

JOHNSON SELECTBOARD MEETING MINUTES
VERMONT STATE UNIVERSITY – JOHNSON
THE ELLSWORTH ROOM, WILLEY LIBRARY
MONDAY, NOVEMBER 20, 2023

Present: Selectboard members: Beth Foy, Duncan Hastings, Eben Patch, Shayne Spence, Mark Woodward

Others: Tom Galinat, Rosemary Audibert, Jason Whitehill, Justin Mason, Scott Meyer, Adrienne Stevson, Kyle Nuse, one other person

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Beth called the meeting to order at 6:42.

2. Additions or Adjustments to the Agenda

Duncan asked if the agenda was posted at least 48 hours before the meeting. Tom said it was not. He is unable to post it when he works from home. He and Lydia are trying to work on a way that she can post it.

Duncan said that we did not meet open meeting law requirements with regard to posting the agenda for this meeting. He recommends that we continue with the meeting but ratify any actions taken tonight at the next duly warned regularly scheduled meeting. Beth suggested compiling a list of actions taken at this meeting to put on the agenda of the next meeting.

It was agreed to add an item about the Railroad Street bridge rails to the agenda.

Eben said we should have an executive session to discuss potential legal action. We owe the village a reply to the letter they sent regarding River Road East. Beth said that discussion should be at the next meeting. (*Justin Mason arrived at 6:46.*) Duncan asked if we should have the town attorney look at the response letter from the village. Beth said yes; we should do that before the next meeting. Duncan asked Tom to send it to the attorney.

Tom asked if the board would be amenable to Lydia coming in after hours on Friday or Saturday to post the agenda and then taking time off the following week. Beth said she thinks the agenda needs to get posted on Thursday. (*Kyle Nuse arrived at 6:48.*)

3. Review Invoices and Orders

Beth said she has questions about the invoice for boarding for the dog. Is there a way we can see backup about the calls listed? She wonders about the rationale behind them. And what was the 234 miles for? Shayne said it had been mentioned that the dog was taken to four different temperament tests. The mileage might have been for that.

Duncan asked for an update on the dog. Tom said it was adopted by one of the animal control officers. But it was made clear that the town no longer has any liability for it. He asked for a clear invoice so there would be a clear start and stop date for the adoption and for the animal control officer's services.

Duncan asked if the animal control officers are aware that they should not take dogs under the same circumstances in the future. Tom said yes; it has been explained to them that we are not a facility to accept surrendered dogs. He reviewed with them what their job is. It is not about protection of the dog; it is about protection of the general public.

Tom suggested that he follow up with Crystal to clarify what was listed on the invoice. The board agreed not to pay that invoice yet.

Tom said he found a model dog policy from VLCT. It might be worth looking at that one and modifying it for Johnson's needs.

4. Consider Approving Minutes of November 6

Eben moved to approve the minutes of November 6, 2023, Shayne seconded and the motion was passed.

5. Selectboard Issues/Concerns

Mark said he hopes the board will have a meeting at the beginning of the year on priorities. Eben said that usually happens right after town meeting. Mark said he is concerned about continued flooding.

6. Planned Purchases for Consideration

Tom said the new heating oil tank for the town garage, which has already been purchased, cost just over \$1,000 but it was an emergency purchase. The board thanked Tom and Jason for taking care of it.

7. Clerk & Treasurer's Report / Warrants, Licenses and Action Items

Rosemary said revenue is at 92% of what was budgeted. Expenditures are at 34.31% of what was budgeted. We have gotten all our state highway and PILOT money. The only thing we haven't received from the state is the annual maintenance of the grand list payment. That usually comes in March.

Duncan asked about the lack of rec committee and skatepark committee revenue. Rosemary said she has been unable to get into SportsEngine to verify the revenue for the rec committee. (*Scott Meyer arrived at 7:01.*) The skatepark committee has not had any fundraising.

Mark noted that state and federal revenue is up from what was budgeted. Rosemary said we always try to be conservative in budgeting for that.

Mark asked about budgeting for delinquent taxes. Rosemary said we don't budget for delinquent taxes since it is on an accrual basis.

Beth had questions about how the animal control officer pay is listed in the budget. She said she feels like some health officer expenses are missing from the budget. Dean bought safety vests and she knows he has spent time working. Rosemary said he has not submitted an invoice. He does it once or twice a year. Beth said we should ask for it within 30 days of the incurred expense.

Tom asked about if there is a policy for delinquent taxes and when we go to tax sale. Rosemary said we do have a delinquent tax policy. We used to have tax sales yearly but have not had one since the pandemic. Tom said with a tax sale policy based on the number of years taxes have been delinquent we might be able to budget for delinquent tax income. Beth said she is okay with not budgeting for that income. Duncan said it has generally worked out that the amount that is delinquent is pretty much covered by what is collected on an annual basis.

