

JOHNSON SELECTBOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
TUESDAY, OCTOBER 4, 2021

**Present:**

Selectboard members: Beth Foy, Nat Kinney, Eric Osgood, Eben Patch

Others: Brian Story, Rosemary Audibert, Casey Romero, Seth Jensen

**Absent:** Mike Dunham

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

**1. Call to Order**

Eric called the meeting to order at 6:45.

**2. Additions, Changes to Agenda**

It was agreed to add items regarded to employee retention and community safety and an executive session for discussion of union negotiations. Review First Draft of Record Retention Policy was tentatively moved to after the final executive session.

**3. Review Invoices and Orders**

The board reviewed and discussed invoices and orders.

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

**Eben moved to approve the minutes of September 20, 2021 and September 27, 2021, Beth seconded and the motion was passed.**

**5. Treasurer's Report / Review and Approve Bills, Warrants, Licenses / Any Action Items**

Rosemary said she spoke with the town clerk for Morristown. They use Jim Barlow for tax sales. He charges his regular lawyer rate and the town is reimbursed 15% of the tax sale proceeds. Their minimum to send to the tax attorney is \$1000. If we used a \$1000 cut-off we might send about 20 properties. Currently we use a \$600 minimum.

**Nat moved to set a minimum of \$1000 for delinquent taxes to send to the tax attorney and to use Jim Barlow as our tax attorney if he is willing, Beth seconded and the motion was passed.**

Rosemary said she got a letter today from the tax attorney regarding the storage appeal. They will be setting a hearing date soon.

**6. Review Planned Purchases**

The Rec Committee wants to pay six referees \$50 each (a total of \$300) for a soccer tournament on Friday.

Brian said a new pressure washer will cost about \$4300. Repairing the current one would cost about \$500 but our current one has needed almost \$1000 in repairs over the last 2 years and will likely continue to need repairs. It is over 15 years old. Eric asked is this the one they use for frozen culverts? Brian said yes, and they also want to use it now use it to wash the undersides of trucks. Brian said he is not sure about buying a new one but he is concerned because we have had so many repairs so he asked Jason to get a quote on replacement. Eben asked if the cost would come out of the road budget. Brian said there is a line item for small equipment. This would be an expensive item for the highway department. He doesn't know

the amount in that line item. He is not ready now to make the decision on replacement versus repair but likely will be before the next meeting. The board can decide whether to authorize Brian and the highway department to make that decision or wait until the next meeting to make a decision. He would prefer that the board approve spending up to \$4500 for repair or replacement of the pressure washer. Beth said she would like to look at all the other potential purchases first.

Brian said the public works department plans to rent an excavator (\$4900 for one month) and a tilt bucket (\$400 per month.) That equipment will be used mostly on Fox Lot Road and we will be reimbursed for most of the cost.

Brian said we need to buy some winter tires for the truck we bought last year. We have a few competing quotes for new or refurbished tires. We tend to buy refurbished tires but right now the prices for new tires are a little competitive. A few sets of tires will be swapped around among trucks. When we sell a truck if we just got new tires we keep them. The tires on this truck were not new when we bought it. (*Casey Romero arrived at 7:17.*)

Eben asked if the employees have a preference regarding new vs. refurbished. Brian said they prefer new. New tires last a little longer and are less likely to puncture or break but we currently buy recapped tires and don't usually have problems.

Brian said we are low on culvert stock and the public works department would like to start restocking. The cost will depend on what is in stock and what we need. We plan to spend less than \$4000. The public works department would also like to get new teeth for the cutting edge on the grader before winter and hemlock planks for Waterman Bridge.

Beth asked, do we need culverts or are we just wanting to stock them? Are prices higher now than they historically have been? Brian said these would be for stock to have on hand, not for a particular project, but we wouldn't buy any at higher than historical prices. We like to have them on hand for when we need them. We usually have a small stock of culverts in a couple of sizes but we won't pay inflated prices for culvert stock.

