

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, SEPTEMBER 12, 2022

Present:

Trustees: Steve Hatfield, Lynda Hill, Diane Lehouiller, BJ Putvain, Ken Tourangeau,

Others: Rosemary Audibert, Dan Copp, Scott Meyer (remote), Kelly Locke, Arjay West, Craig Carpenter, Gidget Dolan-Dodge, Walter Pomroy (remote), Charlotte Hineman, Kevin McWhinnie

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Steve called the meeting to order at 6:05.

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

It was agreed to move the water/wastewater report to come before Members of the Public.

Rosemary said the Possible Water and Wastewater Applications item can be removed from the agenda because we haven't yet received the applications. Steve said Ken Nolan is unable to be here tonight, so his item can be removed from Members of the Public.

3. Review and Approve Minutes of Trustee Meetings

Ken moved to approve the minutes of August 5, 8, 19, and 31, 2022, BJ seconded and the motion was passed.

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

Rosemary said Susan is trying to contact NVU about their donation for the fire department but she hasn't heard back from them yet. We will be getting our PILOT payment in October and this month the town will pay its fire department payment and the ten cents on the grand list.

Rosemary said electric sales are at 63% of budget for 8 months. Power costs through July are 57% of budget. Water sales through August are 70% of budget. Sewer sales are also 70% of budget.

Lynda asked why Labor – Customer Installation for the electric department is over budget.

Rosemary said the electric department had quite a few jobs this summer, more than they thought they would do when the budget was being developed – work at Jolley and for several new electrical customers.

Rosemary said today we sent a bill to the Village of Hyde Park for about \$2K for work the Village of Johnson crew did for them.

Lynda asked if there is a cost to us when someone wants to hook up to village sewer or water.

Rosemary said yes. Lynda asked if there are fees. Rosemary said yes.

Steve asked if anything in the budget status report sticks out to Rosemary. Rosemary said no.

Rosemary said the biggest thing on the orders was the payment to JA McDonald for work on the River Road pump station. In the future, we will need to budget for the bond payments. Lynda asked if the board can get a list of all the bond payments we are making.

Rosemary gave the board a list of delinquent taxes. There is almost 4% (\$4400) left to collect. Last year at this time the amount uncollected was \$3200 and in 2020 it was \$9700. BJ asked if we ever

put properties up for auction. Rosemary said we do when the town has a tax sale. The town hasn't had a tax sale since the pandemic but they are going to have one soon. Probably 75% of the delinquent accounts are mobile homes and no one is likely to buy them.

The second Monday in October is Indigenous Peoples' Day, so the board agreed to meet on October 11 instead. Lynda said we had talked about having a meeting with previous trustees and the new village manager on October 10. If we are not doing it then, we need to pick another date. She can talk to Gordy Smith. Steve said potential dates proposed for a joint meeting with the selectboard are October 12 or 19. It was agreed to meet on September 21 to discuss Troy Dolan's contract and to meet again the week after that to discuss priorities with Erik Bailey and any other issues the board needs to address.

5. Water/Wastewater Report and Action Items

Dan said the E-DMR and Wr-43 were submitted to the state. We completed our permit required Annual Constituent Testing of our effluent for the state. Results were excellent. Dan attended the substantial completion meeting with Steve for the new River Road pump station. There are several small punchlist items for the contractor to complete. There is an issue with the design of the control panel that the engineers are working on to correct. The village will be responsible for about \$4500 for the emergency sewer connection on River Road as part of the pump station upgrade. The remaining \$19,500 change order will be subsidized by the state with the rest of the project. This is a much better option than the village owning the sewer connection to receive the state funding. Staff painted the concrete floors and around the MCC panel. We received the grease seals for the belt press and staff will start rehabbing the belt press as time allows between press runs. H2O Innovation's Environmental Health and Safety Manager visited and toured the facility. He performed a short safety audit. He was very happy with how the plant looked and found no immediate hazards. He will follow up with an in-depth audit at a later date. There was some asphalt left over from the road cut on River Road. Tim and Luke dug out an area around the wet well that had crumbling pavement. They patched and tamped the area with the remaining asphalt.