Beth said she went to a VLCT meeting last week about FEMA funding that we could qualify for by showing a loss in revenue. It is to provide short-term cash flow. The state also has a program with somewhat different restrictions and a much lower interest rate. The cap on the state program may be lower – a \$250,000. The cap for the FEMA program is higher, more like \$500,000.

Rosemary asked if we have any idea when insurance payments are coming. Tom said insurance should come first before FEMA payments. We have signed off with the insurance company on the salt shed. We have an amount for the municipal building. He will reach out to Ron about it.

Rosemary said there will be a PACIF grant for ergonomic office equipment available after January 1. Tom said he has heard that we can use the \$5,000 we got for building contents toward office equipment.

Duncan asked if we could tap into the tax anticipation reserve fund if we needed funds while waiting for reimbursement. Beth asked how we would know we would get reimbursement in time. Rosemary said we can borrow from ARPA money. Tom said that money is already in the general fund and will provide a surplus. Duncan said he understands that a lot of that is already committed. Beth said she thinks the ARPA funds should not all be in the general fund because the motion the board made was to put all the ARPA funds that were not already allocated into the general fund.

Tom said he thinks we need a cash flow timeline showing when money is going out and is expected to come in. Beth suggested that Tom work with Ron to define the timeline of expenses that they know about as a first step. We also need to understand which ARPA funds have been allocated and take the balance and put it into the general fund and then we will be in a better position to see cash flow. That is Rosemary's wheelhouse.

Mark asked about the deadline for when ARPA funds have to show up in the general fund. Eben said the funds have already been allocated. They just need to be spent by 2026.

Eben said he doesn't think Ron is the one to talk to about the timeline. Randall should have an idea where things stand with regard to the industrial park. He said there is \$15,000 in the grants reserve fund. It is not a huge amount but could we not use that?

Tom said he will give the timeline his best shot and then he will probably send it out to the whole board.

Rosemary said current taxes are 55.87% collected. The past couple of years at this point it has been more like 59%. It could be that people who were flooded have not paid their taxes. She showed the list of delinquent taxes from last year.

8. Public Works Supervisor/Highway Foreman Report

Jason said the public works crew finished the trails in the arboretum. The road to the arboretum that is in the right of way between houses leans toward the apple tree. It gets slippery and the crew can't get down it with a trailer. He would like to add topsoil on the left. Duncan said his recollection is that the right of way is only 10 ft wide. He doesn't know if the road is actually where the right of way is. Tom suggested pulling the land records to check. Duncan said there is a survey.

Tom said there is no parking for the arboretum and no road into it. Could we possibly reserve arboretum parking on Pearl Street and put up a sign saying where it is? That could really improve that property. Shayne suggested there could be a sign on School Street pointing people to the parking lot there. Beth said she likes the idea. She suggested that Tom send the board a proposal of where he thinks parking should be. She also suggested that Tom and Jason find out where the right of way is for the road to the arboretum and bring something back to the board. Duncan said he thinks the tree board could be asked to spend time on that.

Jason said the public works crew hung new banners on the Railroad Street bridge. All the guardrails in town are done except one on Railroad Street that had to be reordered because the one received was not right. The crew fixed a door chain. He is looking for approval to spend around \$2,500 for steel to build a new grizzly deck for screening gravel. The existing deck is worn through in a couple of spots and may break. He is asking to spend money out of his budget.

Shayne moved to authorize Jason to spend up to \$2,500 on steel for a new grizzly deck, Mark seconded and the motion was passed.

Beth said an email came through from VLCT about Better Roads grants. She thinks municipalities usually can apply every other year. She thinks we can apply again for this round. That is worth looking into. (*Jason left at 7:39.*)

9. Update Number 6 from Ron Rodjenski on FEMA Disaster DR4720

Tom said Ron could not attend tonight. He sent a report. Duncan said Ron is asking for feedback by November 29 on the debris management plan that was sent out.

10. Railroad Street Bridge Rails

Duncan said he straightened the bottom rail on the Railroad Street bridge so the village should be able to access it for snow removal. There is one baluster that needs to be repaired. He could do that. There is another that is missing. If he does those repairs it will always look like it was repaired. If we fix the bent baluster and replace the missing one, those could be considered temporary measures. We may or may not be able to get reimbursed for the expense. Ron wants to know if we should keep this on the FEMA list as a repair item and get that entire section replaced. The minimum threshold for FEMA to consider it is \$3,800. He could just do the temporary repairs and we could say that is good enough or we could take the plans for that section to Leo's Welding and get a cost estimate and see if it is at least \$3,800. If it is, he would recommend that we keep it in as a FEMA project. It was agreed to do the repairs to make it safe for now and also to keep it in on the FEMA list and find out if it qualifies.

Kyle Nuse said that bridge needs massive attention aesthetically. It is rusted and needs to be repainted. Who is responsible for that, the state or the town? Duncan said it is a town bridge. Kyle asked if it is on any list for planned work. Beth said no. Kyle said it is the gateway to what is now one of the town's biggest assets. She thinks it should be a priority. Duncan said it is a historic bridge. It was rebuilt under a historic bridge program in the early 2000s and there are requirements with regard to color.