Eric said he would not be against buying a new pressure washer. Frozen culverts can lead to washed out roads and that can quickly lead to expenses as high as the cost of a new pressure washer. We really need the pressure washer working.

Nat asked if we are getting more than one bid on a pressure washer or culverts. Brian said if we decide to get another pressure washer we will get another bid. We will ask around about culvert prices but we usually buy culverts from Johnson Farm and Garden. The total price for all the culverts is high enough to require bids but the price for an individual culvert is fairly low.

Brian said the planned recreation expenditure for referees is under the threshold that requires board approval but he mentioned it because it is not a usual expense. The office doesn't currently have any significant planned expenses. We were talking about buying some neighborhood watch signs. The total cost for signs and poles should be less than \$500. He

suggested splitting the cost between the town and the sheriff's department and the sheriff's department seemed willing. Eric suggested including discussion on that in the community safety discussion.

The board did not object to any of the planned purchases.

Brian asked how the board feels about this format for reviewing planned purchases, where he lists items that are over \$1000 and unusual items that were not planned for. Beth said she thinks it would be helpful if the written list Brian provided could show on the top line for each item what the range of costs could be.

**7. *Flood Resilient Communities Application for Holmes Meadow***

The application for the Flood Resilient Communities Fund to purchase the Holmes Meadow for flood conservation is due on October 29. Brian said Flood Resilient Communities funds are available to provide greater flood resiliency by conserving land and allowing it to flood or making it more adaptable to flooding. We would probably want to do some work at Holmes Meadow to ease the transition between the river level and the meadow level. There is a shelf there now. But we would rely on the expertise of a river engineer to decide what should be done. Brian is asking if the board wants to commit to applying for the Flood Resilient Communities Fund. There is no local match. It would take a little of Brian's time and a decent amount of Seth's time at LCPC.

Eben asked if Brian has gotten a commitment from the landowner. Brian said no, we haven't had a firm commitment. He doesn't know if the landowner needs to agree to the sale at this point or just show an interest in continuing the discussion. Nat said he is still supportive of this. Brian said he thinks it is good for economic development and can reduce the risk of flooding. Nat said Holmes Meadow is also a valuable recreational resource.

**Nat moved and Beth seconded to apply for the Flood Resilient Communities Fund to purchase the Holmes Meadow for flood conservation.**

Brian said the town won't be negotiating the purchase of Holmes Meadow, though we would eventually be the owner.

**The motion was passed.**

**8. *Light Industrial Park Update***

Brian said he is looking at two programs that could potentially provide funding for the industrial park. The Build Back Better program will be taking project ideas for economic development. It looks like regional approaches are heavily favored. There is a group in Rutland focused on business parks and industrial parks that we might be able to join.

There is another program focused on dairy production in Vermont, New Hampshire and Massachusetts. Brian doesn't think that program is a good fit for the stage we are at in development. If we could find another way to finish our initial development then he thinks we would be a really good fit for the program.

Another possibility is project-based tax increment financing (TIF.) Seth Jensen got direction from the state suggesting that specific TIF program proposals might be approved individually. That might help us raise the cash we need for the match for the infrastructure grant. Brian anticipates an application would be fairly time intensive. We would be suggesting an outline of what the program would look like. He and Seth are interested in working on it. We would take it to our state representatives and have them introduce it to the legislature. The legislature would need to enact it. Some in the state legislature are thinking of approving individual projects instead of approving a system for project-based TIF.

Eric said he thinks that would be a lot of work. Beth said she would want more information on whether the legislature would have time and interest. Brian said he will look into that. He explained that tax increment financing is a system used across the country. Communities are able to borrow the difference between the current property assessment and the estimated property assessment after improvements are completed in order to finance improvements.

Nat asked for more info about the group in Rutland. Seth Jensen joined the meeting at 7: 40. Seth said it appears that the Rutland Regional Planning Commission is going to be applying for a Build Back Better grant with the economic development district that covers Rutland County. Tasha Wallis and the Northwest Regional Planning Commission director are talking to the executive director of the Rutland Regional Planning Commission about whether it makes sense to have a joint application.

