

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, FEBRUARY 14, 2022

Present:

Trustees: Steve Hatfield, Diane Lehouiller, Will Jennison, BJ Putvain, Ken Tourangeau

Others: Rosemary Audibert, Troy Dolan (via Zoom), Meredith Dolan (via Zoom), Kyle Nuse, Lynda Hill

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Will called the meeting to order at 6:00.

2. Review of Agenda and Any Adjustments, Changes, Additions

Possible action on minute taker pay was added to the agenda.

3. Review and Approve Minutes of Trustee Meetings

BJ asked for a change to the January 10 minutes to clarify that he was suggesting the town or village could help with maintaining the ice rink, not take over maintaining it. Diane said the title of agenda item #15 from the January 10 minutes needs to be corrected to Reporting on AARP Grant and the grant discussed in that item should be an AARP grant, not an ARPA grant. The reference to Jessica Bickford should be removed. Diane doesn't think she mentioned Jessica.

It was moved and seconded to approve the trustee board minutes of January 10 and January 26, 2022 and the joint meeting minutes of January 12 and January 26, 2022. The motion was passed.

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

Rosemary said we received signed fire department contracts from Belvidere, Waterville and Johnson.

5. Water/Wastewater Report and Action Items

The E-DMR and WR-43 were submitted to the state. Dan gave Ken a tour of the plant and they discussed the cupola removal project and some other major deficiencies facing the plant. There is a pump tripping out at the East Johnson lift station. The village crew will pull it to see if it is just plugged with rags. It probably is. A sludge tank blower needed to be replaced. The other blowers that have roughly the same number of hours were serviced. The draft budget for next year includes two blower rebuild kits. The rebuild kits are \$1200 each but a new blower costs \$6600. The blowers are 25 years old. A leaking water pressure fitting was repaired. Both influent check valves are leaking, one worse than the other. They are old and worn out and there are no rebuild kits available for them. Dan thinks new ones will probably cost at least \$1200 each. Dan met with Larry Smith from PACIF about a grant program that can provide funding for installing safety chain around the channels in the headworks. The grant would provide 100% reimbursement.

Coliform results were negative. December water loss was 14% and January water loss was 19%.

Lynda Hill asked what Dan meant when he said the pump was probably plugged up with rags. Dan said you would be amazed what people flush down their toilets. Things can get wound up in the pumps. Elastic from underwear is the worst.

Kyle asked where money to replace these things comes from in the budget. Dan said it is under parts and supplies in the budget under development.

6. Foreman Report and Action Items

Troy said on February 22 there was a callout on River Road West. It turned out the customer's breaker had tripped. On February 10 there was a callout on Mack Mudgett Drive. Snow came off a roof and broke a meter. The meter was replaced and service was restored within an hour. The crew removed an overhead service on Sinclair Road and energized a new service at Big Door Garage. The crew repaired 6 street lights that failed due to worn out components. The crew did monthly meter reading, high/low checks, and Dig Safes.

The crew responded to multiple frozen water events at Katy Win Park all related to meters under mobile homes. The meters have been repaired and customers have been billed for time and materials. The water at the food shelf froze. It was thawed and insulation was installed where the problem occurred. The village crew worked with Dan's crew to repair a pipe at the sewer plant. They installed a new service on Railroad Street.

The crew continued normal winter sidewalk maintenance procedures. Equipment repairs were done as needed. Snowflake decorations were removed from poles. The crew removed the walls that were falling in on the outside of the storage building and worked with the town to clean up and dispose of the materials.

Troy arranged for Jeff from the village crew to use the village's chipper to assist the town with cleanup of ash trees on French Hill Road. The village worked with the town to blow snow off Railroad Street so the town would have room to plow. Snow was removed from around all fire hydrants in the village.

Troy is in the process of designing two line relocations, one on Clay Hill and one on Foote Brook. He has been putting together an electric inventory order to prepare for upcoming maintenance work and new services. He has been working with Gould Electric's foreman on the new service for the Studio Center's Red Mill building. He worked on his portion of the 2021 outage report that is due annually to the Public Service Board and the Public Utility Commission. All our performance targets were met.

In answer to Will's question, Troy described in more detail where the sections of line are that he plans to relocate.

Kyle asked if the village crew is back working in person. Troy said off and on.