Coliform samples were negative. Staff performed yearly disinfection byproducts sampling for the water system. All results were well below state parameters. We assisted Simon Operating Systems operators in sampling for coliform at both of our wells. NVU had a positive coliform result and had to test our sources as part of the follow-up testing. The wells came back negative. Water loss for July was 15%. Water loss for August was 24%.

The well pump is in at Manosh. Dan should have the price at the next meeting.

Dan plans to set up a meeting with Erik Bailey and Chip Percy to discuss what Chip wants to do with the water line that currently is inside our building. Chip wants water kept there in case of future expansion on that side of the road. Ken asked if Dan is talking about rerouting the line outside the building. Dan said yes. It would bypass the building and it would no longer be connected to the Nadeau well, only to the hydrant.

Ken said he think it is time to talk to Chip Percy about a written agreement that the Nadeau well is an emergency well for us. Dan said if we reroute the line around the building we will never be able to connect to the well again. Ken said he thought in an emergency we would be able to connect again. Dan said no. The state does not require us to have that backup. If we ever used it we would

have to issue a “do not drink” order. In the long term he would suggest looking for grants to drill another well on land we own.

Board members thanked Dan for the extra work he has been doing.

6. Fire Department Radio Repeater Approval

Arjay said over the last 10 years or so the fire department has been looking for ways to set up a repeater site to make it easier to get through to dispatch. Everything they have looked at has fallen flat because of the cost of finding a site in Johnson with coverage and going through the permitting process. Over the last year or so they have looked at other possible solutions. They have been talking with the owner of a piece of private property on Route 100 in Hyde Park where there is an existing tower with a repeater on it used by the Hyde Park and North Hyde Park fire departments. The owner is willing to have another tenant as long as it doesn't interfere with what is already there. Coverage maps indicate there would be good improvements for Johnson with a repeater there, with somewhat less improvement for Belvidere and Waterville. The site seems to have good potential. A new permit is not needed to add an antenna. The cost for the equipment and installation would be about \$20K. The first phase would be the licensing process. The fire department has to get approval through the FCC to put higher output onto that site. This solution seems like the most reasonable way for the fire department to improve communications. The fire department has started the licensing process. If there are positive results they would like to be in a position to purchase equipment and enter into a lease agreement with the landowner. They feel they could take a loan from the small tools capital fund to cover the \$20K cost and then repay the money into the fund over a 10-year period. They believe there is an opportunity to create revenue through fire department contracts to be able to replenish the fund over that period. He suggests increasing the contract amount for the towns of Johnson, Waterville and Belvidere to help with the cost. The suggestion is for the lease to be about \$150 per month, for a yearly cost of about \$1800-2000. He thinks that can come out of the normal operating budget. This will not be a 100% solution but he thinks it is the most reasonable opportunity. He would like approval for Rosemary to move the \$20K, contingent on positive results of the licensing request.

Ken asked if the fire department can handle the \$1800-2000 lease cost out of the budget that starts next January. Arjay said he doesn't see the repeater being able to be built that fast. He does think the licensing cost can be handled in the budget.

Ken asked which department members deal with the small tools fund. Arjay said Captain Gidget Dolan-Dodge is responsible for some of the functions related to that fund. Ken asked Gidget if she feels the small tools fund can handle the proposed borrowing from the fund. She said she feels it can. Ken asked, she would have no concerns? She said no.

Ken asked Assistant Chief Craig Carpenter if he feels the repeater is needed. Craig said absolutely. He described some situations where there have been issues with communication.