Beth asked, if Rutland were managing this, there is no concern about the earmarking of funds? The distribution of funds would be clearly defined? Brian said yes, it would.

Beth said the TIF is not appetizing to her at all because she thinks there will continue to be grant funding for economic development. She prefers not to look at loan scenarios.

**9. *Regional Emergency Management Committee Appointment***

Brian said LCPC is assisting with this. They would like to have two representatives from Johnson. They prefer that one be the emergency management director and one be a representative from emergency services. He reached out to Arjay West to see if he had time and hasn't heard back yet. Eric said Brian should see if Arjay or one of the other fire department officers is willing to serve. Brian said it could also be someone from the sheriff's department. Eric suggested it might be worth seeing if NEMS has anyone who wants to serve.

**Beth moved to appoint Eric to the Regional Emergency Management Committee, Nat seconded and the motion was passed.**

**10. *100C Twin Bridges Safety Study***

Residents near the twin bridges on VT Route 100C have asked the town to request VTrans to review pedestrian safety in the area. This requires an official request from the town. **Eben moved to request that VTrans do a study of pedestrian safety in the area near the twin bridges on VT Route 100C, Beth seconded and the motion was passed.**

**11. *Salt Brine for Johnson Roads Report***

Brian said the new salt truck is equipped to use brine but the board hasn't made a commitment to use it. Jason did some research and talked to other communities. More towns

are starting to use simplified brine. Morristown will try it out this year. Brian and the public works department recommend using it for this year. We would buy it from Hyde Park. If we wanted to keep using it we would probably buy equipment to mix it ourselves.

Eric said we know there has been a lot of pushback on using brine and he is troubled that we are only going to see \$600 in savings. If the savings were more substantial it would be easier to sell to the voters. Brian said using brine will reduce environmental pollution by salt and sedimentation from sand. Eben said the brine will only be used on asphalt roads. Anyone driving on those roads will be going to or from a state highway where brine is used. Everyone in town will be driving on brine anyway. This reduces environmental impact and saves a little money.

Eben moved and Eric seconded to allow the public works crew to use salt brine on the new salt truck for the 2021-22 winter.

Nat said he still has some questions about brine that can be answered by talking to Brian or Jason. He is still open to using brine but he is not there yet. Beth said she probably won't vote for using brine. She has had challenging situations driving on brined roads.

The motion failed with Eben voting in favor and Nat and Beth opposed.

Beth said she would be interested in hearing the answers Nat gets if he talks to Brian and the public works crew about brine.

#### **12. Call for Board Members Willing to Discuss Merger**

Brian said at the joint meeting with the trustees there was discussion about getting a couple of selectboard members together with a couple of trustees to talk about the merger in advance of discussions between the full boards. He asked if any board members were interested in volunteering for that. Beth and Eben volunteered. Nat said he thinks whether or not the village is ready we should get ready to discuss a merger.

There was discussion about whether Eben and Beth should be officially appointed in a motion. Brian said he thinks if they are appointed that means open meeting law would apply to meetings of the group. Beth said what she proposed at the joint meeting was not to work through all the details of a merger but to get a couple of people together to work through what the first joint meeting would look like – to discuss how to organize the conversation between the two boards and what we can accomplish in the first meeting or first couple of meetings. Brian said he doesn't think that necessarily needs to be an open meeting. Eric said there would be no decision making. The board agreed that Eben and Beth should represent the selectboard in a meeting to plan for the first joint meeting of the selectboard and trustees to discuss a merger.

#### **13. Welcome Center Update**

Brian said we got most of the flashing we were missing from Country Home Center. We are missing one piece of flashing that has been reordered and once that comes in hopefully Brian Raulinaitis will be able to finish up and we will be done with the initial phase. There has been interest from the public and from the Alexander family in continuing on the project.

There has been talk about working on an RFP for artists to finish the trompe l'oeil. There is also interest in completing electrification and sewer and water improvements.

