

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES
ELECTRONIC MEETING VIA ZOOM AND PHONE CALL-IN
MONDAY, JUNE 8, 2020

Present:

Trustees: Scott Meyer, Gordon Smith, Bob Sweetser, Phil Wilson

Others: Meredith Dolan, Rosemary Audibert, Troy Dolan, Dan Copp, Doug Molde

Note: All votes taken are unanimous unless otherwise noted.

1. *Call to Order*

Gordy called the meeting to order at 4:07.

2. *Changes, Additions to Proposed Agenda*

Meredith added an update on the village green easement. The third item in her report will include a request from office staff to make modifications to the front window and an update on the fire department COVID-19 response. Troy will discuss purchasing a utility trailer to replace an existing trailer under his report.

3. *Administer Oath to Newly Elected Trustees*

Rosemary administered the oath to Gordy and Phil, who were re-elected.

4. *Election of Village Trustee Chair and Vice Chair*

Bob nominated Gordy for chair. Gordy said Scott has done a lot of work most people don't know about on the command committee. He asked if Scott would be interested in serving as chair. Scott said Gordy does such a great job as chair he thinks he should remain chair.

Gordy turned the meeting over to Scott as vice chair. **The board elected Gordy as chair.** Scott turned the meeting back over to Gordy.

Phil nominated Scott for vice chair. **The board elected Scott vice chair.**

5. *Appointment of Water & Light Commissioner*

Bob moved to appoint Meredith Dolan as water and light commissioner and the motion was passed.

6. *Review and Approve Minutes of Trustee Meetings*

Bob moved to approve the minutes of May 11, May 21, and May 26, 2020, Scott seconded and the motion was passed.

7. *Treasurer's Report / Review and Approve Bills and Warrants / Budget Status*

Rosemary said she had previously sent out the budget status report. General department revenue is low because tax bills haven't gone out and rent hasn't been paid. Belvidere paid two installments of the fire contract today. The town will start paying after July 1.

Phil asked if we have a sense of how poorly the town is doing for revenue. Rosemary said for next year they are mostly concerned about the PILOT payment from the state. They should have estimates sometime this week about payments from the state. Meredith said on Friday Dan Noyes talked about 100% funding for PILOT so it appears that the town should at a minimum get what it was expecting.

Scott asked if we have an idea what the grand list will be after the reappraisal and how that will impact the town and village. Rosemary said a rough estimate of the village grand list

indicates it has not changed substantially. Grievances end on Wednesday and we should have a better idea after then.

Scott asked if unpaid electric bills are forgiven or just delayed for those who can't afford to pay. Meredith said currently we are expecting people to come to us and make payment arrangements. Under another agenda item she will talk about what the state is expecting us to do. There has been discussion at the federal level that relief bills might include money for people to pay utility bills.

Total electric department revenue is 39% of budget when we would expect 42% of budget at this point in the year. Meredith said what we paid for power supply in April was not drastically different from what we expected. Rosemary noted that all vacation or sick pay due to COVID-19 was put under the electric department. At some point that will be broken out among all the departments.

Water sales were about 39% compared to the 42% we would have expected. That is based on what was billed, not what people have paid. The NVU facilities director thinks the college may still have a leak. That may account for why there has not been as big a decrease in water sales as we might have expected. Water expenses were about 32% of budget.

Sewer sales are at about 40% of budget, which is close to being on track. We are already over budget for outside repairs and parts. Dan said some of that is due to the River Road pump station and some is due to work done on the generator.

8. *Appointment of 3rd Village Auditor*

Rosemary said no one got enough votes to fill the third village auditor position. Should we do a Front Porch Forum post soliciting names? Gordy asked if it is in our charter that we have to have three auditors. Can we just use the outside auditors we hire? Rosemary said we can eliminate the auditor positions by state statute. It would take a vote of the village. Gordy asked, should we take a look at that? Rosemary said she thinks so. Phil suggested trying to find a third auditor for now and making a change at the next annual meeting. It was agreed that the board will try to find names of interested people and if there are multiple people the board can hear from them at next month's meeting.