BJ asked if in the future we will need to add some kind of repeater on the trucks for a 100% solution. Arjay said it is hard to say that communication can ever be 100% because of terrain issues and distant response areas. The fire department does have a truck repeater now to boost the signal but there are still places that the signal can't get out because of the terrain. To build a 100% network would take multiple repeaters and the fire department is not going to be able to afford to do that. This solution will be 90% better for Johnson and 80% better for the outlying areas. And the fire department can expand the list of places where they know a signal can get out so they have

places they can drive to near different sites. They also sometimes use the second Hyde Park channel if they need to. Hyde Park is fine with that. Johnson also lets Hyde Park use Johnson's channel if it is necessary to get a priority message out.

Lynda asked if it would have been more ideal if a tower were in Johnson. Arjay said not necessarily. There are a few places in Johnson that are a little higher than this location in Hyde Park but they don't have an existing structure. This site is higher than the college. Diane asked, isn't a new tower being built at the college? Lynda said that is a cell phone tower. Arjay said the equipment is different and there is a question of whether the college would allow the fire department to install equipment on their tower.

Lynda asked which town this helps the most. Arjay said Johnson.

Ken asked if the license will be only for that site. Arjay said he thinks if the fire department wants to transfer the license to another site they will have to make sure neighboring agencies don't have a problem with the signal interfering with their operations.

The board agreed that this is a good idea and Rosemary should be authorized to transfer the \$20,000 from the small tools equipment fund to pay for this project. *(Arjay, Craig and Gidget left at 7:03.)*

7. Fire Department Report

Steve read the fire department report. From July 28 to September 29, there were 9 calls, 5 during the day and 4 at night. The average duration was 59 minutes. There were 3 automatic alarms, 4 vehicle crashes, 1 medical assist and 1 mutual aid. The average number of firefighters responding was 10. The total hours of service was 77. Engine 2 completed its annual service and state inspection. The letter of intent with Capitol City GMC for the replacement of Rescue 2 has been terminated due to increased price at the time of delivery and the dealership not honoring the original agreement. The fire department is reevaluating options and will report back.

8. Electric/General Report and Action Items

Steve read the report from Troy:

Electric Dept.

The crew completed the following tasks:

- Finished the primary underground line extension and 200 amp secondary service for 335 Plot Road.
- Started the overhead line transfer on the pole that feeds the new sewer pump station on River Road West.
- Transferred the wires on two primary overhead poles on Sinclair Road to new poles. Completed all work for the EV charging stations at the Jolley store.
- Responded to an outage at 851 Route 15 West. The cause was an overloaded transformer. The fuse was changed and power was restored.
- Worked with the electrical contractor at 1066 Route 100C to upgrade the secondary service from 100 amps to 200 amps.

- Disconnected electric service at 664 Gould Hill Road so the house could be demolished.
- Continued in-house right-of-way cutting.
- Completed monthly meter reading, high/low checks, substation check, and Dig Safes

Water/Sewer

The crew completed the following tasks:

- Responded to a water leak at 333 Katy Win. The issue was on Ship Sevin's (park owner) service.
- Responded to a water leak at 252 Lower Main West. The water was turned off on Thursday September 1st and was turned back on Tuesday, September 6th. The leak was beyond the curb stop and was the homeowner's responsibility.

General Department

The crew completed the following tasks:

- Painted over all the graffiti on the Pearl Street street light bases. Worked to clean up the village green.
- Worked with the town cutting trees on Mack Mudgett Drive.

Safety

The crew attended the August NEPPA safety training. The topic of the training was hot line work methods.

Administrative

Troy completed the following administrative tasks:

- Worked with the electrical contractor for the Jolley EV project to complete the village's portion of the project. A true-up for the project will be completed once we have received an invoice for the metering services that were provided by Morrisville Water & Light.
- Corresponded with a property owner on River Road West and his engineer regarding water and wastewater permits for planned new construction.
- Worked with the property owner of 664 Gould Hill to coordinate removal of the existing electrical service and completed an estimate for a new 200 amp secondary underground service.

