

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, DECEMBER 6, 2021

Present:

Selectboard members: Mike Dunham, Beth Foy, Nat Kinney (via Zoom), Eric Osgood, Eben Patch

Others: Brian Story, Rosemary Audibert, Jason Whitehill, Lisa Crews, Ann Marie Bahr (via Zoom), Nadeau (via Zoom), Diana Osborn (via Zoom), Diane Lehouiller (via Zoom), Jessica Bickford (via Zoom), Sue Lovering, Stacey Waterman, Howard Romero, Doug Molde, Duncan Hastings

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Eric called the meeting to order at 6:46.

2. Additions, Changes to Agenda

Eric added requests from the Beautification Committee and a mask mandate discussion.

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 November 15, November 27 and November 29, 2021 with a correction in the November 29 minutes to the names of the people who made and seconded one of the motions, Beth seconded and the motion was passed with Mike abstaining.

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

Rosemary said there is an errors and omissions form from the assessor's office that the board needs to sign. It lists current use corrections. **Mike moved to sign the errors and omissions form with current use corrections, Eben seconded and the motion was passed.**

Rosemary said she needs to place an order for ballot envelopes for town meeting. The state no longer provides them. What are the chances the board is going to send ballots out to everyone? The cost is \$50 per box and we would need 4 boxes of each envelope. Eric asked what the cost is to mail them. Rosemary said \$1 each. She has heard that the legislature may allow town meeting voting to be all Australian ballot again like last year. The Secretary of State's office is doing a survey of what we want right now but we could buy the envelopes later. Brian asked how often the envelopes change. Rosemary said not often. Brian said so if we ordered some and didn't use them this year we could expect to use them in the future? Rosemary said yes. There are three different ballots so we would need a total of 12 boxes. The board agreed that Rosemary should get the ballot envelopes or at least tell the Secretary of State's office that we want them.

6. Review Planned Purchases

Brian said the Rec Committee plans to purchase about \$50K of playground equipment. It will be entirely paid for by donations and grant funds. The committee only has a quote from Miracle, but equipment is usually not the same from one company to another and this company is favored by the individual making the donation.

In answer to Eben's question, Lisa described what the town crew needs to do to prepare the site. There will be a little excavation to increase the footprint a little. Act 250 approval has been given. (*Stacey Waterman arrived at 7:06.*) The total cost of the equipment is \$49,860 and the cost of mats to improve accessibility is \$1,500.

Beth moved and Nat seconded to approve purchase of playground equipment from Miracle at a cost of \$49,860 for Lea's Memorial Playground. Beth and Nat agreed to the friendly amendment that the purchase authorization is contingent on the grantor's acceptance of using that vendor. The motion was passed.

Beth asked what the mats are for. Lisa said pea stone is hard to maneuver on with a wheelchair or walker. The mats are to make it easier to get over the stone to adaptable play items. **Beth moved to approve purchase of accessibility mats at a cost of \$1,500 for Lea's Memorial Playground, contingent on grantor approval, Mike seconded and the motion was passed.**

Lisa said the Rec Committee got a different grant from RiseVT to put a small climber on Legion Field. Currently during Tuesday Night Live the existing equipment is over capacity.

Beth asked if it requires installation. Lisa said she and a volunteer can install it.

Lisa has gotten one price for the climber and can check local prices for horse stall mats for fall protection and accessibility. The board agreed that Lisa should get multiple quotes before the purchase is authorized.