9. *Request for Approval to Construct Fishing Access on Former Talc Mill Property*

Doug said the village trustees were concerned about the fishing access ladder he proposed with regard to Act 250. Noah Pollock heard from Susan Baird that Susan would issue an administrative amendment to authorize the ladder if Rebecca Pfeiffer doesn't have issues with it. Noah hasn't been able to get in touch with Rebecca Pfeiffer. Noah's crew would like to install the ladder in the third week of June. Doug asked if the trustees could provide approval conditional on receiving approval from the state floodplain office. **Scott moved that the village allow the Lamoille River temporary fishing access stairs project to move forward pending state approval, Phil seconded and the motion was passed.** (Doug left at 6:33.)

10. *Water/Wastewater Report and Action Items*

Dan said all samples met state requirements. The E-DMR and WR-43 were submitted for review. The wastewater plant is operating with a full staff while following proper COVID-19 work protocol. There were multiple callouts for the River Road pump station. Pump #1's

motor failed. Farrell Electric replaced the starter capacitor with a new one. The pump compressor on #2 failed a few days later. We were able to get one pump going by putting the good motor on the good pump. Farrell Electric repaired the motor and we were able to source a rebuild kit. The pump has been rebuilt. Both pumps are back in service. With trustee approval, Dan would like to rebuild the other pump and motor. The motor starter has been cobbled together and the pump should have a new starter in it as well. A motor starter installed is around \$300 and the rebuild kit for the pump is \$200. There were two alarms for a #1 decanter fail. We were able to adjust the switch that was replaced last year and it is operating properly. Elizabeth Walker from Vermont Rural Water Association worked with us on process control techniques. She also worked with the microscope to optimize our biological process. No changes were recommended. Employees cleaned the UV bulbs and UV channel and replaced worn-out bulbs. We pumped all of the cloudy water from the cleaning process back to the headworks so no solids would go to the river. There were no call outs for the water plant. Coliform results were negative. Water loss was 17%

Scott said given our lack of money due to COVID-19 if we can bandaid the pump for a few hundred he will be happy. If we were in a better place financially he would say maybe we should replace it with a new pump.

Meredith said at the urging of Dan, due to the fragility of the pump station, she reached out to the state to figure out if we could relatively quickly access funds for design of a new pump station. Under the Clean Water State Revolving Fund program we would only have to pay 50% of the cost of the loan. There is zero interest for 5 years and if we don't go to construction we only have to pay back 50%. There is a process to access the funds and it sounds like it could be 60 to 90 days before we could get the process going. She is hoping to get approval to move forward with trying to get funding for the design. The state is currently giving out some money to entirely pay for projects and we may be able to get some if we can have a 60% design by December 1. It seems like we should try to make something happen now if we can. She would like approval to seek funds from the state to for design of a new pump station.

Dan said we set aside \$30,000 for the cupola. But he guesses the contractor will have a hard time getting to it this year and the pump station is higher priority than the cupola to him. We could use some of that money for the design.

Gordy said he thinks it is time to come up with a design and to do as Meredith suggested. Dan said he guesses we can do it for \$150-200,000.

Bob moved to seek loan funds from the Clean Water State Revolving Fund for design of the River Road pump station, Scott seconded and the motion was passed.

The board agreed that Dan should buy the rebuild kit and starter for the pump.

Gordy said for about two months he has been noticing air sometimes coming out of his faucets. Is there any reason for it? Dan asked if Scott has noticed the same thing. Scott said

no. He has in the past and it was because his hot water tank was failing and a pressure valve needed to be replaced. Dan said he will check the pressure in the tanks.

11. Foreman Report and Action Items

Troy said on May 21 there was a car-pole accident on Route 15. The village crew responded and secured the pole as a temporary fix until the pole was replaced by Consolidated Communications on May 25. Our crew worked with Consolidated Communications during the replacement and we had to have a small outage that affected two customers for about an hour. Troy has reached out to the sheriff's department to get a copy of the accident report in order to bill the driver's insurance for the village crew's time.

