

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, DECEMBER 5, 2022

Present: Selectboard members: Beth Foy, Duncan Hastings, Eric Osgood, Eben Patch, Mark Woodward

Others: Brian Story, Rosemary Audibert, Lois Frey, Kelly Vandorn, Brian Vandorn, Dean Locke, Jeff Bickford, Jessica Bickford, Stacey Waterman, Sue Lovering, Casey Romero, Howard Romero (remote)

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Beth called the meeting to order at 6:30.

2. Additions, Changes to Agenda / Selectboard Issues & Concerns

An executive session for contract discussion was added.

3. Review Invoices and Orders

The board reviewed and discussed invoices and orders. The Rec Committee bought over \$1000 worth of sweatshirts, etc. Board members noted that the selectboard should have been notified. Eric asked if they are aware they should have brought that to the selectboard. Brian said he has gone over town policies with them, but it bears repeating.

4. Review and Approve Minutes of Meetings Past

Eben moved to approve the minutes of November 21, 2022, Mark seconded and the motion was passed with Eric abstaining.

5. Selectboard Issues/Concerns

Mark said he had a protocol question. All the other boards he serves on never deal with employees. He assumes that is the same with this board. The only person he feels comfortable talking to is Brian and he would never try to direct any other employees. Is that right? Beth said the only employee who reports to Brian is the rec coordinator. The other employees report either to Jason or directly to the board. And Rosemary has her own staff. But it is the board, not individual board members, that employees report to. Eric said the selectboard does all the hiring and firing. Some boards have an executive director that does that. Mark said he would never talk to an employee without feeling like he was expressing the will of the board. Eric said if the board approved a manager form of government then the manager would do the hiring and firing. Duncan said we are elected and any member of the public can come to us with any complaint they have. When he gets a complaint he generally tells the person he will raise it with the board or the board chair or Brian and that they will hear back from someone. If he raises the issue with Beth or Brian he will ask that they contact the person.

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

Beth asked if we get cash on hand updated throughout the year. Rosemary said not typically, but we can. Beth said she knows Rosemary knows the cash situation is good, but how does the board know? Duncan said that is why we have a treasurer's report every month. Eric said Rosemary would come to the board with a request to borrow money if we were short on cash. Beth said it's not about Rosemary, it's about holding our treasurer accountable and having visibility on the cash side of things.

Rosemary said we have received all our ARPA money. Duncan said he thinks we should show that money in our budget to let the voters know what our cash on hand position is. Rosemary said she was going to have a separate report on ARPA funds in the town report but we could put it in the budget also. Duncan said a separate report has the advantage of showing that the funds are restricted in their use. Rosemary agreed.

7. Review Planned Purchases

Brian said Jason got a quote of \$2,720.58 for the articulated blade system he described at the last meeting. We also got a quote for a replacement motor and receiver for one of the town garage doors. Occasionally that motor trips something and stops and needs to be reset and the recommendation from the people who have serviced it is to replace it.

Duncan asked about the quote of \$1,843.60 for system replacement. Brian said when Jason asked for a quote for the articulated blade system he also asked how much it would cost when we need to get new bits and they gave us that quote, but we will not be doing that now.

Duncan asked, Jason said this system would not degrade the pavement? Brian said not in the experience of others who have used it. This system comes pretty highly recommended by area road foremen. They say it handles wheel ruts, etc. better. **Duncan moved to approve the planned purchases.** Brian said these blades should also scrape better so there will be less ice and we will need less salt. **The motion was seconded and passed.**

8. Recreation and Skatepark Grant Application for Vermont Community Foundation

Brian said the skatepark and recreation committees want to go out for a Vermont Community Foundation grant to support a program working with kids on basic skateboarding skills. The intention is to have some involvement for parents as well. It doesn't need any cash match.

Duncan asked who would administer the grant. Dean Locke said he believes Casey Romero is planning on it.

