

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
FRIDAY, MARCH 25, 2022

Present:

Trustees: Steve Hatfield, Diane Lehouiller, Will Jennison, BJ Putvain (via Zoom), Ken Tourangeau

Others: Rosemary Audibert, Aaron Calvin, Kyle Nuse, candidate for village manager position

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Will called the meeting to order at 5:00.

2. Executive Session to Interview Candidates for Employment for Village Manager

Ken moved to go into executive session to interview a candidate for employment for village manager as allowed under 1 V.S.A. § 313(a)(3), the motion was passed and the board entered executive session at 5:01. The board came out of executive session at 6:15 and took a short break. The meeting resumed at 6:21.

3. Meeting Minutes Approval

Ken moved to approve the minutes of February 14, February 23, February 25 and March 9, Diane seconded and the motion was passed.

4. Food Shelf – Bathtub Removal

Rosemary said the food shelf wants to remove a fiberglass bathtub at the old mill house to make room for storage. The selectboard approved it with the condition that it be done by someone with liability insurance. **Ken moved to allow the food shelf to remove a bathtub as long as removal is done by someone with liability insurance, Steve seconded and the motion was passed.**

5. Vt Transco Equity Offer

Ken moved to authorize Rosemary to sign for the purchase of additional Vt Transco equity shares, BJ seconded and the motion was passed.

6. Appoint Village Representative to VPPSA

Will said this item should be tabled until after the next item.

7. Working Foreperson Position

The board reviewed a proposal from Troy Dolan to do certain work for the village on a contract basis. Steve suggested postponing any decision until after the village election so the new board is the one taking action. The election is only 9 days away. Ken asked when Troy's resignation is effective. Will said March 31. The next regular meeting is April 11.

BJ asked, Troy is quitting as foreman and proposing to do some of the same work as a contractor and make more money? Will said that is correct, but the board will discuss financial aspects of the proposal in executive session.

Kyle Nuse asked for clarification on what this agenda item is. Will said the agenda item is about the working foreman position. The board has a potential contract offer for that position and they are discussing whether they want to entertain it.

Kyle asked, Troy has started a consulting company and is trying to get a contract with the village, similar to what Meredith has been doing? Will said yes. Kyle asked, he claims he is scared for his life and his family's life and he wants to come back and work with the people he is not comfortable with? Will said he can't answer a question like that. If Kyle wants to talk to Troy, he is still on the payroll until Friday.

Steve said he sees some problems with a number of the things Troy is proposing to do.

8. Appeal of a Public Records Request

Will asked Aaron Calvin, he has made a public records request to the town clerk, who denied the request, correct? Aaron said yes. Will said Aaron has a right to appeal to the board, and that is what he is doing now, correct? Aaron said yes. Diane asked what he has requested. Will said he understands it is Troy's resignation letter. Aaron said yes. Will said the village lawyer advised Rosemary not to release it.

Steve asked if Aaron is the one who wrote the recent article in the News & Citizen. Aaron said yes. Steve said he doesn't understand why he is requesting the letter. It seems like he already knows everything. Diane said Troy talked to Aaron. Aaron said the letter should be a public document. He has many examples of being able to obtain resignation letters from other towns. It is very irregular not to allow it.

Diane asked why the lawyer told us not to release it. That is important to her. Rosemary showed Diane the communication from the lawyer.

Ken asked if Aaron asked Troy for the letter and Troy did not release it to him. Aaron said yes; Troy sent a statement instead. But that has no bearing on whether or not this is a public record. He told Troy he could send whatever information he was comfortable with and he sent a statement instead of the letter.

Kyle asked if all the board members have seen the resignation letter. They said yes.

Diane said there is an exemption for "Personal documents relating to an individual, including information in any files maintained to hire, evaluate, promote, or discipline any employee of a public agency; information in any files relating to personal finances; medical or psychological facts concerning any individual or corporation; provided, however, that all information in personnel files of an individual employee of any public agency shall be made available to that individual employee or his or her designated representative." Ken said that says that we have to give the letter to Troy's lawyer or union representative.

Diane asked, with the other document related to Paul our lawyer suggested that we not give it to anyone but said there was nothing illegal about giving it out. Is this the same? Will said no. There is a difference. Our lawyer is advising us and Rosemary not to release this.

Ken moved to follow guidance from the village lawyer in order not to put the village in any jeopardy or risk liability and to deny the request from Aaron Calvin of the News & Citizen to release Troy Dolan's resignation letter. The motion was not seconded.

Kyle asked if the village has asked the Vermont League of Cities and Towns for their recommendation. Will and Rosemary said no. Kyle said she would suggest doing that. This is very irregular. The village lawyer's opinion is just one opinion. She would get a second opinion.

Will said his understanding is that if no action is taken on the appeal that is the same as a denial.

Diane asked if we can do further research and call VLCT to see what they say. Will said yes, but he thinks no motion now equates to denial. He told Aaron that if the board gets different information and approves releasing the letter they will reach out to him.

9. Executive Session – Contract for Outside Services Contractor

Ken moved and BJ seconded to enter executive session to discuss a contract for outside services as allowed under 1 V.S.A. § 313(a)(1)(a),

Kyle asked if the village went out to bid for this contract. Will said no. Kyle asked if they plan to. Will said that is something the board can discuss. Kyle said typically contracted services go out to bid and the board gets competitive bids.

Diane said she doesn't know why the board is going into executive session. Will said because dollar figures will be discussed. Contracts have to be discussed in executive session.

The motion was passed in a roll call vote with Will, Ken and BJ in favor and Diane and Steve opposed. The board went into executive session at 6:42. The board came out of executive session at 7:07.

Will said the board discussed the contract presented by the consultant and no further action is being taken tonight.

10. Adjourn

BJ moved to adjourn at 7:09, Ken seconded and the motion was passed.