

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, MAY 24, 2023

**Present:**

Trustees: GiGi Beach (remote), Steve Hatfield, Lynda Hill, BJ Putvain, Ken Tourangeau

Others: Erik Bailey

**Note: All votes taken are unanimous unless otherwise noted.**

**1. Call to Order**

Ken called the meeting to order at 6:05.

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

No changes to the agenda were needed.

**3. Member of the Public**

No members of the public were present.

**4. Briefing on Memorial Day Weekend Flag Schedule**

Erik said on Memorial Day weekend POW/MIA flags will be flown on the municipal building and village green flagpoles, temporarily replacing the fire department and Black Lives Matter flags. The fire chief agreed to this. An employee volunteered for comp time to lower the flags to half staff and then raise them on Memorial Day.

**5. Discuss Manchester SW Cost Sharing and Future Dealings with Private Conveyances**

Ken said the town asked the village to pay 50% of the cost of repairs already done to one of the catch basins on River Road that had been put in by the Manchesters. The total cost of the repair was almost \$21K, so our share would be slightly over \$10K. The village got legal advice that the catch basins are not the village's responsibility and the town got legal advice that they are. Eric Osgood brought up a good point – do the town and village want to spend money fighting this in court? Sharing the cost in this case might be the right thing to do, but it sets a precedent. There are two more catch basins that could fail. Do we want to spend money repairing all of them? There is no right of way to access them for repairs and no permit for the culverts to go underneath the road. Erik found a section in the town highway ordinance that says culverts and headwall culverts on private property, even in the town right of way, are the responsibility of the property owner to repair, but they must get written permission from the town to proceed with repairs. He doesn't understand why the village is being asked to pay for this. Erik said he forwarded the information about the town highway ordinance to the chairs and vice chairs of both the selectboard and the trustee board. It says the private property owner is responsible, not us.

Erik said he is about 70% done drafting a comprehensive and legally defensible stormwater ordinance for the village. He wants to have it ready for review at the June meeting.

Ken said the town wants us to help pay for repairs they have already done. Erik said they had to do the repairs right then because their road was collapsing. Ken said he thinks CJ and Alan Manchester may have paid for the catch basin materials.

Erik said for the other catch basins, the village's position could be that we should fill them with cement. Ken said his fear is that if we decide to pay half the cost of the first repair it will set a precedent and we will have to pay half the cost to repair the others. Erik said we could make it clear that we are paying half the cost just as good neighbors, not because it is our responsibility. Ken said we also don't want any failing infrastructure in the village.

Erik said he has heard a local developer is interesting in building housing on that property. Ken said we don't know when that will happen. Would we need to stipulate that the developer must fix the other two catch basins? We will have to extend the sewer line to the new development. BJ suggested we could tell the property owner that if it is up to us we will fill the structures with cement but if the owner has use for them they can provide material and our employees will replace them. Erik said they are draining private property. They are the property owner's responsibility.

Steve said he would prefer not to pay the town anything until we first approach the Manchesters. He doesn't think the taxpayers should pick up the tab. Ken said he thinks if we agree to pay half the repair cost for the first catch basin we should say that the other two should be filled with concrete and we will pay for half of that cost.

Steve suggested waiting to take action until Erik completes the draft stormwater ordinance and someone approaches the Manchesters. Ken said he thinks approaching the Manchesters would need to be a joint selectboard/trustee action. Erik suggested telling the town that we will split the cost if the town and village are not able to get the property owner to pay. Ken said at the joint meeting it was discussed that if we agreed to pay it wouldn't happen until next year anyway, and we would probably take two years to pay the full amount. He thinks Erik is on the right track with developing the ordinance. He said the board will take no action now. Erik will continue working on the ordinance and everyone can think about this. GiGi said she doesn't support spending village taxpayer money to help someone with their private property. Ken said it would be ratepayer money, not taxpayer money. GiGi said many of our ratepayers get disconnect notices every month. She is concerned about this cost when people are having trouble paying their bills.