Jason would like to get new springs for the salt truck just purchased. The modifications and body work added to it are pretty heavy for the chassis and adding additional springs will improve the handling and life of the vehicle. The cost will be over \$1,000. Jason has only contacted one vendor so far – the same individual we have used for this type of work before. Jason said he has had good experiences with this vendor. It is the only local vendor he knows of. Brian said according to town policy we should attempt to get at least two bids for anything over \$1,000 but that is not a requirement until the cost is higher. He suggested the board could approve the purchase and trust him and Jason to do their best to keep the cost down. **Mike moved to authorize purchasing springs for the 2021 salt truck at a cost not to exceed \$2,000, Eben seconded and the motion was passed.** (*Sue Lovering arrived at 7:25. Lisa Crews left at 7:26.*)

7. ***Review Better Roads Applications***

Brian said Better Roads grant applications are due December 17. He and Jason are looking at improvements on Grow Road, Ben Ober Road, Lendway Lane and Railroad Street. We may not work on all four. Grow Road is the only road in that area that hasn't been serviced recently. Doing work there would let us concentrate our efforts in other parts of town after that. An area of Ben Ober Road was highlighted in our road erosion inventory as an area of interest. It needs culvert replacement and ditching. We probably will apply for all four roads. We might scale back the work to be done on Railroad Street and try to loop it in with the

paving grant. There is a lot of stormwater infrastructure on Railroad Street that is village owned.

Mike asked about the problem in front of the Aupperlee house. Who does that lie with? Brian said it is village stormwater infrastructure on a town road. It involves both the town and the village. Mike said we need to find a way to take care of that. Brian said he would like to enter into a large infrastructure program for Railroad Street, repairing stormwater infrastructure and repaving all in one project. Mike said we need to do it the right way and remove the concrete, unlike what was done on Main Street. Eric said the question will be who will pay for it.

Brian said for next year we are also interested in doing work on Maple Hill and Collins Hill. Both have a lot of steep grades and issues with washouts in some sections but he doesn't think they will qualify for a Better Roads grant because they are not hydrologically connected. He is thinking that while we have an excavator rented for use on the grant-funded projects we can pay to keep it a little longer to work on those roads.

Nat asked if this is an opportunity to make improvements at the intersection of Lendway Lane and Railroad Street. Brian said possibly. One of the target areas on Lendway Lane will be closer to the salt shed. There is a culvert there that always seems to have heavy erosion near the outlet. If work needs to be done closer to Railroad Street, wrapping the intersection into the same project would make sense.

Mike moved to authorize Brian to submit a Better Roads grant application for Grow Road, Ben Ober Road, Lendway Lane and Railroad Street, and the motion was seconded and passed. (*Jason left at 7:34.*)

8. Library Budget Presentation

Brian said the library budget submitted will see a revision depending on the board's vote later on employee compensation. The proposed budget increases the amount to be raised by taxes.

Beth asked why the amount budgeted for insurance is so much more. Stacey Waterman said in the past the youth services librarian position has been 23.75 hours. The library trustees are proposing for FY23 to increase it to 25 hours. As a board they feel that is the right thing to do rather than keeping the position 15 minutes under the threshold for benefits, just to deprive the person of benefits. The increase in insurance cost is due to a second employee qualifying for benefits. The youth services librarian is an important position. We are lucky enough to have a professional educator in that position now. The trustees want to be able to attract a professional educator or librarian to take over that position in the future if there is a retirement. It is an important position with a lot of responsibilities.

Eric said the proposed budget is almost a 19% increase. He is struggling with passing that all on to the taxpayers. If the selectboard wants to maintain a reasonable increase in its budget the town will have to absorb that increase. He thinks this will be a difficult budget year for the town. We are seeing inflation in the 6% range so any increase less than that is a budget cut. He thinks the board will be challenged to keep the budget at a reasonable increase.

Stacey said there has been someone in the youth services librarian position for over 15 years. The library trustees have kept the position under 24 hours all that time but for a professional position that doesn't make sense. It doesn't seem fair to keep someone at 15 minutes under the threshold for benefits.

Eric asked if there is somewhere else the library could absorb some of that increase. Stacey said that would be difficult because there are not any other increases in the budget that are not related to personnel. The other big costs are mostly for building maintenance and capital expense. A lot of the budget goes to trying to keep the 125-year-old building maintained. They could try again to go through their budget.