- Completed an estimate for electric service for a new home near 288 Sinclair Road.
- Made arrangements with the meter technician at Morrisville Water & Light to complete the metering for the EV chargers at the Jolley Store. Troy also discussed with the meter tech the costs related to the new 15-minute metering being requested at Vermont State University.
- Completed a true-up for the primary underground line extension at 335 Plot Road.
- Created two invoices for mutual aid help that the Village of Johnson crew provided to the Village of Hyde Park Water & Light.
- Requested quotes from suppliers for needed inventory for the electric department and transformers.
- Completed the monthly invoice coding.
- Continued speaking with Nate on a daily basis to discuss scheduled work and answer any questions he has.

Diane asked how Nate is feeling about being in the foreman role. Steve said he thinks he is getting more comfortable with it. Steve is going to let Erik have that detailed discussion with him when he starts next week.

Diane asked if Nate came to Steve about the cost related to the smart meters. Steve said Nate does not know what is going on with regard to that. He was hoping Ken Nolan could explain it tonight but now the discussion with him will be postponed to the October meeting. There was an estimate in Steve's email today but he does not really understand it. According to Nate the meters are less expensive than he thought they were going to be.

9. *Policy on Flags/Banners on Municipal Building, Fire Department and all Village Flagpoles Except for the Designated One at Village Green*

BJ said it seems like a couple of times every year the board gets a request to put a flag at the fire department or the municipal building, the newspaper writes about it and we don't do it. He would like to have a policy that we will not put any flags on the municipal building or the fire department poles except the state and US flags. Ken said we would need to add the fire department flag.

Diane said she thought we were going to meet with the selectboard to discuss a flag policy. BJ said we can discuss a general policy but this would be specifically for the fire department and the municipal building. Lynda asked, shouldn't this be a joint thing? What if the town says yes and we say no? BJ said they can't allow it if we say no. We could say that the trustee board only wants the American flag or the state flag. Lynda said she thinks that will cause division. She thinks we should discuss this when we meet with the selectboard. This building is jointly owned. If one board says yes and one says no, who wins? BJ said then the answer is no. Both boards have to say yes or the answer is no. Ken said the selectboard has already started the process of making their own policy. They weren't concerned with having mutual agreement with the trustee board. BJ said there have to be two separate votes on each request.

Diane said she would like the village to be part of the town's flag policy. She thinks they are trying to schedule a meeting where the trustees and the selectboard could meet and that is one of the things we will talk about. She thinks we should work together with the selectboard to develop a policy and the selectboard and trustees should have the same policy for this building. BJ said in the past the trustees and the selectboard have not met as a group to discuss everything about the jointly owned buildings. Look at the mural. There was no team there. Diane said she thinks if the selectboard and the trustees have the same policy it will make it easier for everyone. She wants to see what policy the selectboard develops.

Kelly Locke said she likes the idea, but she suggested working with the selectboard.

BJ said we shouldn't let the selectboard come up with a policy and then see if we want to adopt it. Why can't we be the ones to create a policy and then have them adopt it?

Steve said if the purpose of having our own policy is to stop the arguments, it doesn't seem like it will achieve that. BJ said it will 100% stop the arguments if we have a policy saying that we can't have anything up at the municipal building except the state and national flags.

Ken said there has been a Supreme Court decision on this that says if you fly one flag you have to fly them all. Diane said you can have a policy where the mission of the town is important in determining what can be flown. That is the type of policy she wants to bring forward for the trustees and selectboard board to consider.

Ken said when these requests have come to the boards, both boards have said no every time and they have not wavered. The committee can petition the town and village to put up a flag at the municipal building and make us say yes. They have been told to do that for 3 years and they haven't because it won't pass. There is nothing that says we couldn't make a special exception if there is a community event that requires it.

BJ said two or three times a year there is a request with subsequent controversy that gets into the news. This would stop the controversy, the arguments, and the fighting. Steve said it would be nice if it would, but he is not sure it would. BJ asked, why not try it? We have been without a policy and we get arguments every year. Why not try it for a year?

