will be happening. The good thing is that the requirements are VPPSA-wide. The VPPSA board was not worried about the first threshold that kicks in. Eventually we have to get to 75% but we have 15 years for that. Long term decisions have to be made and VPPSA has to be involved. He thinks Duncan's replacement should be involved.

Walter said H 40 has 3 parts. It has requirements for percentage of renewable energy. The second part is a requirement for percentage of local renewable energy. The VPPSA board felt that between net metering projects and VPPSA solar projects we should be able to meet the requirement for 2017. The third part has to do with energy transformation. We will be doing

things differently like focusing on efficiency. Duncan said if we meet the requirements of the first two pieces we can avoid the third.

Duncan said in September he can attend the VPPSA board meeting on the village's behalf if the board hasn't hired anyone for his position. Active participation in VPPSA is very important. Walter agreed. He doesn't know if he wants to be the long term representative to VPPSA. If we hire someone to replace Duncan we have to decide how much authority to give that person.

Duncan said it appears we have agreement with Kingsbury that they don't owe us the \$4,528 that was in question and they have agreed to investigate whether or not we were underpaid by \$12,000.

When we purchased a 15% share of the MW&L transmission system we also became a 15% owner of the specific facilities in the VELCO 115 kV substation in Stowe. MW&L and VELCO would like VOJ to sign a Substation Participation Agreement, which specifies all the equipment in the sub which is specific to the MW&L/VOJW&L tie and assigns 15% of the cost of those facilities to us. The annual costs are estimated at \$2,760 or \$230 per month. This is to pay VELCO back for capital expenses VELCO fronted when they built the substation.

Walter said he didn't agree to pay 15% of MW&L's loans. We already paid our 15% for their assets. We are being asked to pay twice now. David said that makes sense. Walter said if it is maintenance related that is a different issue, but if it is for the asset itself we have already paid for it.

Duncan said he understands what Walter is saying but he doesn't think we have paid for it. He needs to check exactly what we committed to in the substation agreement and exactly what we bought. He will do additional research and come back to the board.

The sidewalk on the west side of Clay Hill Rd. is quite bad. Both sides of the road are paved and not in good shape. Duncan has had complaints. We could add another coat of pavement to them. A better long term solution would be to rebuild as concrete sidewalk.

David asked if we need to budget for a section of sidewalk every year. Scott said the roots of the trees growing there are breaking up the sidewalk. If we put in concrete the same thing will happen. Gordy said the storm drain is higher than the sidewalk. We need to do storm drain work. Walter suggested adding this the next time the town is getting bids for a project. David asked if we have a plan to replace some sidewalk every year. Is there a way we can prioritize?

Gordy asked when we will know if the School St. project is over or under budget. Duncan said by late summer. And he thinks our 10% of the Grand List is not all earmarked for this year.

Gordy said one question is whether we repair what we have or add new sidewalk. David said if we are going to add more we need to first come up with a plan for taking care of sidewalks we have. Duncan said after the School St. project most of the sidewalks will have been replaced.

Walter said if bids are going out, let's ask for one for sidewalk on Pearl St./ Clay St. Scott said blacktop is quick and easy. Gordy asked Duncan to get prices and Troy to do an inventory of all our sidewalks.

Troy said if we tear up the sidewalk to put in a new sidewalk we will damage tree roots and lose the trees.

A water line has been put in to the rail trail building and there is a water fountain. There will be a portable toilet. The only use of water will be for the fountain. The fountain water drains into the sewer because a connection to the wastewater system is legally required. Does the board want to bill the town for sewer and water or just for water?

David asked who is keeping an eye on the portable toilet and water connection. Are the police checking it? Bob and Walter said that is the town's issue, not ours. Duncan said there are a lot of people there and he hopes if someone sees vandalism they will report it.

Scott asked how much sewer would cost. Walter said the user fee will be \$45-50. Duncan said usage will be peanuts. The meter will have to be pulled in winter. We charge a standard fee for disconnects. He hopes the board will just charge for water. Duncan said at some point there will be a bathroom with a toilet. Then we can start charging for sewer. Walter said disconnecting and reconnecting is just one department helping another. The town sands the village green and doesn't charge us. Village and town crews plow this parking lot and we don't sort out who does it. Bob asked, why put a meter on it if it's just a water fountain? Walter doesn't think we should charge the town for water. **David moved to charge the town for water but not sewer at the trailhead building and for meter connects and disconnects, Scott seconded, and the motion was passed with Walter opposed.**

The listers have given the board a change of appraisal notice for the distribution system, which represents a 3.3% increase in value. If the board wants to appeal Duncan would need to file a grievance with the listers by June 17. If we grieve it, he feels we will lose. He does not recommend grieving it. **David moved to accept the change of appraisal for the distribution system, Scott seconded, and the motion was passed.**

Duncan said he would like to attend one last NEPPA conference. Gordy said he thinks Duncan should go and if a trustee wants to go they should have the chance also. He thinks it would be beneficial. The board agreed Duncan should go.

Duncan said the NEPPA board lost its director and is a part of the group looking for a replacement. He is pushing for increasing the level of safety trainings. He has gained a lot of traction on this. The NEPPA board agreed that making changes to the safety trainings is one of the highest priorities for the board and the new Executive Director. The NEPPA trainers

would become OSHA certified and the trainings will be geared to meeting OSHA requirements.