Nat said he is very supportive of the increase in the youth librarian hours. He would like to make every attempt to try to do that. We need to plug it into the town budget and see what it looks like. We can't make promises now. It is very possible that if we have a huge increase in our budget we would look at not increasing the hours, but it is an important position and the library provides tremendous service.

Stacey said the library is always very responsible with its budget and the flood proofing project turned out not to be as expensive as expected. Nat said it would be interesting to see how the library budget has increased year to year over the last 10 or 20 years. Beth said she will be doing that analysis. She said she agrees with both Eric and Nat. She thinks the library is thinking about this in the right way but it will be tough because we already have pretty significant increases. There is a lot of opportunity for grant funding with COVID. Maybe there is a reading proficiency grant opportunity that could help ease the sting temporarily. Stacey said the library does get a lot of grant funding but it doesn't usually cover salaries. Beth said she keeps hearing about schools increasing their literacy interventionists because of COVID money that is available. She is wondering if that would apply to the library.

Stacey said whatever salary increase the board decides on for town employees would affect the library budget since library employees are town employees. Brian said the bulk of the increase will be for insurance for an additional employee however.

Eric said the selectboard and trustees set an increase of 6% for joint employees in line with inflation. He is guessing that will be applied across all employees. He said he can remember when the town did not support the library at all. *(Stacey left at 7:49. Howard Romero arrived at 7:49.)*

9. Tree Board Budget Presentation

Brian said we don't ask for an itemized budget from the Tree Board. They are asking to increase their budget from \$1400 to \$2500. Sue Lovering said all the street trees need to be remulched. The tree board's budget has never covered the arboretum and now it needs to. The more trees they plant the faster the arboretum will grow and the more people will come in. They would like to treat the ash trees at Old Mill Park because we can't disturb the cap by replanting if any trees there die. The emerald ash borer is present in Belvidere so she would say we should treat the trees in spring. The cost estimate for that is \$500 to \$600. She is pretty sure a grant can cover that. The tree board also wants to add fencing, signs and five new trees at the arboretum. They would like to put a gate at the entrance so only delivery

trucks or Tree Board member can drive down. That will probably cost \$200 to \$250 and she thinks the village would install it. The tree board would also like to invest in some outreach materials. They just got a donation to do a kiosk. (*Doug Molde and Duncan Hastings arrived at 7:53.*) The tree in front of the Chinese restaurant will probably need to be replaced. Most of the village trees were planted in clay when they were supposed to be planted in structural soil. Eric asked if the village reimburses the tree board for those trees. Sue said the village paid for the tree in front of Merchants Bank that was hit by someone whose insurance paid for the damages. The same is true for the tree in front of the Mobil station. Some of the trees on the north side of town are outgrowing their cages. Some parts of the cages will need to be knocked out and the Tree Board may need to get some welding done on the cages. They will see if the village can help out. She doesn't know how much that will cost. They are asking for \$2500 to grow the arboretum and to spend on other items as needed.

10. Welcome Center Update and Next Steps

Brian said all the work that was included in the modified scope of work for the welcome center has been completed. Now we are looking at next steps. One of the proposed next steps is the trompe l'oeil painting. Brian showed the board a high resolution print that is an example of the print quality we can get for that.

Eric said Nat had sent out a proposed budget for next steps. The Alexanders were willing to contribute a certain amount toward it? Nat said yes, they have offered to contribute more money to the project. Their priority is the painting. He would like to show them the budget in its entirety and see how much they are willing to fund.

Nat said he also sent an email closing out the first phase of the project. That should be reviewed by the board. The proposed second phase includes landscaping, electricity, a bike repair station, water, information graphics, garbage cans and the painting among other things. He got a quote from Troy of \$4400 for electricity. That does not include bringing electricity to the building. The trustees agreed in the spring to provide the labor at no cost and to have little or no markup on materials. The design for electricity has changed since then so we should bring it back to them and see if they are still okay with that agreement.