Lynda said her only concern is that this is a jointly owned building. The situation is not the same as with the mural on the town garage. One group uses that building exclusively. BJ said when there are votes on this building, the two boards don't come together to discuss the issues and vote. Any request regarding this building has to come to both boards separately.

Ken said the selectboard started a flag and banner policy a month ago without inviting the trustees to be involved. They feel like they should be doing just what we are talking about doing. Lynda said she thinks Steve should connect with Beth Foy. BJ said this division between the boards is supposed to be there. There are two separate boards. The selectboard had their policy on masking that was different from ours. Diane said, let's have a policy that is the same for the selectboard and the trustees. BJ said the selectboard can adopt our policy if they like it. We don't need to do what the town does.

Ken moved and BJ seconded to develop a policy against flags and banners at the municipal building and the fire department other than the Vermont State flag, the US flag and the fire department flag.

Lynda asked, if we vote this policy in and the selectboard says yes to someone putting a banner up, it makes no difference and the banner can't be put up? BJ and Ken said that is right. Lynda said we are throwing their policy out the window. BJ said we are not creating a town-wide policy, just a policy for this building. Requests to fly flags at this building have caused so much controversy. We have the capability of not being bashed in the news a couple of times a year by just saying no to flags on these buildings. Lynda said she feels it is a slap in the face to the selectboard. BJ said the selectboard is developing their own policy without our involvement. They are not looking at it as a slap in our face because they have the right to do their own policy. The boards have never said yes together in this town. Every board has always said no to hanging flags at this building. Why can't we just cement it? Diane said she wants the selectboard and the trustee board to come together, not just on this topic but on a lot of topics, and decide what we want to do with the buildings we own. BJ said it is not like this policy can never be overturned. But he would like to see it stay in place for a few years.

Steve said he is willing to vote with Ken and BJ because the Black Lives Matter flag is symbolic. He would like to see us put our energy into more concrete things rather than this fight that doesn't seem to be getting us anywhere about the flag itself, which is just symbolic. He doesn't think fighting will change anyone's opinion.

Lynda asked, what if someone wanted to put up a sign saying that a hunter safety class is being held here? Steve and BJ said that would not go on the flagpole so that is different.

Ken said he is 100% in favor of Black Lives Matter and Pride flags on the village green. He has voted for that. He feels those who want to fly those flags at the municipal building should file a petition and make sure the town does it, not have a small group come in and decide for all residents.

BJ said we can always amend our policy if we see something we like in the town's policy.

The motion was passed with BJ, Ken and Steve in favor and Diane and Lynda opposed.

Board members noted that now a written policy has to be created.

10. Waffle Wagon – Village Green Food Truck Application

Charlotte Hineman and Kevin McWhinnie said they have submitted an application to put their Waffle Wagon on the village green on Mondays and Tuesdays. Steve asked if they are asking to be a third vendor. They said they were not sure what was going on with Pizza on Main. They thought that food truck had left.

Ken said we only allow two food trucks on the village green. BJ asked if that is for logistical reasons. Are we able to have three? Steve said there is not room. Two are already crowding the space. Ken noted that parking spots in front of the village green could also be used, but a generator is not allowed there. He suggested looking into when the other food trucks are planning to leave. Rosemary said October 30 is the last date they can be there. Charlotte and Kevin said if it will not work out for this year they would like to put in their application now for next year.

The board discussed possibly putting in an outlet at the green. It could be inside a lockbox. Lynda said that would make putting a food truck at the site more viable for other people in the future. Ken suggested asking Nate about it. Charlotte and Kevin changed the date on their application to May 1. Steve said he will talk to Nate to see if he feels comfortable doing the electric work to put an outlet there.