Beth said she is not sure we have seen what the final amount spent was. She thought we talked about finishing everything that was started before starting anything new. Brian said we are not at that point yet so he doesn't have concrete proposals about next steps. Nat said he has looked closely at the numbers and he feels confident we are coming in under the \$45,000 that was budgeted. He feels good about where we are at now. He thinks this is a good time to start looking at what is next and start pricing it. The Alexanders are eager to get going on next steps and are willing to put some money into it.

Eben said he thinks we need to get the final bills paid and know where we stand. He asked how much below \$45,000 we are talking about. Nat said his estimate if we pay Howard Romero's bill is \$44,800. The only unknowns are Brian Raulinaitis' bill, Howard's bill and the roofing material that has not come in yet.

Eric asked if the Alexanders have given numbers of what they are willing to contribute. Brian said no and we have not given them any requests.

Eric asked what harm there is in getting quotes. Eben said if the Alexanders say they want to continue and they want quotes we should get them as long as the town is not making a commitment. Brian said the town is not. He said the Alexanders have expressed that they want some action on our part to keep a good relationship.

#### **14. PACIF Insurance Renewal**

Brian said our PACIF insurance is up for renewal. We have to complete our equipment and property inventory before we will have a final cost figure. But our schedule will increase. We didn't have the Welcome Center before. Beth said the inflation value is 6% for property and 3.1% for workers comp. We should be able to figure out how much that increase is based on our current figure. It was agreed to table this item until after the executive session when Brian can come back with firmer numbers.

Beth asked if there is any option other than VLCT. Brian said there are other companies that work in Vermont that provide municipal insurance. We get a lot of additional benefits from working with VLCT. He used to work for VLCT so he does have a bias but he thinks they have a good understanding of municipal needs. Eric said in the past almost every town used PACIF. Their rates are competitive.

#### **15. Community Safety**

Brian said at the community safety meeting we got some guidance and suggestions from the sheriff's department. There was good attendance, about 40 people. One of the suggestions was to pick up some neighborhood watch signs. Nat said he has been in communication with some people who are organizing a Railroad Street community watch. He has gotten requests from about 10 or 12 people who would like community watch signs for their houses. He has told them that the town will pay for them. They cost about \$6. The sheriff's department is willing to pay about half of the cost. Beth asked if these would be lawn or road signs. Nat said they could be either or both. He thinks having a lot of smaller signs around town is more impactful than adding official road signs.

**Eben moved and Beth seconded to authorize spending up to \$200 to purchase neighborhood watch signs.**

Casey Romero said the skatepark committee has been working with the sheriff's department on camera types and placement for the skatepark. They thought true security cameras would be better than game cameras and the skatepark committee decided to go ahead with that. The sheriff's department may be able to help provide cameras. She sent a mass mailing to all the neighbors about the meeting and to let them know that they have to call if they see something. The sheriff's department needs to know if people see something even if they can't respond at the time. A topic for future discussion with the board is whether we want to change or add to the town bylaws to have restrictions on alcohol consumption at the skatepark. Enforcement is complicated and difficult.

Beth said one thing mentioned at the meeting was lighting and motion detecting lights. Casey said that may be something to consider for the skatepark. It isn't lighted at night currently. They could consider motion detecting lights, but would there have to be a lot of them? The first priority is to get a camera going.

Casey said something she is interested in is legislation issues that contribute to the revolving door for offenders. She would want to be talking to our legislators about that.

**The motion was passed.** *(Casey left at 8:32.)*

Eric asked if the neighborhood watch signs will be in the lobby for people to come and get them. Brian said he is not sure if we will handle distribution or if the sheriff's department will. Eben and Beth said they would prefer that we handle it.

**16. Employee Retention**

Brian said Damien DiGregorio gave two weeks' notice this morning. He has been a terrific employee but the private sector is offering him significantly more money. Brian understands that all our employees have received offers from other towns and private organizations. We are facing a retention problem.

