

JOHNSON VILLAGE TRUSTEE BOARD/SELECTBOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, APRIL 27, 2015

**Present:**

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

Selectboard: Eric Osgood, Nat Kinney, Howard Romero, Doug Molde, Kyle Nuse

Others: Rosemary Audibert (Clerk), a member of the public

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

**1. Call to Order**

Eric and Gordy called the meeting to order at 6:12.

**2. Process for Replacing Municipal Manager/Consideration of Shared Public Works Position/Staff**

Eric said Duncan has submitted a letter informing the boards of his retirement no later than September 1. Gordy and Eric met with him about a week ago. When Duncan was hired there was a committee with two selectboard members, two trustees, and Rosemary. The committee developed a job description which was approved by the boards and the opening was posted. There were about 30 applicants. The committee narrowed the applicants down to about 10 or 12 who they interviewed, then narrowed them down further to 3 or 4 who came before both full boards. The boards made the final selection. Eric thinks that process worked well. He thinks this time around we will again need a committee to go through all the applications. It wouldn't hurt to look at the job description and see what worked and what we might need to change. Tonight the boards need to decide how to move forward. Should we set up a committee? Should we review the job description before we post it? Eric would rather do the process right than rush it. If we need more time we can have an interim manager after Duncan retires.

Eric said one thing Duncan has mentioned that we may want to give thought to is that if the town and village were going to have a shared public works superintendent, that might change the description of the town manager.

Bob asked if we are hiring a town manager or assistant. Eric explained that even though the boards refer to Duncan as a manager, the person would actually be an administrator, not a manager. The town and village have never adopted the town or village manager type of government. We can give an administrator as much or as little authority as we are comfortable with. Over the years, Duncan has taken on more of a supervisory role. Gordy said a lot of people don't like the term "manager" to be used for Duncan's position.

Scott asked if there was ever documentation of new job responsibilities Duncan took on. Was his job description rewritten? Eric said we have modified the job description and the town and village have always done a salary survey. They have looked at what other communities in the state pay administrators and managers. Duncan's salary has been around the middle, which the boards thought was appropriate because he does more than the typical administrator but not as much as managers in towns that have the town manager form of government.

Scott asked if there are legal differences between managers and administrators. Eric and Doug said yes. Doug said Duncan's job description describes his duties and says his job may include other

duties by delegation of the selectboard or trustees. The “by delegation” part is the camel’s nose. Eric said if Duncan was ever not comfortable making a decision he would talk to Eric or Gordy. Doug said he thinks it would be a good idea to drop “manager” and go back to “administrator” as the term used for the position.

Kyle asked how long the process was from start to finish last time. Eric said it probably took a year because the committee had to develop the job description. Rosemary said there was a public committee, too.

Scott asked if it would be better to have a manager or administrator. Eric said it won’t matter what we call it as far as salary or job description. Doug said we can’t decide to adopt the town manager form of government. We are looking for an administrator that we call a manager. Eric said we evolved into calling Duncan a manager because it was easier for the public to understand, but we never had the manager form of government.

David said he wonders if there would be cost savings if the village and town shared a public works superintendent. Howard asked what that would mean. Eric said the former public works superintendent, Steve Towne, supervised all the departments outside the office except for the highway department. If the town and village had a shared public works superintendent he would absorb the highway department as well.

David asked, instead of hiring a town highway department foreman and a replacement for Duncan, could we hire one person to handle it all? Several people said no, that would be too much work. Howard said the highway foreman is out of the office all day supervising work. David asked if we could have one person supervising with a foreman beneath that person. Howard said that is what we have done. We have had a road commissioner. We stopped doing that after a while. Eric said the road commissioner became Duncan. The board appointed him in that capacity because he was here on a daily basis so it was easier for him. Duncan has always done a lot of the administrative work related to the highways. Steve Smith is a working foreman.

Bob said he thinks the job Steve Towne had can be lightened up. He thinks Steve was a glutton for punishment. Gordy said the village has a big decision to make about which way to go with the electric department. Eric said he feels if we hired a public works superintendent that person would be doing administrative work, not out climbing poles. Stormwater runoff requirements are going to be a huge issue for the town. There will need to be someone doing that work. Duncan was swamped with his own work, so the person who replaces Duncan would never be able to pick up that additional work. We want to keep the highway foreman as a working foreman. Gordy said neighboring towns have 5 people in the highway department and we only have 4. Eric said we are close to needing a 5<sup>th</sup> person but not quite there. Gordy said the village has 5 employees who work outside the office. He hates to see too many layers of bureaucracy. If there is a special project, couldn’t it be contracted out? If we could get a lot of the electric administrative work out of this office, it would take some of the workload off of Duncan’s position.

Eric asked what the ratio of village to town time is for Duncan now. Rosemary said 60% of his time is for the village. Eric said it was originally 70-30. Eric said if Steve Towne were replaced by someone who spent some of his time on town highway work, the town would pay some of his salary, which would be a savings to the village. He asked if the trustees are thinking they no longer

need that position because the electric department work will be contracted to Morrisville. The trustees said they don't know. Scott said he doesn't see how we can make decisions about positions until it has been decided what will happen with the electric department.

Howard said his feeling has always been that it doesn't make sense to have 2 different entities taking care of streets and sidewalks. Would the village be amenable to having sidewalks and street cleaning folded into the town? Scott said yes and no. The tax burden to village residents is unfair because village residents are paying twice for sidewalks. But when he looks at all the shared responsibilities, it seems difficult. If he were being asked to figure out the best organizational structure for town and village he would want to start from scratch and probably not separate the village and town. In the past we have discussed merging based on cost savings and he thinks the final comment was that it would not be worth it because the cost savings would not be that great, but that was 10 or 15 years ago. With the new legislation coming from Montpelier and Washington and what's going on with the electric grid, he feels it is not good to have separate "silos." Eric said one reason we found there would be limited cost savings is that the town and village share so much – this building, equipment. We have tried to be smart over the years and we have merged without merging.