Duncan moved and Mark seconded to authorize the board chair to sign an application for a Vermont Community Foundation grant for a youth skateboard program with Casey Romero authorized to be the grant administrator and the motion was passed.

9. Recommendation for Auditors on Town Report Dedication

Brian said the auditors decide on a dedication for the town report, but sometimes the selectboard provides a recommendation. Is there any desire to do so? Eric suggested that anyone with ideas should send them to Beth. Beth agreed to that.

10. Review Final Offer for Fuel Oil

Brian said Fred's is willing to eliminate the penalties, go entirely to a price over rack and change the contract end date to June 30, but they were unwilling to consider a price lower than 30 cents over rack. They said they don't have any customers paying less than that.

Eric moved to authorize the chair to sign a contract with Fred's Energy for fuel oil until June 30, 2023. Beth asked what happens on July 1. Duncan said according to the contract we would go back to prior pricing but we don't have any prior pricing with Fred's. He thinks we should set a reminder for ourselves to either go out to bid again or renegotiate the contract. **Eben seconded.** Duncan said his understanding is that #2 heating fuel and off-road diesel are the same thing, but there are separate contracts for each. **Eric and Eben agreed to amend**

the motion to authorize signing contracts for both heating fuel and off-road diesel. The motion was passed.

11. Review FY24 Budget Non-Highway Items

The board reviewed the draft budget, starting with revenue. Duncan asked if we are really likely to hit the \$5K in law enforcement revenue we budgeted for this year and if we should budget the same amount in FY24. Rosemary said she does not think we will hit \$5K this year. She thinks we might hit \$4K and that would be a reasonable amount to budget for FY24.

Brian said state grant revenue represents two grants – one that is already approved and one that we have not yet applied for. We are likely to get it but won't know before the budget is finalized. If we get less grant money than anticipated we will spend less, so revenue and expense will be balanced.

Eben asked why we should not budget more for PILOT, given that we have gotten more than we budgeted for the last few years. Eric suggested making a note of that line as something we could consider changing if we decide we need to cut costs or increase revenue. Brian said funding for PILOT is derived primarily from local option tax and the state could decide to change the percentage we receive.

Duncan said past practice has always been to include only known approved grant funds in the budget. He asked if Brian knows the amount we have actually gotten approved and where the corresponding expense is shown in the budget. If we don't get the grant, would we know what to cut? Brian said he doesn't recall offhand what the two grant amounts were. The highway budget hasn't been set yet so the grant expense isn't currently reflected in the expense budget.

Eric said we will only spend the grant money if we get it. Whether we get it or not doesn't affect the amount to be raised by taxes. Duncan said if we are showing the expense without having gotten the revenue we need to know how much of the budget isn't available. Beth said we shouldn't have one without the other. Duncan suggested only putting in the amount of the grant we know we will get. Beth suggested keeping the full amount as both revenue and expense and if for some reason the second grant doesn't come though we will know the net amount. Duncan said if we remember. It was agreed to come back to this when Brian has information about the amount of each grant.

Eben said to the best of his knowledge, Percy is not interested in purchasing overrun stone from us. It was agreed to zero out the expected overrun stone revenue for this year and the amount budgeted for next year. Brian will follow up with Jason on this.

Duncan suggested raising the rent for the back Holcomb House apartment from the current \$490/month, given that the cost of propane has gone up by 10 or 15%. Mark said he has a similar apartment with all utilities paid that he rents out for \$700/month. Eben suggested raising the rent to \$550. Duncan suggested raising it to \$525 now and to \$550 starting July 1. Brian said he doesn't think we have a lease for that apartment but the board suggested he should check to be sure.

Eben asked, the amount the Historical Society pays in lieu of rent was going up, right? They were paying \$1700 and they proposed an increase to \$3000 or so when the upstairs renter left. Duncan said that was if they occupied the space, which they have not done. Lois Frey said she thinks the Historical Society is prepared to pay more, but they need to work out what they will be occupying to establish what the amount will be. Beth said she will put this on a list of future agenda items so we don't lose track of it. A spreadsheet from the Historical Society indicated an amount of \$3507. Lois said she thought the amount was \$3400.