Eric asked how much is unspent from phase 1. Nat said that is up to the board. There is some unspent but we also have an invoice from Howard. Eben said he thinks we need to talk about that at the next meeting.

Beth said she believes the actionable item on tonight's agenda is the proposed artwork. Nat said he believes the agenda item includes all the proposed work for the next phase. Eben said he agrees with Beth. He noted that the board didn't get the proposed budget emailed until this evening. Beth said information about the artwork was part of the packet. She feels like the board could act on the artwork piece. She suggested acting on that and following up at a future meeting on the other pieces. Nat said he would like to wait to go to the Alexanders until the board has approved all of the next phase.

Duncan asked what the downside would be of taking the phase 2 costs Nat put together to the Alexanders and asking how much of it they feel able to fund. Then the board could make decisions about whether to put some money in the town's budget for any of phase 2. He feels

phase 1 was sold as not costing any taxpayer money and that has been accomplished. We have the opportunity to get more work paid for by donation. If we don't move ahead with it we will lose any possibility of additional funding. He thinks that would be a real mistake.

Eben said he agrees that we should submit a budget to the Alexanders and see what they would cover. But the budget is not finished and that is why we can't submit it. We need to talk to the village about electricity. When this was sold to the taxpayers it was sold as a completed project with no town contribution but because costs went up it turned into phase 1 and phase 2. Mike and Eric agreed. Duncan said he doesn't remember any specific presentation to the public where it was stated that there would not be a town contribution. Beth said she agrees that we said the town was not footing the bill for the project before the project was divided into phase 1 and phase 2.

Doug said these have not been normal times. We entered into a pandemic. What costs have not changed in this period?

Eben asked what it will take to figure out the secondary electrical costs. Nat said we will need to have an electrician come out. Eben asked if Eric can talk to Will and see if the village is still willing to honor the agreement to not charge for labor and have no markup for supplies. Eric asked if Nat would feel comfortable doing that. Nat said he can. Eben asked if the board can have a budget to decide on presenting to the Alexanders two weeks from today. Nat said he will do his best. Eben offered to help if needed. Brian said he can help with contacting the village.

Doug cautioned that the generosity of the Alexanders may be dampened if they have to wait too long. Electric power across the tracks is the most important. Secondary power is an easier job that doesn't involve the village. It only involves the town and an electrician. He would not hold things up waiting for that number. He would suggest putting together a reasonable number based on what we need now that couldn't be done later so as not to ask too much. Six people signed a list at the opening saying they were willing to be contacted to make contributions. Some private fundraising could perhaps be done. He thinks the board should move this ahead.

Eric asked if the board would be comfortable authorizing phase 2 to begin. Nat said he doesn't want to start purchasing materials and making obligations to vendors and workers until we have agreed on where the money is coming from. He thinks what we want to begin is a campaign to get donations. He is asking to be able to start that campaign as soon as possible rather than waiting to get more numbers.

Duncan said it may be attractive to anyone considering making a donation to know that it could be a charitable contribution. He is about 99% sure that a donation to a municipality is a tax deductible charitable donation. Maybe Brian or Rosemary can investigate that. Brian said he can get a definitive answer.

Eben moved to authorize Nat Kinney to represent the town in seeking funding for completion of phase two of the welcome center project without taxpayer money

included and to ask Nat to give the selectboard an estimate of phase two costs within 2 weeks. Nat said he will do his best to provide numbers in 2 weeks but that could be a tight time frame. **Mike seconded and the motion was passed.**

Eric asked if for the next meeting we can have information on what was left over from phase one as well as a phase estimate. Brian said there will be a presentation on that. *(Most members of the public left at 8:38.)*

11. Opioid Settlement Information

Brian said information on the opioid settlement was included in the board packet. Beth had suggested seeking advice from local partners with more experience in this area. We have until January 2 to respond. He thinks it would be worthwhile to seek input from local residents in their recovery field before we make any agreements. He is not familiar with what the settlement entails or what we might be eligible for if we don't take this settlement. Beth said if we are going to join a class action suit it will be a long process. She doesn't know what she doesn't know about it. We have people in our community who are familiar with opioid issues, including the settlement. Maybe Jessica Bickford or the Tatros are following this already and could help us out.