Eric asked how good a pool we found out there when we opened up the foreman position. Brian said there is a pool out there. He thinks some of the candidates we got for the foreman position could be good crew members if they are not selected for the foreman position but he doesn't know if they would take that position. He sees that there are a lot of people looking for qualified drivers and operators right now. It is a very competitive environment. He would recommend that we think about additional monetary compensation to help keep employees.

Nat asked, what if we don't fill the fifth position and we use the money we would have paid that person to increase wages for the remaining crew? Brian said that is a possibility. It would free up quite a bit of money. Nat noted that it would cost us more in overtime.

Eric asked what tools other towns are using. Bonuses? Sign-on bonuses? Salary increases? Brian said those are the three main things he has heard of. We might also think about paying for referrals when we seek new employees.

Eben said without having all the numbers in front of him now it is hard to make a decision. He thinks this topic needs the board's time. He suggested discussing it at the next meeting. Brian said that would give him time to prepare something.

Nat said he would like us to figure out whether we can incentivize employees not to leave between November and April when we need them the most, perhaps by saying that if they stay on till May 1 then they get their reward.

Eben suggested sending Damien a letter thanking him for his service. Brian said he can do that.

#### ***17. Discuss Observations and Planning of Public Works Buildings***

Eben said he and Beth visited the public works buildings last Wednesday. Public works employees brought up some things that need to be planned for. One is the boiler, which is on its last legs. Another item is that water gets into the garage. Sometimes there are a couple inches of water in the bathroom. Employees shouldn't have to deal with that. Brian said that had never been brought up to us. Eben said he feels we need pictures the next time it happens and we need to talk about fixing the problem. Another issue is the salt shed. Water comes down the tarp and clumps up the salt and melts some of it. We need to get a price and a plan for a solution for next year. That will save us time and money. The meters for the fuel system are not working correctly. We should make plans in the future to improve accountability for fuel. Beth said the screen in the salt shed apparently is old and rusting and will need to be replaced at some point.

Eric said the public works department should include these things in a budget proposal to the selectboard. Brian said he imagines he will be working with Jason on the budget for next year. Eric said the expense for diverting water away from the building can come out of the buildings and grounds reserve fund.

Beth said employees said there is only enough gravel left in the pile for a year. They also discussed the screening process at the pit. She thinks we should invite all the crew to a selectboard meeting so the board can listen to their thoughts about crushing vs. buying. They have a lot of interesting thoughts about it. Eric suggested there could be a special meeting with public works employees.

Eben asked if we can invite Bert Nadeau to talk to the board about his concerns regarding a potential land sale. Brian said he will invite him. It was agreed that Eric and Brian will make plans for inviting public works employees to a meeting.

Beth said she and Eben had talked about trying to arrange for the select board to ride all the town highways together. Brian suggested maybe the college could provide a vehicle.



***18. Executive Session for Discussion of Union Negotiations***

**Eben moved to enter executive session to discuss union negotiations under 1 V.S.A. § 313(a)(2), because premature knowledge of the town's negotiating position would disadvantage the town, Beth seconded and the motion was passed.** The board came out of executive session at 9:46.

***19. Executive Session for Discussion and Negotiation of Restitution Owed to the Town***

**It was moved and seconded to enter executive session to discuss restitution owed to the town as allowed by 1 V.S.A. § 313(a)(1), the motion was passed and the board entered executive session at 9:49.** The board came out of executive session at 9:55.

***20. PACIF Insurance Renewal (continued)***

The board reviewed the current property and costs for PACIF coverage. We had paid \$52,716 in FY21 and we are satisfied with their coverage and additional services. The board did not believe that there was another alternative for coverage that offered similar services and as a recurring purchase, there was no need to go out for bid. **Nat moved and Beth seconded that the board approve renewing the town's PACIF insurance coverage and the motion was passed.**

***21. Adjourn***

The meeting was adjourned at 10:03.

*Minutes submitted by Donna Griffiths*