Duncan said there are a number of categories that have 3 or more years of zero activity. Can we delete those? Rosemary asked how that would affect Brian's spreadsheet. He said it would not be a problem as long as we don't reuse account numbers.

Eric noted that \$1500 was budgeted for Racial Justice and Social Equity Committee revenue but they have brought in no revenue to date. Jeff said they are working on some grant applications for 2023 but they have not gotten any grants in 2022. A lot of their activity is in the spring so they may get more revenue then. Beth suggested we may want to reduce the \$1500 estimated for year end but not all the way to zero. She asked Jeff to connect with Brian on the committee's estimated year-end revenue. She asked Jeff if the \$500 revenue expectation in the draft budget seems reasonable. Jeff said yes.

Eben noted that library revenue is going the wrong way. Duncan asked what actual year end revenue is likely to be for the investment funds. Stacey Waterman said it is based on the stock market, which the library does not control. Beth said the amount proposed for FY24 seems more in line with FY22 actuals, which she thinks is a better representation than what was budgeted. She would rather see the amount in the budget go down because she feels that is more realistic. Stacey noted that the library has only reported one quarter's worth of revenue so the actual year to date amount is higher than shown.

Beth said it looks like grants for the library are down pretty significantly. Stacey said they were up the year before because organizations that regularly give grants gave a lot more money during COVID. Now grant funding has gone back to a normal level.

There was discussion about what figure should be shown for the library's estimated year-end revenue. Eric said it is important to have accurate year-end estimates because the amount available to reduce taxes depends on the year-end total. Stacey said she can try to estimate what the year-end figure might be, though it is difficult to predict.

Brian said he and Dean went over the Rec Committee budget but Dean will be reviewing it with the Rec Committee so these are not final numbers. Dean said there was a toddler playground line item that he and Brian took off for FY24. Beth said it should not be removed because it had \$150 budgeted in FY23. Duncan said Rosemary can't remove a line item from NEMRC unless it has 3 years of no activity.

Beth recommended that Dean talk to the Rec Committee about any new program before budgeting for it. She asked if revenue should be higher for basketball, gymnastics and futsal since she had heard from Lisa Crews that participation was up. Dean said he hasn't been able

to find anyone to run futsal. He will be taking everything to the Rec Committee to go over it with them.

Eric noted the reduced revenue for gymnastics. Dean said he thinks that might be an error. Eric said a lot of things are not really adding up. The Rec Committee needs to take a good look at the budget.

Casey Romero said the skatepark budget includes \$10K in ARPA funds the Skatepark Committee is requesting in order to help pay for construction of a half pipe this summer. Beth said she would prefer that ARPA funds not be included in the proposed budget.

The skatepark budget for the current fiscal year includes a \$5K grant that the committee is applying for and may or may not get – the grant the board approved applying for tonight. Casey said if her calculations are correct the Skatepark Committee has about \$1500 in older grants that could be used for the elementary education program. If they didn't get the new \$5K grant they would try to pull off the program on a smaller scale using money on hand.

Beth said for FY24 for the skatepark grant line, we should take out the \$10K in requested ARPA funds. Duncan said he thinks the \$5K in possible grant funds should be taken out of the year-end revenue estimate. If the committee gets the grant it can show up on next year's budget as estimated year-end revenue. Beth agreed.

Beth asked if there is a reason Tuesday Night Live revenue is budgeted at \$1000 more next year. Howard Romero said the TNL Committee takes no town money at all. Everything they spend is money they have raised. They try to pay bands as much as they can, depending on what they earn from vendor fees, sponsors and donations. They know the amount of revenue before the season begins and they don't get into deficit spending. They budgeted more primarily because they hope to pay the bands more. He also is guessing the portable toilet cost will be higher. Beth asked, the committee is raising vendor fees? Howard said yes. Eric said the revenue from sponsors was raised significantly but it looks like that is more in line with actuals. Howard agreed.