12. Compensation and Benefits Adjustment for Town Employees

Eric said when the town and village met we authorized 6% increases for the town clerk and assistant town clerk and kept the 90% employer insurance contribution. Nat asked who makes decisions about increases for library staff. In the past he has seen the library board making those decisions. Eric said it comes out of the library budget but library employees are town employees. Nat said he knows in the past library trustees have made wage adjustments. Eben said the library trustees went into executive session at their last meeting to talk about holiday bonuses. Eric said either all the decisions should be made by the selectboard or all should be made by the library trustees. Any action taken by the board tonight doesn't have to include library employees. Rosemary said the library trustees have always set library employee pay.

Board members brought up increases for people like the auditors or the minute taker. Donna Griffiths said she has been thinking about asking for an increase. She has not an increase in some time. The Underhill selectboard increased her rate from \$20 to \$22 per hour.

Eric suggested approving an increase for regular employees tonight and getting a list of other positions like the auditors and the fire warden to consider at a future meeting.

Mike moved to increase Donna Griffiths' pay to \$22 per hour effective immediately, Eben seconded and the motion was passed.

Eben moved and Mike seconded to give town employees a 6% increase in salary and to keep the health benefit contribution the same for those eligible for health insurance.

Beth said she is not suggesting not giving this increase but if we are easily deciding on these increases we should make sure we have the same attitude in hearing out other town groups coming to us for money. We just gave the library a hard time about a proposed increase in

benefits. She wants to make sure we are applying the same level of thoughtfulness here that we will apply to other proposed increases.

Eric pointed out that in the past all salary increases started July 1. But all the increases the employees see for health benefit costs start January 1 so at some point we decided that we would start giving pay raises January 1 and building about a 3% increase in the budget. Normally that is enough to cover us but this year what was built into the budget won't cover us. We would have had a hole if we had not lost a highway employee.

Mike said employees are some of the most important assets the town has. Some other things in the budget are not quite as important.

Eben and Mike agreed to the friendly amendment that the increase will be effective January 1, 2022. The motion was passed

13. Whistleblower Protection Policy

Brian said he updated the draft whistleblower policy. He thinks there is still more to add. The idea of getting more employee feedback was mentioned previously. He gave the policy to office staff today and next he will get feedback from public works employees. The next draft will incorporate feedback from employees.

14. Compensation and Benefits Adjustment for Town Employees (continued)

Brian said none of our current public works employees are on the public works pay scale anymore but we are bringing a new employee on and they will be on it. The union wants to see what increase is proposed before they officially agree to it. They have to approve any change in compensation. He noted that our new hire is getting the last pre-employment screening needed.

15. Beautification Committee Requests

The Beautification Committee would like to apply for a RiseVT grant for picnic tables on the village green. There would be no town match. **Mike moved and Beth seconded to authorize the Beautification Committee to apply for a RiseVT grant for picnic tables for the village green.**

Nat asked if the tables would be the town's property. Brian said they would be our property but they would be located on village property. He suggested gifting the picnic tables to the village. **Mike and Beth agreed to a friendly amendment that the tables would be gifted to the village. The motion was passed.**

Brian said the Beautification Committee would like to string seasonal lights on the trellis over the Railroad Street bridge. He thinks they will need to be solar lights. They don't have the lights yet but they have enough money in their budget to purchase them.