Lynda asked if we are in agreement that we are willing to split the cost for the repairs already done. Ken said he is not sure we are willing. He can see where it might be the right thing to do. Lynda suggested maybe the town, the village and the Manchesters could each pay a third. Erik said the Manchesters will be invited to the next joint meeting. Ken said he knows the Manchesters have already paid something for materials. We will table this for now and discuss it again at the next joint meeting.

BJ asked if we are going to put in writing the longstanding handshake agreement about town vs. village stormwater responsibilities. Ken said he thinks that might need to be a separate memorandum of understanding.

**6. *Discuss, Possibly Act on Sidewalk Maintenance Priorities and Planning***

Erik said he updated Troy's sidewalk condition list. Pearl Street, which was redone, is now in the best condition. School Street is the worst. The others were redone recently and by and large they look good. Railroad Street has some isolated problem spots and so does Main

Street. One panel on Railroad Street that is messed up is around a telephone manhole across from the library. If we are going to redo that, it will need to be a combined effort with the telephone company. There is a half panel cracked on Clark Street that is probably not fixable because people are driving over it. Ripping it out and making it part of the street is probably the only solution. But it is not a hazard; it is just cracked. By the old Parker & Stearns buildings there is about 180 ft. that is blacktopped. The edges need a little maintenance. It is not pretty but it is not bad. That area would be difficult to work on because there is not much space between the road and the building.

Erik said he has talked to Nate about fixing the 5 panels on Main Street that have issues. He is going to have his crew do it this summer. Steve said there are some panels near the Lowe Lecture Hall and the Masonic Temple that are pitted. Erik said that is due to a poor mix and the effects of salt. Those are among the panels he identified for replacement.

Erik said there is a problem area on School Street across the street from the school. There is some curbing that was a bad pour in front of Legion Field but the sidewalk there is good. The rest has some new and some bad sections. There is one panel associated with a storm drain that is in bad condition but fixing it will be expensive because the storm drain runs underneath it.

Erik said there is sidewalk on only one side of Railroad Street. Maybe the School Street sidewalk on the side across from the school should be removed and there should just be one sidewalk. Lynda said parents dropping off kids park on both sides of the road and use sidewalk on both sides. Ken said he doesn't think we want to remove sidewalk. If anything, he thinks we want to expand sidewalk.

Ken said maybe we could look into getting a grant for School Street. Or maybe we should spread the work over multiple years. Erik said he thinks it would be a good idea to get grant money and do all the work at once. The crew has so much work to do that they can squeeze in repairs to 4 or 5 panels in a summer, but more than that would be hard.

Erik said his thought about Railroad Street is to leave it alone for now, other than the panel around the telephone manhole. Steve said he thinks the rest is acceptable.

GiGi asked if there is a reason we couldn't use something like sure-pack that would last longer. Other board members and Erik said it would get plowed off.

Lynda asked about the VTrans schedule for repaving Main Street. Erik said it is not happening this summer.

Steve said he thinks our sidewalks are actually in pretty good shape overall, except for some really bad spots.

Lynda asked if cracks should be filled to avoid further problems. Erik said concrete can't be crack filled like blacktop.

Steve said someday it would be nice to connect sidewalk to 100C. But if we do any new sidewalk he would rather see sidewalk to the trailer park or at least the gas station. Ken agreed that would be great. Erik said we will be using the scoping grant to move forward on that.

Ken asked if there is any update on the additional crosswalks we asked for. Erik said he was told it looks good for 2 out of the 3. We probably can get signs with lights for those. If the state doesn't want to pay for the signs we can say we will pay for them.

Steve asked if Erik could get bids for the highest priority sidewalk issues on School Street. Erik said we need to wait and talk to the Lamoille County Planning Commission and have them look for grant opportunities.

Lynda asked about painting crosswalks for now. Erik said the pavement has to be at least 80 degrees for that. Our crew will paint ours as soon as it is warm enough and the state will paint theirs.

7. ***Adjourn***

**It was moved and seconded to adjourn, the motion was passed and the meeting was adjourned at 6:52.**

*Minutes submitted by Donna Griffiths*