Duncan asked if there is any reason to believe TNL will have \$800 in miscellaneous revenue as shown in the budget. Howard said yes. Children often pass the bucket at TNL for donations. Eric questioned whether donations from passing the hat this past summer should be shown in the year-end estimates. Brian said it seems odd that the amount is shown as zero. We may want to check on that.

The board reviewed proposed expenditures. Brian said for office salaries he used the amount the board had approved for the first part of the budget cycle. He used the current year's CPI as the step amount for the next part of the budget cycle because we had discussed doing that.

Duncan asked if the salary item includes the rec coordinator's salary. Brian said yes. Duncan said he thought that should be under recreation. Beth said it used to be there and a prior board wanted it moved into overall salaries. Eric asked if it is easier when all are in the same category. Rosemary said it is easier the way it is now. All the social security, etc. is in the

same place. Duncan said he just suggests moving the rec coordinator salary. All the deductions can be in the same place.

Beth said she thinks we should have a different pay structure for health officers. Paying per call would be better than paying a stipend. The board agreed that Brian should try to figure out how much we would need to budget to pay them per call.

Board members suggested the estimated expense for Planning Commission minutes for this year should be reduced to zero, since the Planning Commission is not paying a minute taker. Brian said in the past we have continued to suggest that they hire someone. We could reduce the amount by half since that is the most it could be if they started now. Or we can just zero it out. Eben suggested cutting the amount in half for next year. Brian said they are starting to work on revising the municipal plan so it is even more important for them to have minutes.

The Planning Commission request for line 149 is \$2K. It previously was \$1500. It was agreed to budget \$2K.

Eric asked about line 151, the reappraisal fund. Shouldn't that have at least the \$13K the state gives us? Rosemary said we use that toward assessor salaries. Eric said we need to build the reappraisal reserve fund up again. He suggested putting the \$13K into the reserve fund. It was agreed to do that.

We have \$12K budgeted for consultant services this year. Eric said it has mostly been a placeholder in case a consultant is needed. It was agreed to keep it in the budget for next year. There was also \$40K in the budget this year that was voted on in the article for economic development. Beth said the article was specific to this fiscal year. Are we looking to budget the same amount or less or more for FY24? The board agreed to revisit this at another time.

Duncan brought up Kyle's proposal to hire a gardener. He suggested asking the voters in an article if that is something they want to do. Eben agreed. Eric said typically if we want to add a new position we go to the voters and if they approve it then it is carried on in subsequent budgets. Beth said that seems reasonable.

Beth suggested revenue and expenses for the bread oven committee should both be higher to be closer to actual revenue and expenses for prior years. Eric agreed.

Eben asked why the conservation reserve fund expense is going up. Brian said the Conservation Commission wants to contribute money to the conservation reserve fund. Lois said the money going into it is all donations. The Conservation Commission has not asked for a line item for the fund, mostly because she didn't realize they needed to. But now that she has realized it, she put in a figure of \$1000. Money only comes out of the conservation reserve fund for environmental/conservation projects the selectboard approves. Eben said he would prefer to make the amount \$500 for 2024 and talk about \$1000 for next year. Others agreed.

Duncan asked if any of the money the Tree Board is requesting is for Main Street. Brian Vandorn said some of it is. Duncan asked why the town, not the village, would pay that. Sue Lovering said the town has always paid. Duncan said trees from the Main Street project are the responsibility of the village. Under the permit the village is supposed to be responsible for maintenance. Sue said Duncan told her 9 years ago that the town would be paying for it. Duncan said he doesn't think so. Eben asked if the Tree Board has asked the village trustees for earmarked funds. Sue said they asked the trustees one time and the trustees gave them \$500 that one time. She recalls that Mike Dunham had suggested the town and village ought to split Tree Board costs. She doesn't know if that was ever discussed in a meeting. Eric said he thought if tree died or was damaged on Main Street it was the responsibility of the village to replace it because it was part of the Main Street project. Sue said she believes there was a letter at the time of the Main Street project that said the town would take care of the trees. Beth said Brian should connect with Erik Bailey and ask him if he can find village documents from the Main Street project and Brian can also research it from the town side. If Sue has anything helpful or if Eric or Duncan can pull up anything in past minutes to support their statements, they can send that information. Sue asked, what if the village won't give the Tree Board anything? Beth said then we will talk about it in the next budget discussion.

