

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
WEDNESDAY, FEBRUARY 23, 2022

Present:

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

Others attending in person: Rosemary Audibert, Nate Brigham, Chan Bullard, Jeff Parsons, Charles Gallanter, Kyle Nuse, Don Blais

Others attending via Zoom: Paul Stankiewicz, Tim LaBombard – Union Rep., Brian Monaghan – Village Attorney, Kristen Shamis – Village Attorney, Troy Dolan, Marla Emery, Susan Tinker, Lydia Beach Putvain, Eric Osgood

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Will called the meeting to order at 5:00.

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

Diane suggested the executive session item on the agenda should state the purpose of the executive session – what the attorney-client communication is about. Brian Monaghan said this is a fairly typical agenda item. He suggested Diane propose different language. Diane said she doesn't know what the communication will be about. Brian said he will provide legal advice about arbitration and the next steps following arbitration.

3. Discussion of Return to Work Plan

Employees were invited to share their thoughts on Paul Stankiewicz's return to work. Nate Brigham said he feels there is a safety concern for himself and everyone else. He feels it will be very uncomfortable at the job site. Employees will not know if Paul has their back. Nate has to have trust. He doesn't want anyone to get hurt or killed and he wants to look after the village. The village comes first.

Chan Bullard said his concerns are about how the shop would be managed. Would this create a hostile environment? Would it create division? He is concerned about how day to day operations and stress levels will be affected. Employees spend a lot of time together. He is concerned about what the culture in the shop would be and whether there would be a lot of tension every day.

Jeff Parsons said he went through NEPPA apprenticeship training that focused on many different safety aspects. Everyone on the crew needs to not only work safely but look ahead and see potential problems that might arise. They need to know how to prevent accidents and if there is an accident they to have 100% trust in their coworkers. Without that trust, the whole focus of the job changes. If you are having to question one of the crew members at any point that feeling of safety isn't there. Without that he doesn't know how the job can be done in an appropriate manner. There have been actions and statements and things that have happened that cause reasonable doubt about having a feeling of safety with Paul's return. He doesn't know how to do this job with a potentially unstable, unsafe work environment and represent the village while doing it.

Troy Dolan said he wants to express his deep level of concern about Paul returning to work. In May 2021, Paul called his phone after hours and made several statements that he interpreted as threatening him physically and indicating a desire to hurt him and his family financially. After working with Paul for five years, he perceives these as credible threats and therefore fears for his and his family's safety. It is his understanding that Paul has acknowledged making these statements. Therefore, he feels Paul returning to work will create an unsafe work environment for him. As lineworkers, we perform dangerous tasks regularly, which requires an extreme level of trust amongst co-workers. Lineworkers must rely on each other to provide life saving attention and procedures. Failure of a lineworker to quickly and thoroughly respond to an injured co-worker could easily result in death. As part of our lineworker positions, we are required to have CPR/first aid and pole-top rescue training on an annual basis to prepare for these types of critical situations. Given the statements Paul has made, Troy does not feel he can trust him to administer life-saving attention to him if he were in need. Therefore, he feels Paul's return to work will place him in danger and will create an unsafe workplace environment.

Paul said there is lot of untruth to what was said. He is ready to come back to work. Regarding the things he said, no one seems to remember when he called the next morning and apologized for his statements, which stemmed from years of harassment and his vehicle being vandalized. He doesn't think he should just sit back and swallow that. He is more than happy to work with the people there but when he was verbally abused for four and a half years, that should be explained. Troy didn't act in a professional manner when Paul went to him to try to rectify the issue. But he is willing to come back and start over. As long as everyone acts professional and like an adult there shouldn't be any tension. He doesn't agree with Troy's statement. He doesn't think he has ever had issues with being unsafe. He has worked in a lot of environments and has a lot of experience. There shouldn't be an issue with him coming back to work.

Will asked if any members of the public had comments. Kyle said she came in late. What is going on? Will said the board is giving every employee the opportunity to express their feelings on Paul returning to work. Diane said there is binding arbitration that the board needs to discuss.

Steve said he asked Rosemary today to send him the employee evaluations for the last 4 years of the electric department and she only had the ones for 2018. He doesn't know where the others are, if there are any.

- 4. Executive Session – Confidential Attorney-Client Communications and Personnel Matter**
BJ moved to find that premature general public knowledge about the arbitration and the trustees' next steps in this process and receiving confidential attorney-client communications would place the trustees at a substantial disadvantage, Ken seconded and the motion was passed with BJ, Ken and Will in favor and Diane and Steve opposed.

BJ moved to go into executive session for a personnel matter pursuant to 1 VSA § 313 (4), Ken seconded and the motion was passed with BJ, Ken and Will in favor and Diane and Steve opposed. The board entered executive session at 5:24.

Will said the executive session will include Rosemary, Brian Monaghan and Brian's colleague Kristen Shamis. Kyle said she thinks open meeting law requires the names of those invited into executive session to be part of the motion to go into executive session.

The board came out of executive session at 6:15.

Will said the board has no action to take. The village had a reduction in force in July. It was grieved with the union and went to arbitration. The result of the arbitration is that Paul is coming back to work on Monday. As soon as the board gets through budget development they will start working on personnel policy and doing evaluations that were put on hold for COVID.

5. *Adjourn*

It was moved and seconded to adjourn at 6:18 and the motion was passed.

Minutes submitted by Donna Griffiths