On June 2 the crew replaced the three phase transformer at Nadeau's Sand and Gravel because the old transformer was showing signs of overheating. Troy had ordered the replacement transformer back in December. On June 3 we replaced a pole on Collins Hill in order to provide Comcast Communications service to the Jenna's Promise building. Since returning to full staff we have also repaired multiple street lights that were out. The crew also completed monthly meter reading, high/low checks and Dig Safes.

Flags and spring banners were installed. All sweeping within the village has been completed, including the business portion of Route 15. All crosswalks except those on Route 15 have been painted, as well as the parking spaces at the municipal parking lot. Troy will reach out to see if the state is going to paint the Route 15 crosswalks. If we do it, it is expensive because we have to have traffic control. He would bring that to the board first. The picnic tables were brought back to the village green and required signage was attached.

Water at the skate park was turned on. We had a water leak on June 7 at the cemetery on Lamaille View Drive, which was caused by a coupling that had pulled apart on the village side of the curb stop. The village crew made the repair on June 8 and water service is back to normal.

Hydrant flushing has been scheduled for next week and the village crew distributed notices to businesses. The fire department and water plant have been notified

All protective rubber goods were sent out for 3-month testing.

Troy created two job estimates for the Vermont Studio Center for an electric service upgrade and guy wire retirement at 24 Clay Hill Road.

Troy met with the engineer from Consolidated Communications to begin discussing the pole replacement project on Route 100C. They bought out FairPoint and they have no records of that job. If he can prove they agreed to set the poles and get the easements they will start moving forward with it. Troy acquired permission to bill for right of way cutting and danger tree removal. Over the last two years we have set 15 poles that Consolidated has not yet transferred onto. Once that occurs he will be able to bill Consolidated for their share of the cost of those poles, which is roughly \$600 per pole.

Troy has been in touch with the Unifirst uniform company and employees will be getting fitted for uniforms on June 10. A year ago he was asked to sign a renewal with Cintas but he did not agree to renew with them so once we are satisfied that Unifirst can meet our needs we will be able to sign up with them. Current estimates show a potential savings of \$7,500 a year over Cintas.

Jeff and Chan will begin their online NEPPA training the week of June 22 because in-person courses are not currently offered. This will create a significant savings because they will not have travel and lodging expenses for courses in Massachusetts.

Troy is working on an estimate for Travis Hill for a 500-foot primary overhead to underground conversion just past Crab Tree Lane on Clay Hill Road

Troy said we have a small homemade utility trailer that he would say is at least 40 years old. It is in poor condition and it has no rating. We probably shouldn't use it. We sold a couple of pieces of equipment and got \$1,500 that was not in the budget. That could go towards the trailer purchase. The trailer is used for moving the trench box and the tractor for mowing. We can get a trailer that is the size we need for \$1,857 from Green Mountain Trailers in Morrisville, who offered a \$150 municipal discount. **Scott moved to approve purchase of a new utility trailer, Bob seconded and the motion was passed.**

12. Discussion of NVU Utility Assistance Request

Meredith said Mike Stevens, the director of facilities at NVU, has asked for assistance regarding NVU utilities. He has mentioned in the past that our electric rate is significantly higher than what NVU pays in Lyndon. That is true. Lyndon is a bigger system. The theory is that each rate class is given its share of the system and when there are fewer customers they would pay more. The two campuses are similar in size but usage is higher in Johnson. Mike Stevens asked if the village might assist with metering some individual buildings. Most of their buildings are not individually metered so it is difficult for them to know the impact of changes. They thought if more buildings were metered it would give them better information. This would be just for information purposes, not billing purposes.

In Lyndon, if there is a leak on the campus the village water department works hand-in-hand with the college, but we don't have much to do with their leaks. Mike Stevens has asked if the village could do some water testing for the college. They spent \$40,000 trying to find leaks last year and they wonder if there is any assistance we could provide with that. Lyndonville has a separate line crew and water staff. We have fewer staff.