Mike asked who will install the lights. Brian said he imagines we will try to get the public works department involved, pending availability. Mike said if the public works department does work for the Beautification Committee the committee should receive a bill from the town. Any time the public works department does that kind of work for any entity, the entity needs to receive a bill. Nat said he agrees in principle but he doesn't think we should start

giving out bills now. That is a budget discussion. Eric said to be fair to the committees we need to give them warning about this so they can build it into their budget.

Eben said he thinks the public works department is stretched too thin to have more work like this on their plate now. Mike agreed. Brian suggested the board could give permission to the committee to hang the lights where they can reach themselves. Mike said then people will interfere with the lights. He doesn't think we need lights on the bridge. Brian said we would not want volunteers getting up on the trellis over the bridge because they would need to be in the roadway on ladders.

Beth moved and Nat seconded to authorize the Beautification Committee to put lights on the Railroad Street bridge as long as no climbing of any structure is needed to install the lights. Eben noted that the motion does not specify that the Beautification Committee can't ask the public works department for help. **The motion failed with Nat and Beth voting in favor and Eben, Mike and Eric opposed.**

16. Mask Mandate Discussion

Eric said the legislature authorized towns to put mask mandates in place. A lot of people are questioning whether we are going to do it so he thought he would put the question to the selectboard. Is there board interest in a town-wide mask mandate or a mandate for public buildings only or some other limiting factor?

Nat said he got an email from the chair of the library trustees requesting that the selectboard support a mask mandate for the library. It is a small space and they have been asking patrons to wear masks since fall. They have heard from families that they feel comfortable visiting the library because of the mask requirement. He would like to have a mask mandate for the library. He thinks everyone should be wearing masks in public but he doesn't think whether or not we mandate it will have a big effect on people's behavior. We can't enforce it. So he is not crazy about a townwide mandate.

Eric asked, the library trustees do know they could require masks on their own? Nat said they feel that if the selectboard supports it they will have more backing. Eric said we really don't have any enforcement. Nat said if someone violates it we can ask them to leave the library. Eric said the library can already do that.

Beth moved and Nat seconded to make masks mandatory at the library.

Eben asked if this request is the will of the library trustees or the library employees. Nat said Jeanne Engel supports it, as do the trustees. Jessica Bickford told Nat it would be great to have the backing of the selectboard.

Beth said there is no reason we should disagree with their request. If they are asking us to support them we should. Mike said they don't need our support. Nat said they do, or they wouldn't ask for it. Mike said he is not for any mask mandates. Nat said they are asking for our support and it would be irresponsible of us not to give it.

The motion was passed with Mike opposed.

Eric said he does not support a townwide mandate. It is not enforceable and it may alienate more people than not. He would support a mandate in this building but that would require the trustees to agree.

Eben said he would only support a mandate for the municipal building if the employees want it. Brian said all employees are wearing mask if they deal with the public. If the selectboard wanted to institute a mask mandate he would ask that employees not be required to wear masks when they are at their own workstations. He thinks if that was not a requirement they would agree. They all have expressed that they do not like to wear masks when sitting at their workstations by themselves. Eric said he was thinking primarily about the meeting space during public meetings.

Beth said she feels like pride gets in the way of public safety. She wears a mask so others don't get sick, not so she doesn't. She is going to wear a mask because she doesn't want people in Johnson dying. If people don't like wearing a mask it is impacting others around them. If everyone cared about others more we would not be in the situation we are in. She understands that a mandate is not enforceable but she stands behind the principle. She won't make a motion for a mandate because she thinks it wouldn't have the votes but she thinks we should be trying to protect each other more.

Mike said most masks people wear are not that effective anyway. Eric said if the sentiment of the board or the public changes or things change in the state the board could come back to this in the future. He suggested that Brian talk to employees and see if they want to request that the selectboard mandate masks in the municipal building. Brian said he will talk to employees and bring it back to the board if requested

17. Adjourn

The meeting was adjourned at 9:26.

Minutes submitted by Donna Griffiths