11. Making Village Clerk and Treasurer and Assistant Clerk and Treasurer Appointed Positions after Rosemary Retires

BJ said he brought up the idea of making the village clerk-treasurer and assistant clerk-treasurer positions appointed because he thinks it would protect us. If Rosemary retires and someone is elected it could be a stranger off the street and we would be stuck with them. If the positions are appointed the trustees and the selectboard can have control over hiring, do background checks and make sure the person can do the job. Currently the clerk is elected and the assistant clerk is appointed by the clerk. Diane asked if anyone currently working in the office wants to be town clerk. Rosemary said at this point Susan will not commit. Ken said someone with no experience could run for the position and win. Rosemary said her intention is to stay until 2026.

Lynda said this is another thing that involves the selectboard. BJ said he has talked to Beth Foy and the selectboard is considering the same thing.

Steve said we need to look into the Vermont laws to see if, for instance, the charter needs to be changed. Rosemary said the voters will have to vote to make the change.

Lynda asked what would happen if the town and village voted in different people. Others said then there would be different people working for the town and for the village. Rosemary said they are two separate positions.

BJ said he and Beth were talking about the idea that one person could be town clerk and assistant treasurer and another person could be treasurer and assistant town clerk. Rosemary said some towns are like that. BJ said Beth is already looking into issues like the charter.

Ken said he agrees this would be a good idea. BJ said he will keep working with Beth on this and we can have a real discussion about it when the two boards meet.

12. Adoption of the Local Hazard Mitigation Plan

Ken moved and BJ seconded to adopt the Local Hazard Mitigation Plan as written. Ken said this is basically the same as the previous plan. There are some actions we have to do according to the plan. Diane said the four things the village and town need to do by April are:

- Battery backup to improve grid resiliency
- Update culvert inventory
- Update flood hazard area regulations
- Explore form-based code to be expanded to outside of village center

The motion was passed.

13. Other Business

Lynda said she has been in touch with the Agency of Transportation. If we want colored crosswalks, each will cost us around \$12,000. Cambridge does an epoxy surface for their crosswalks and that costs about \$1,000 each. The generic marked crosswalks cost up to \$500 each.

The state is in the process of making plans for the work that will include the village. We should talk about this at the next meeting.

Ken said he thinks Walter Pomroy's idea about colored crosswalks was good. Maybe we would want to use epoxy. Steve said the colored crosswalks cost a lot and we have other priorities. Ken asked why we can't get crosswalk signs with flashing lights. Steve said that would have to go through the state. BJ said he would like to know the visual difference between the least expensive and more expensive crosswalk options. Lynda said they will all look nice at first. The question is how long they last. Board members talked about going to see the Cambridge crosswalks.

BJ asked where we are with Erik's laptop. Rosemary said it has been ordered. We got Meredith's laptop back up and running. He might have to use that one at first. He said he doesn't want a second phone. He wants \$45 a month instead. Steve said he doesn't want his phone number published. People will need to call the office. He has a lot of contacts on his current phone that will be helpful in his job. Ken said using his own phone is only a hazard to him if there is a public records request, not to us. Steve and BJ said \$45 a month is a standard amount to give employees who are using their own phones for work. Rosemary said that is less than the cost of adding a line.

Steve said VPPSA needs us to do an audit for their bonding. Ken Nolan said there is no pressure as long as we are working on it. Rosemary said our previous auditors told her they cannot do another audit for us. They are downsizing and don't have enough staff. She will contact other auditors. The audit has to be done by a CPA firm. It can't be done with our staff. We have one elected auditor and she has heard that he will probably resign. We can do away with the office of auditor for the village if we have an outside firms auditing every year. BJ asked how much we pay our auditor per year compared to paying an outside agency. Rosemary said the elected auditors are laymen who don't necessarily know anything about auditing. She noted that a lot of lenders will not lend us money unless we have an audit done. Our last one was done in 2019. We will need to have audits done for 2020 and 2021. It cost about \$10,000 per year.

14. Adjourn

Ken moved and BJ seconded to adjourn at 8:18 and the motion was passed.

Minutes submitted by Donna Griffiths