Our last rate increase was in 2010. We increased all rate classes by the same percentage and didn't do a separate analysis of whether the portion NVU is paying is proportional to their percentage. If we did another analysis it is possible their portion would be higher, as we have lost other commercial customers. The PUC has allowed special economic development rates to be adopted by communities. That is something we can talk about but if we charge the college less, other rates would have to go up.

Dan said NVU - Lyndonville is part of Lyndonville's water system. NVU – Johnson's water system is separate. Utility Partners could take over doing NVU's sampling and monthly

reporting. They could absorb that with no extra cost. It is a few hours' worth of work each month. We need more details as to what exactly they are looking for but he thinks doing sampling and recording for them is doable.

Scott asked if NVU has reached out to Efficiency Vermont for review of their power usage and losses, better ways to distribute and monitor and efficiencies they could be doing. He thinks Efficiency Vermont would help them if they were asked, because of the political ramifications. Meredith said she brought that up with Mike at least a year and a half ago. She, Mike, VPPSA and Efficiency Vermont met and talked about potential efficiency programs. Nothing immediate came out of that. She brought it up again in her most recent conversation with Mike. He said they already have a good relationship with Efficiency Vermont. He didn't seem terribly interested.

Scott said because we are such a small community and one of the poorest, shifting the burden from the state to economically deprived ratepayers seems wrong. There is a balance we need to find with supporting the college. We need more conversation on this, perhaps with local lawmakers or with the task force on keeping the colleges open.

Bob said the people in charge of the college haven't kept up on maintenance and want us to bail them out.

Gordy said the Johnson college campus has a 24 volt system. Lyndon probably has a 7200 volt system. With the 2400 system there are probably a lot of line losses. That cable is old and at some point they will start having a lot of outages. They will need to address that.

Scott asked if we can verify the line loss that Gordy is speaking about. Meredith said it is challenging because they don't have meters on a lot of their buildings. We can say how much power we sent to them but without more data points it would be hard to say what the line losses are. She agrees that the infrastructure is old and probably not in great condition based on its age. To determine line loss we would need to be metering in essentially every major building. It would involve them hiring an electrician to put in meter sockets. We don't traditionally do that. We can work with them on getting meters put into buildings and we can make suggestions but we cannot do all the work. She can follow up with Mike on that point.

Meredith said another question is, if they are not using their current contractor for testing, would that contractor still be willing to use their water license for activities on campus or would they want to use the Utility Partners license?

Meredith said Rural Water may be able to offer assistance on leak detection. Dan said it costs \$200 a year to be a Rural Water Association member and they can provide free help with leak detection.

Meredith said she and Dan can follow up and try to get more detail on some things. We may need a meeting with a few trustees and people from the college. Scott said he would feel better if he knew the college had contacted Rural Water and Efficiency Vermont. He would like to see them coming to others before asking ratepayers to subsidize them. Meredith said

she will try to put Dan in contact with Mike and she will let them know that they need to identify where they want extra meters and that it would be a cost to them to have an electrician put in meter sockets.

13. Review of 2020 COVID-19 Budget Impacts

Meredith reviewed the information she had sent to the Department of Public Service about unpaid bills, loss of load and loss of sales for April. Unpaid bills were about 15% of the total billed. Unpaid bills were a 27% decrease from the year before. Right now the net impact isn't looking too severe but we need to be wary of the impact of what we are able to bill and collect. For April and May the average load decrease was 14%. In the last week of May the reduction compared to the previous year was down to 5%. Last year NVU was already shut down by that time.

14. COVID-19 Response Check-In and Update

The disconnection moratorium was extended through July 31. The Public Utility Commission put out direction that every utility should put in a plan for how they will reinstate disconnections. VPPSA discussed that there is an existing disconnection rule that lays out a process. Why would we use anything else? They think the PUC is looking for something more generous than what the current rules require. Our initial answer is that we will use existing rules and that if they want us to do something beyond that they should tell us what.

We know a lot of customers have ramped up big bills. Now that we have Marla on staff, Susan suggested she could start making phone calls to customers to ask if they want to start setting up payment plans.