A true up bill was sent to the developer of the JSC solar project but they have sold to someone else so we were told we need to send the bill to someone else. A true up bill is billing them for the amount over our original estimate. Troy said our cost was about \$9K over the estimate. Because Fairpoint was on strike and we didn't get issued money until October we had to get contract services from Morrisville in order to meet their deadline to get it online by January 1.

Duncan asked Tom to communicate with VTrans on access to the sewer pump station during the twin bridges project.

Troy and Jim Fontaine have spent some time trying to figure out a final billing for the VTel/Comcast make ready work. It is a very complicated process. They will come back to the board on that. Walter asked if Comcast is legal on all the poles. Duncan said no.

Duncan said Eric asked VLCT about open meeting law in relation to meetings of the search committee. The VLCT attorney feels that if there is a quorum of trustees at a selectboard meeting that has to be warned as a meeting of the trustees. His opinion is that any time there is a quorum of the board present at a duly warned meeting where business of the town or village is conducted that quorum represents a meeting and has to be separately warned. The attorney does not believe board members can say they are attending as citizens. Gordy said it definitely has to be warned if board members are there to do village or town business. He doesn't agree with everything in the emails Eric got. Duncan said it would be an absurd result to apply the law to town meeting or the village annual meeting. David said it is his right to participate in any open meeting. If his vote is being stifled, that is not right. Duncan said the flip side of the argument is that all you have to do is warn it as a meeting. He thinks it is absurd that it counts as a meeting any time a quorum is present.

There was a presentation at the VPPSA board meeting from SEDC, a software company that specializes in account, billing, inventory maintenance, work order and other applications for utilities. They are a member owned not for profit and they work only with public entities. Duncan thinks it is worth taking a look at what they offer. Walter agreed it is worth looking at.

All loans for the State Revolving Fund now go through the Municipal Bond Bank. Supposedly the application has been streamlined.

Copies of the Abridged Power Bill Summary were distributed to the board.

Duncan got a letter back stating that his responses to our inadequacies for the sanitary survey were acceptable to the Water Supply Division.

The policy on cost responsibility for sewer connections still has to be done.

The electric system voltage conversion and T&D study is in limbo.

#### **10. Other Business**

Bob said he wanted to talk about providing water the Lamoille View Cemetery. It is not worth it to the Cemetery Commission to pay \$1500 for a vault, etc. Duncan said he thought the village agreed to install a vault and meter if they wanted to pay for water. Gordy said we were trying to come up with a way to provide water for them but not have to provide it free to other groups like the Masons or churches. Walter said if we want to make a rule we can apply consistently he is willing to go with it. He is content with doing what we are already doing for the Masons, etc. Duncan said no one was sure whether there might be many leaks in their water line. Bob said they are planning to put in new lines. He thinks we should provide them water. He can't believe there is a non-profit in this town that would complain about the village providing water to that cemetery.

David asked what non-profit is getting water for free. None are, others said. David said if no other organization is getting water and sewer for free, how can we justify giving free water to an organization that is private and charges? Walter said we charge the library and the school for water. Gordy said most board members wanted to do it. They wanted to find terminology that would allow it. David asked how much water they use. Bob said about 50 gallons a month for several months – less than 200 gallons for the whole year. Scott suggested building a cistern. Bob said they have considered that. Duncan said we can double check past minutes. He thinks the board agreed we would put in a vault and meter. Tom felt it was important to have a meter in case there was a leak. Gordy said he would support providing water if we could come up with terminology that would not open the board up to providing it for other organizations. Bob said he feels we waste more water than what the cemetery uses.

Gordy said he voted against applying for the grant to put in sidewalk on Railroad St. because it wasn't posted on the agenda and Chan Parker hadn't been notified. He talked to Chan Parker about the grant. Chan said he has been cooperative with people who want to park by his business to use the rail trail. He doesn't want a sidewalk there disrupting his business. Gordy is also concerned that we would have to have a rate increase if Lea wasn't able to get the 10% match covered. And the trail doesn't officially open for another year so we would be encouraging illegal use. He thinks Chan would be receptive to having white lines delineating a sidewalk. We could try that. He wants to be fair to Chan and his business. Painting lines would cost a lot less money and he thinks we could make it work.

David said he was under the impression there was a 10% match for this grant. Walter said Lea was looking at getting another grant that would have paid the match. If we didn't get the other grant we would not have accepted the VTrans grant so we would have had to pay nothing.

Gordy asked if the board wants to paint white lines or wait until next year. Walter said he asked the selectboard if they would be interested in having crosswalks across Railroad St. from the two ends of the rail trail. We would not paint the lines now if the trail is officially closed. Duncan said they are saying it will be officially open at the end of the summer. The board agreed to leave things as they are for now.

David said he thinks the board should set up a work session to discuss hiring, electric department pay, etc. It was agreed to schedule a meeting for 6:00 on June 17. Board members agreed Duncan would not be needed at that meeting.

***11. Adjourn***

**Walter moved to adjourn at 10:21 and the motion was seconded and passed.**

*Minutes submitted by Donna Griffiths*