Doug said the way it was affordable to get an administrator for the town was for the village and town to share the person. He tried to work on getting the town and village to consider a merger. Howard and George were on the committee. Doug felt not much effort went into it. It didn't get a good look. The time wasn't right. He doesn't think the money question was really looked into.

Gordy said 6 months ago the manager of Northfield came and talked about contracting out electric department work. He said we wouldn't be able to save money by downsizing employees if we contracted out. We would still need a village governing body.

Eric asked if part of the village decision is whether to replace the public works superintendent. Trustees said yes. Eric asked, so if they don't keep the electric department, they might not need a public works superintendent? Gordy said they haven't even had the chance to discuss it.

Eric and others discussed deciding now who will be on the committee. Nat said he is unclear what the purpose of the committee is. Scott said it is fact finding, talking to employees, and getting everything put together. When the committee is close then they would come back to the board.

Doug asked, if the trustees have a meeting and decide what to do with Steve Towne's position, don't the two boards need to get together first and decide how to structure their organizations before the committee starts work? Scott said if the village contracts to Morrisville for electric work, they would still need someone to oversee any work our employees do with electric lines. We would still assume responsibility under OSHA as a host because we own some lines. That is something that has been overlooked. There is still responsibility, but he is not sure if it is a full time job. Duncan had mentioned having someone in charge of making sure we are meeting OSHA regs, etc. and getting the training needed. David asked if we could hire an outside contractor for that. Scott said we could but they are extremely expensive. Eric said the town also needs to make sure safety training is getting done. Because the town has similar needs, that is an opportunity to share.

David said he thinks the reason we are having this conversation tonight is that we placed way too much responsibility on one person. Could the town and village save money by having a shared superintendent to oversee the business and working foremen for the village and the town beneath that person? The superintendent would oversee everything, making sure the village and town were working together and taking care of responsibilities in house. The position would incorporate part of what Duncan does, part of what Steve Smith does, and part of what Steve Towne did. Eric asked if Duncan's replacement would be above that person. David said he is questioning whether we need another person on top. Eric said yes. Duncan is so overwhelmed now that we have talked about hiring an assistant for him. David asked if the village and town foremen could take over some of those responsibilities. Eric asked if David is thinking that the manager would be the public works superintendent as well. David said yes. Several others said that is too much for one person. David asked if we could redistribute responsibilities so some work is handled by the town and village foremen. Bob said he thinks that is putting dollar signs in front of safety. There would be too many people and none of them would be responsible for safety. David said he is trying to get at the safety aspect by having one person in charge. Eric said for David's suggestion to work on the town side, the highway foreman would need to get pulled off his truck and do some of the things Duncan has been doing.

Gordy said the trustees will be meeting with the village employees Wednesday. They probably should meet with the office employees sometime too.

Eric asked if there are opportunities for some of what Duncan does to be done by the office employees. Rosemary said maybe.

Eric said there has been thought of a shared village/town handyman employee. Tim Percy used to do some small construction jobs and we don't have anyone to do that now. For instance, a door handle fell off in the office and there was no one else to fix it so Duncan did it. We are paying him a lot to do things like that. David said maybe that person could have a split job description – driving a truck and also fixing door handles, painting, etc. Eric said yes, the person could do odds and ends. The town just got the job of picking up trash at the ball fields. The skate park has sometimes asked for town help. Gordy said when Cliff retires next year we may have to replace him. That's another unknown. Doug said that's a large conversation. He doesn't think we should hire someone to put door knobs on but we should have someone who is capable of doing it.

Eric recommended that Rosemary be on the committee.

Gordy said when we hired Duncan we supplied him with a vehicle. We need to decide if that is part of the package for the new administrator. Eric said one justification for not paying Duncan as much was that he was provided a vehicle. Bob said he can see providing a vehicle to an employee but not letting the employee take it home. Eric said the town did start insisting that the foreman take a truck home because it led to legal trouble when he drove to a site with his own pickup and got hit by someone. The town insurance wouldn't cover it.

It was agreed that the committee should have Rosemary, 2 selectboard members and 2 trustees and that the trustees would wait to choose their representatives until Walter could be there. Doug suggested that Howard and Eric serve on the committee and they each agreed. David said he could be one of the trustee representatives. The trustees thought Walter might be the other.

**3. Form Based Code Process**

Eric said the trustee board and the selectboard have developed a great working relationship over the past few years and that has affected employees as well. Many years ago the town and village employees didn't get along and wouldn't help each other. We have come a long way and he doesn't want to lose ground. He thinks a majority of the trustees were against zoning or had concerns about it. There were concerns that the selectboard would impose zoning on the village. The selectboard paid for the consultant to look at form based zoning. The zoning plan that is being developed is village focused but might go into the town later on. A number of years ago the voters voted that zoning would have to come to them to be approved. Now the statute has changed and only the selectboard can adopt zoning. But the people who were on the selectboard at that time promised that there would be a vote and that they would honor the vote. Eric doesn't want the selectboard to take a position different from what is expressed by the voters and doesn't want a rift between the two boards. He personally will vote in accordance with what the voters vote. If the selectboard vote reflects the vote of the townspeople, will the trustees accept that?

The four trustees present said they would accept the public vote whether they agree with it or not and will not hold it against the selectboard if the selectboard vote reflects what the voters want.

Gordy said there is good communication now between the town and village work forces. Troy Dolan and Steve Smith communicate well.

***Adjourn***

4. The meeting was adjourned at 7:26.

*Minutes submitted by Donna Griffiths*