For April and May, we did not charge interest on water bills. Susan is wondering if we will start charging interest again at the end of June or continue to waive it. Scott asked, we don't ask anyone any questions? Anyone can defer payment, right? Meredith said yes. The state has said there should be no involuntary disconnections and we didn't want to pressure people in a difficult time. We were also down a person in the office.

Scott asked, since we have waived interest on the past 2 months, moving into the third month will customers have to pay that interest or are we forgiving it? Meredith asked Rosemary, we wouldn't be going back and adding interest from previous months, right? Rosemary said no; we would start fresh. Scott said they would still have to pay the money owed on their bill but we would forgive the interest. Given that, he would like to see us continue to waive interest, but with some note to us explaining what the hardship is.

Gordy asked how much money we are talking about in interest for another month. Would it be about five or six hundred dollars? Rosemary said it would probably be about that much. Phil said it would be so difficult to administer it would probably not be worth the administrative time to get explanations and requests from people. Meredith said her concern is how we would find those people who had hardships without reaching out to each person.

Phil asked, will they never pay interest or when we start to assess interest will they owe interest on the amount that is due at that time? Meredith said she thinks we would start

charging interest on the full amount due in the month when we decide to start charging interest again. Rosemary agreed.

Bob said he can understand wanting to help people but we will probably help as much by making them pay. He hasn't seen many people starving with all the programs available. He thinks we have to protect ourselves.

Phil asked what interest rate we charge. Rosemary said 1.5% a month. Phil said that is really small. Rosemary said it is 18% for a year. The board discussed charging no interest in June but starting to charge interest again in July. We can consider it if someone has a specific request and can't start paying again. Scott said he is looking for fairness for everyone. He wants to distinguish between people who can't pay and people who don't want to. He is not quite sure how to make sure it is fair. Meredith said it is very difficult. If people reach out to us saying they're having a hard time, trying to be flexible with them and offer them options is the best we can do. Gordy said he thinks we should probably start collecting interest in July and treat it like delinquent electric bills. They should call the office for a repayment schedule if they are having difficulty. Meredith said we can let people know that when we call them about their past due bills. It was agreed to start charging interest in July.

Meredith said we have been crediting back any credit card fees. Two months ago the total amount credited was close to \$500 and it was close to \$600 for the most recent month. Susan wanted to check whether the board wants to continue with that. The office is still closed and it is more difficult for people to pay in other ways. They can put cash or checks in the drop box but a lot of people are choosing to call and pay over the phone by credit card. Rosemary said the fee is 3.5%. Phil said a lot of people don't have a bank and won't want to leave money in the drop box. Rosemary said the amount we have received in cash has gone way down. The board agreed to continue to waive credit card fees until the office opens.

Meredith said office staff have found the current setup of the window makes it hard to keep a barrier between employees and the public and still transact business. Currently there is a sliding window in the middle. On the far left there is a small gap where people can feed money or paperwork under but it is hard to use if they have anything larger. Staff thought an opening around 6 inches high and in the center panel would work better. During this morning's call there was discussion about the village approving around \$500 as its half of reworking that window. Gordy said he thinks whether we are concerned about COVID-19 or just flu or the common cold, it is good hygiene for employees to have that barrier. He is all for protecting our staff. **Scott moved to authorize spending up to \$500 on a new protective plexiglass window for the front office, Bob seconded and the motion was passed**

Meredith said she and Arjay are working on writing up a plan that documents the protective equipment, changes in practices, training etc. that the fire department has been using in response to COVID-19.

15. Lamoille Valley Bike Tours Request to Use Old Mill House Lawn

Scott suggested it would be good to expedite the facility use request from the e-bike company because they provide employment and recreation and are drawing attention to our

community. The selectboard was hopefully going to deal with this on Monday and we were planning to approve their facility use request today. What came out of the meeting this morning was that we wanted to make sure their facility was following COVID-19 response under ACCD. We just wanted to make sure that they had a plan. They will be in close proximity to village employees and if there is going to be interaction between our staff and them or their customers we wanted it to be thought out. He suggests that if they have a plan they let Meredith know that and the board can authorize Gordy to sign off on their facility use request so they don't have to wait another month. **Scott moved to give conditional approval for use of the joint town and village property by Lamoille Valley Bike Tours provided that they provide confirmation that they have a plan to keep their customers and village staff safe that satisfies the requirements of the ACCD and that they make the village an additional insured under their insurance, Phil seconded and the motion was passed.**