Eben said he thinks we need to discuss allocating some public works hours to the committees. The public works crew spent hours this week on a Beautification Committee project and their time sheets show "winter roads." That is not accurately showing voters how their tax dollars are spent. Eric said there is value in time sheets showing the time they spend on work for committees but as far as separating out the charges, one reason their name was changed to public works was that this is part of their job expectations. Eben said we should have accurate costs for committees. Beth asked if Eben is talking about billing back. There is a lot of administration that goes into billing back. Duncan suggested the time could be tracked with time sheets and coded to the correct line item so we could see how much money is involved. Beth said next time she thinks we need to put revenue and expense together for each committee.

Kelly Vandorn said the Holcomb House board is working on a proposal for moving upstairs but they have not completed it yet because of some members' health issues.

Duncan brought up the issue the Historical Society has previously raised with the roof on the porch. Beth said that should be noted as a topic for future discussion.

Beth said she spoke with Wolcott about the sheriff's patrol contract. They would like us to have a 5% increase for a single year, not for 3 years, because they are worried about the reality of the increase over time. Hyde Park is figuring out what they can afford. She thinks we should budget for a 5% increase for patrol. She is not sure about dispatch. She suggested level funding that. Eben suggested increasing it by 5% and Beth agreed.

Jessica Bickford said the library board thought the town was giving salary increases of 8.5% and they always do what the town does so that is what they put in their budget. It should be adjusted to be the same as town employees.

Beth said people should think of questions about the budgets and email them to her. The next budget meeting will start with questions for each committee or organization.

Beth said the Historical Society expense budget needs to include the amount the Historical Society will be paying the town for use of the Holcomb House. Eben said that is the town paying itself. Why do we do that? Did the selectboard agree to use town funds to pay itself more? It doesn't make any difference what the amount is if it is all town money. We should remove both the revenue and the expense. Duncan said the Historical Society does a lot of fundraising so its revenue is not all town tax dollars. The actual town contribution for operation of the Historical Society, as he recalls, is around \$3K. Beth said Eben's point is that the expense is to the committee. The committee has their expense budget. Why wouldn't they expense for all their costs?

Beth said the board will let committees know if there are more questions about their budgets.

Eric said if inflation is 6%, any budget increase less than that actually means cuts. We have to try to keep the budget at the rate of inflation.

Beth said we will come back to the budget next time.

12. Open and Review Bids for John Deere Grader

Brian said we received just one bid. The Town of Bakersfield bid \$120K. The minimum purchase price we set was \$110K. **Eric moved to accept the bid from the Town of Bakersfield for the John Deere grader and the motion was seconded and passed.** Brian said the request for bids we put out did not include a provision for us holding onto this grader until we get our new one.

13. Executive Session to Discuss Communications with Town Attorney

Duncan moved to go into executive session to discuss communications with the town's attorney as allowed by 1 V.S.A. § 313(a)(1). The motion was seconded and passed at 9:36. Eben said the executive session will include Brian and Rosemary. Rosemary left soon after executive session started. The board came out of executive session at 10:15 with no action taken.

14. Executive Session for Contract Discussion

Duncan moved to go into executive session for contract discussion per 1 V.S.A. § 313(a)(1), Eric seconded and the motion was passed at 10:17. The board came out of executive session at 10:27.

Eric moved to repost the public works operator position, Duncan seconded and the motion was passed.

15. Adjourn

The meeting was adjourned at 10:28.

Minutes submitted by Donna Griffiths