7. Fire Department Report

Will said from December 30 through January 27 the fire department responded to 16 calls – 14 during the day and 2 at night. The average duration was 84 minutes. There were 5 automatic alarms, 1 vehicle crash, one CO alarm, one smoke condition, 4 medical assists, one

hazardous material, and 3 mutual aid for structure fires. The average number of firefighters responding was 11. The total number of hours was 191.

Kyle asked if Arjay has come back with new figures on the truck to be purchased. Will said no.

8. *Village Annual Meeting*

Will said the board needs to decide whether to hold the annual meeting in person or have voting by Australian ballot. Meredith said the town is moving to Australian ballot. Will asked Rosemary's thoughts. She said the COVID situation is a lot better than it was when the selectboard had to decide but there are still a lot of cases. She thinks to be on the safe side voting should be by Australian ballot. The board would have to have an information meeting at least 10 days before the vote.

Steve moved to have annual meeting voting by Australian ballot and to schedule an information meeting before the vote, BJ seconded and the motion was passed.

It was agreed to schedule the information meeting for March 30 at 6:00.

9. *Corrective Water and Sewer Permits for 12 Lower Main Street*

Meredith said she was contacted by the attorney and real estate agent handling the sale of this property. They asked the village to issue corrective permits before the sale that reflect the historic use of the building. Allocations of 3730 gallons per day for water and 3376 gallons per day for sewer are warranted based on historic use. **Steve moved to issue corrective water and sewer permits for 12 Lower Main Street with allocations of 3730 gallons per day for water and 3376 gallons per day for sewer. The motion was seconded and passed.**

10. *Reaffirm Drug Free Workplace Policy & Establish a Drug Free Awareness Program*

Meredith said the village has a drug free workplace policy from 1995. Since it is quite old she thinks it would a good idea to reaffirm it to ensure USDA compliance. We also need to create a drug free awareness program that includes establishing a program to inform employees about the dangers of drugs in the workplace, our policy on maintaining a drug free workplace and available counseling, rehabilitation or assistance programs, and penalties for drug violations in the workplace. At the board's direction, Meredith will create those so we are in compliance with the requirements for the USDA grant for the preliminary engineering report on Katy Win. **BJ moved and Ken seconded to reaffirm the existing Drug Free Workplace Policy and establish a drug free awareness program that complies with USDA requirements.**

Kyle asked if the village does drug testing. Troy said there is random drug testing for those with a CDL. Employees are randomly selected for testing by an outside party. BJ asked, if any employee gets injured, do we do a drug test? Troy said no. Dan said if an H2O Innovation employee has an injury or traffic accident there is an immediate drug test.

The motion was passed.

11. *Weatherization on Bill Financing Program*

Meredith said a pilot program is being launched across the state. She understands that most big utilities are participating and VPPSA members have been asked to as well. People would get a loan for weatherization through the Vermont Housing Finance Agency and they would

make payments through their utility bill. The utility would collect the money from customers and send it to the HFA. This is an easier way for people to get loans without having to go through a bank. The utility would never be on the hook for the money. Meredith needs to find out if Rosemary, Susan and Marla have thoughts or concerns about the program. VPPSA members are considering it because of the benefit to residents of our communities.

BJ asked if the charges for electricity and the loan payments will be put together into one fee. His worry is that if someone can't pay the whole amount due they may not pay all of their electric bill, whereas they might be more likely to pay the electric bill in full if it were separate from the loan payment. Meredith said she believes if there is a partial payment the utility bill gets paid first.

Meredith said the reason they want the loan payments attached to utility bills is that the loan stays with the property, not the person. The hope is that this will induce rental properties to participate. The landlord would have to give permission if a tenant wants to participate. When the tenant moves out the new tenant would have to take on the payments.

Will asked Rosemary to have staff look at the amount of additional work that would be needed for this program and report back to the board.

Meredith said she thinks there is a low interest rate for these loans. If we are billing customers there has to be a tariff that oversees that. Someone from VPPSA or FHA can give the board more information about this program in March and if the board wants to participate then in April the board would approve the necessary tariff.

12. River Road Pump Station Allocation

Meredith said a property owner wanted to know how much additional capacity will be created when the River Road pump station is upgraded. She explained to the person that we can't reserve capacity before getting an application but she thinks about 2000 gallons per day is a safe figure to give for our additional capacity.

13. Village Manager Hiring Process

Rosemary asked if the board has any interest in hiring a headhunter or recruiter. VLCT does offer that service. The cost could be up to 20% of the manager's salary. We have probably spent at least \$2500 so far on the search.