16. Update on Village Green Easement

Meredith said she has spoken to Chan Parker, Alex Nadeau and our attorney about moving the easement from the east to the west side of the village green. The current west driveway for the village green by the Studio Store is on George Pearlman's property. The village has an easement for it. If we were going to move the easement for Chan Parker's property he would need an easement from us and should also get one from George because he would need to go onto George's property to avoid going through the middle of the green. Meredith asked our attorney if easements can have conditions and he said they can. We can say that easement is just for residential or non-commercial or pedestrian use. Chan wants to sell the piece of land and Alex is interested. Meredith mentioned to him that usually the entity wanting the easement pays the bulk of the attorney's fees and suggested that it would be between Chan and Alex to figure out how to pay for the legal work. Chan understood that. When she spoke to Alex he brought an interesting perspective. The current easement on the east side is 12 feet wide. Phil asked, at one point was that easement usable? Was there not a retaining wall there? Meredith said yes. Gordy said that is Alex's contention – that the village took away his option of using the easement on the east side when we bought the property and put up a wall that made it inaccessible. Because of that, Alex thinks we should pay the legal costs to move the easement to the other side. It could protect the village property if Alex owns that property because there probably won't be development there that would cause traffic to the village green. Meredith said it hadn't occurred to her that the existing easement would have worked at some point until the retaining wall was put up. It is not the fault of the current property owner that the wall was put up, which made the easement unusable. She does think that is an important distinction so maybe getting this situation rectified is something we should be taking the lead on. Gordy said the village put the wall up to increase parking. The current easement has no restrictions and Alex wasn't excited about the idea of limiting potential uses. He doesn't have plans to develop the property now but he would prefer to leave the language as it exists for the existing easement.

Meredith said she was thinking maybe we should have our attorney draw up new easements. If we are okay with paying the legal fees the big question remaining is whether we are looking to change language about what the easement is used for. Phil asked how much in legal fees we are talking about. Meredith said if we are not going to require a surveyor she thinks it should be pretty straightforward. She didn't specifically ask about cost because she

didn't think we would be paying much of it. She can reach out to find out what the typical cost is. She is thinking probably a few thousand dollars. It is not something we budgeted for. But this probably should have been taken care of care of years ago but it was dropped. The board agreed that Meredith should move forward with having our attorney draw up new easements. Scott asked if there is access for the property above. Meredith said she thinks it borders with Alex's property where his home is. The board agreed Meredith should not pursue narrowing the scope of permitted use of the easement. Meredith said she would let the board know if she gets cost information that is alarming.

17. Executive Session to Discuss a Personnel Matter

Phil moved to go into executive session to discuss a personnel matter pursuant to 1 V.S.A. § 313(3), Bob seconded, the motion was passed and the board entered executive session. The board came out of executive session at 8:27.

18. Vote to Set 2020 Village Employee and Officer Compensation

Phil moved to set the 2020 board chair annual compensation at \$1,200 and the four trustees' annual compensation at \$1,000, in accordance with the approved 2020 Village budgets, Bob seconded and the motion was passed.

Phil moved to set employee compensation levels in accordance with the approved 2020 Village budgets, the collective bargaining agreement with the IBEW Local 300, and with adjustments as presented by the Village Manager as of the pay period ending June 10, 2020, with retroactive pay back to January 1, 2020, Bob seconded and the motion was passed.

19. Other Business

Gordy mentioned that the Beautification Committee had received a proposal for landscape work at the village green and municipal building and wondered whether the board was comfortable with him moving forward to commit the \$2,000 in the general department budget. The other trustees indicated they are comfortable with Gordy working with the Beautification Committee to move forward and using the \$2,000 in the 2020 budget.

20. Adjourn

Bob moved and Phil seconded to adjourn at 8:32 and the motion was passed.