Ken asked if VPPSA advertised the position. Meredith said they put it on their website.

Diane asked if the village used a headhunter when Meredith was hired. Rosemary said no, but it took probably close to two years to find her and the village hired an interim manager who was here for a year or so. Diane asked where the village got the interim. Rosemary said it was someone Duncan knew who was a manager in South Burlington.

Will asked if a headhunter gets paid once they find someone or when they start. Rosemary said she doesn't know. She had a copy of the contract Pittsfield, Vermont had with a headhunter they used. The board agreed to look over the contract and asked Rosemary to reach out to Pittsfield to ask about their experience.

Lynda Hill asked if the advertisement on Indeed is regional. Rosemary and board members said no; there have been applicants from out of state but they have cancelled before they could be interviewed.

Kyle suggested a paid Front Porch Forum post might be helpful.

Diane suggested Susan Tinker could be a good manager. Will said he has spoken to her and she is not interested.

Rosemary said she thinks the board should consider a headhunter. Meredith thinks it would be helpful to get more information about what strategy they would use.

The board agreed that the ad on Indeed should be refreshed.

14. *Hiring an Economic Development/Grant Writer*

Diane said she didn't talk to Greg Tatro about a grant writer but she looked up grants. There are six grants with no match that we really should be applying for. She thinks we should work with NVU, Vermont Studio Center and Laraway. When she brings the names of grant writers next time we can talk about that. Will asked if Diane could email the board information on the grants she learned about.

15. *Cold Spring Maintenance*

Steve hates the idea of paying for air or water. He sees so many people buying water at the supermarket, so much plastic. He thinks if there is anything we can do to alleviate that, we should. He understands there are liability issues but maybe we can warn people with a large sign. He would like us to keep the cold spring open.

BJ said he likes the idea of keeping it open too but if we maintain a path is there any liability for us? The spring in Eden is cleaned out by the people that use it, not by the town. Troy said there is a sign there saying the state does not approve the site for consumption. Will said he thinks liability comes from the access. He was told that today the stairs were salted and there was access.

Kyle said she has noticed the cold spring has been maintained since the January meeting. She asked what the policy on the cold spring is. Troy said he feels we should not invite the public to use a site where they could fall and hit their head. The village crew was told by a previous board to throw some salt in when they go by and that is what they do. If there is a lot of snow they may shovel it out but he doesn't believe in maintaining a spot where there is a dangerous fall hazard.

Kyle said she feels people will smack their heads if the village doesn't maintain the area.

Troy said any cement structure covered with ice leads to bad circumstances. He would like to see the water moved to the outside of that structure and the stairs chained off. People could look in and we could leave water running in there. Everyone thinks the water runs out of the bank. It does not. There is a piece of culvert that stands up on end. It gets surface water in it. We put a pump in there to pump the water. It is not fed from the bank.

Diane said nothing has ever happened there so far. Lynda said there are always cars parked there. Troy thinks having an external outlet for the water so people don't have to walk down would serve the purpose. Will said it is a huge community service and he has used it since he was young, but it is not tested or filtered. It has had contaminants in it before. Troy said it has everything you would find in a normal spring – mice, snakes, bugs. Lynda said people don't care. Kyle asked if anyone has ever gotten sick. Has the village ever been sued? Lynda said there is a sign saying the water is not tested. Dan said he feels that sign should be in front of the water, not off to the side. It is hard to see.

Kyle said it has saved farms in a drought. People have used it when there is a boil water order in the village. We have all gone to use it. People come from other towns to use it and then go to businesses in Johnson. It has a positive ripple effect for the rest of the village. It could be a beautiful spot to come and sit. It has gotten overgrown but there are benches and flowers. Why wouldn't we want to take care of and beautify something right in the heart of the village that so many people drive by, bike to or walk by? It feels like that should happen. It's an equity issue, too. People use it who don't have access to water at home. She understands it could be seen as a liability but walking down the sidewalk is a liability. Everything is a liability.

BJ said we are just talking about not having access for a few months during winter. Kyle said she is concerned about summer too. The cement is very pitted.

Steve asked, if we are already pumping the water, can we redirect it to a different area? We would have to catch the water somehow. Troy said the way to do it would be to have a drain there. Will said he thinks it would work to have a higher access.

Diane asked when this conversation originally started. Will said there has been conversation about the water not being tested for a very long time. Kyle said when she brought it up last month it was not about the water. It was about safety of the entire area.

Kyle said village employees already go by in the Bobcat. Can't they get out of the Bobcat and take ten minutes to clean it up. Lynda said it had been mentioned that it already cleaned up. Kyle asked why. Troy said the weather is a lot of it. It warmed up. He thinks maybe volunteers could shovel it out. In the past our practice has been to just throw some salt on the steps.

Diane asked, can't we consider it part of the sidewalk? We own it. Kyle said we need to be thinking about older people or people with kids. We are an aging state.

Will said there is no way the village crew can maintain it as a safe place for all the times people are using it. He thinks Kyle is right; we should shut it down in winter time so we don't have to worry about safety. Kyle and Lynda said they think there would be a massive uproar if it were shut down. Lynda said she thinks a lot of people depend on it.

Ken moved and Steve seconded to leave the cold spring open but put up a sign saying it is unmaintained from November 1 to April 1.

Kyle asked if that means the village crew won't even throw salt on the steps. Ken said they will still do that. Troy said he will do whatever the board tells him to do. Diane said she knows we are talking about liability but it doesn't seem like there have been any issues and it seems like so much a part of the sidewalk, even going down the steps. She has had people call her saying they want the spring to be kept open. We are talking about putting up a sign that is not very welcoming. BJ said we had someone come to us with safety concerns so we want to manage the safety. Diane said the safety concern was because the area was not being maintained. Will said he thinks this is a happy medium that will allow access. The village crew will keep the top maintained but not the rest. We will reduce our liability by letting people know it is not maintained but keep it open for people who absolutely have to use it. BJ asked if anyone has ever gotten hurt there. Rosemary said no one has gotten hurt.

Kyle said she would like people to take pride in how it looks and feels and might be experienced. .

The motion was passed 4-1 with Diane opposed.

16. Review Draft 2022 Water Department and Sewer Department Budgets

Meredith said sewer sales were less than budgeted in 2021. She believes in large part that was due to the college. Businesses also have had less foot traffic. For 2022 she budgeted slightly more than the previous year. She reviewed the rest of the budget. The property insurance bill will be lower. The cost of trash collection and recycling has gone up. The budget includes \$20K for work on the belt press that amounts to a rebuild. This budget has a deficit of 48,271. That amount is almost exactly equal to lost revenue from 2019.

Meredith said she doesn't think we can count on sales rebounding to the 2019 level. She thinks a rate increase is inevitable. We are working on a rate study now. She thinks we can use ARPA funds to make up for the deficit in the meantime. The board can probably have an initial presentation of the rate study in March. Meredith noted that we charge all our customers (except the college) the same rate. That is a little unusual.

Water sales in 2021 were quite a bit under budget. Dan said water sales at the college are half what they were 3 years ago. He thinks they have been tightening up a lot of leaks. Total water revenue is projected to be \$40K less than projected for 2021. Meredith reviewed the rest of the budget. We may be able to reduce the amount budgeted for water testing if we switch over to the Nadeau well. There are tests we normally have to do in March that we may not have to do.

Dan said the budget includes purchase of a spare pump. If we decide to make the Nadeau well an emergency well and the primary well goes down we will have to have a Do Not Drink order. If we had a spare pump we could replace it quickly. It will be less expensive to buy it now than to wait until we need it. The board agreed it is a good idea to keep the spare well pump in the budget.

Meredith said the water budget has a deficit of almost \$57K at this point. Meredith will work with the numbers and she thinks it will end up being more like \$50K.

Will said if we implement a tiered rate structure with higher rates for personal property that will push businesses away from Johnson. Meredith said we want to look at nearby communities and not have much higher rates but we also want to look at whether some types of customers cost us more than others. Dan said he has learned that the ratio of fixed costs to other costs is wrong.

17. Minute Taker Pay

Rosemary said Donna Griffiths' current rate is \$20/hr. The town increased it to \$22/hr. **Steve moved to raise Donna Griffiths' hourly rate to \$22/hr and to make the change retroactive to January 1. Diane seconded and the motion was passed.**

18. Executive Session for a Personnel Matter

BJ moved to enter executive session for a personnel matter pursuant to 1 VSA § 313(a) (1) (4), inviting Rosemary to stay, Ken seconded and the motion was passed.

Ken moved to come out of executive session at 9:40, BJ seconded and the motion was passed. No actions were taken.

19. Adjourn

The meeting was adjourned at 9:41.

Minutes submitted by Donna Griffiths