11. Interlocal Agreement for Town Assessor, Adding Berkshire

Duncan said Berkshire is interested in joining in the intermunicipal contract for assessing. St. George voted to include them. **Duncan moved to amend the interlocal agreement for town assessor services to reflect adding Berkshire to the contract.** He said the amended agreement would have to come back to all four municipalities for signatures. **Eben seconded and the motion was passed.**

Justin asked about the timeline for the interlocal agreement to be amended. Duncan said he and Ron did most of the work on the interlocal agreement. He assumes they will get together and work on the amendment. Johnson wants to be able to recoup costs for CTO time. We need to consider whether there needs to be a change to the administrative amount we are collecting. The addition of another town will trigger VMERS, health insurance, dental, etc. Beth said we need to make sure all our costs are shared. Rosemary said it will take more administrative time now that Berkshire is being added. Beth said Rosemary and Duncan can figure out what adjustments need to be made. Duncan said the agreement will not be able to be modified before Berkshire meets on November 27 but Justin can tell them that all boards have agreed in concept to adding them.

12. Rail Trail, Skatepark and Beautification Committee Appointments

Tom had names of people interested in filling open positions on the rail trail, skatepark and beautification committees. The board instructed him to pass the names on to the committees and ask the committees for recommendations.

13. Library Trustee Appointment

The library trustee board had recommended appointment of Sabrina Rossi. **Mark moved to appoint Sabrina Rossi as a library trustee and the motion was seconded and passed.** Beth said she would like to look up the policy on library trustees. She thinks appointments to their board do not have to come to the selectboard.

14. Town Logo

Adrienne Stevson passed out some sketches of possible town logos. She said the top two choices of the selectboard will be digitized for the board to review. Beth suggested that board members vote for their top three choices. She thinks we should put out a survey to residents. Eben said he thinks the choice should go before the voters on town meeting day. Shayne said he thinks we should narrow it down to three before asking the voters. Duncan asked if we are committed to replacing our existing logo. Beth said she would like to replace it. Duncan noted that Justin just submitted a request for magnetic signs using the existing logo. Kyle suggested the board could reveal the chosen logo at town meeting and push it out digitally prior for community input. Waiting until town meeting to make a choice is a long time to wait. Beth said board members should send their top choices to Adrienne. One possible choice could be the existing logo.

15. Holiday Jubilee

Kyle said Johnson Works is not able to put on the Holiday Jubilee this year, so she asked if she could organize it and they agreed. She has been working on that. There are 13 different establishments participating. It will be on Saturday, December 9 from 4:00 to 6:00. She filled out a facility use form for the village green and she is working with the village on insurance. In the past, the town has used the office printer/copier to print color posters and maps for the Jubilee. She is hoping that could be offered. The board agreed to that. Beth said if the maps can be a small enough size to fit two on one sheet, so less paper is used, that would be best. Kyle said the sheriff's department is providing one or two deputies to help people cross Route 15 safely. (Adrienne and Kyle left at 8:06.)

16. Budget – Review Selectboard Expense, Town Office Expense, Building and Grounds Expense, Public Safety Expense

The board reviewed the sections of the budget that Tom had drafted, starting with selectboard expense.

Tom said he needs to meet with Rosemary before he can make a suggestion on how much to budget for the reappraisal fund. He doesn't know enough about it. He suggested waiting until we find out what our Common Level of Appraisal is, as that can affect how soon we need to do a reappraisal. Rosemary said we usually get it in December or January. She thinks it will go down.

Tom said he budgeted zero for the racial justice committee because they haven't expended anything this year. Shayne said he will reach out to them to see if they are interested in becoming active again.

There was discussion about how much is in the reappraisal fund now. Duncan said he believes the legislature did away with mandatory reappraisals based on COD and CLA, but he doesn't remember everything they did. That would inform our discussion.

Rosemary suggested Justin's pay should not be included in selectboard consultant services since he is now an employee. Beth said she thinks we need to have separate lines for each of the employees like

the rec coordinator or the assessor. Adding a line item for assessor contracted services was discussed. Beth said she thinks Rosemary needs to decide where assessor expenses should be shown in the budget. She asked if we can also add line items for other positions that do not have separate line items, like the rec coordinator.

Duncan said buildings can be insured for agreed upon value, replacement value or other options. We should make sure we are not underinsured. Eben said 2 years ago we talked about how high the Holcomb House is appraised. Maybe the Historical Society doesn't need the same space and building if something happens to the current building and adjustments to insurance could be made. And maybe the mill house doesn't need to be insured for as much as it is.

Tom said he thinks the car charging station might be damaged. People might be more likely to want to use a charger that was downtown. Rosemary said the grant that paid for it required it to be on municipal property. Tom said if we have to replace it and can get FEMA money for that, moving it might make sense. Beth said she is not in favor of budgeting for moving it.

Beth said the 5-year average cost of tax abatements is almost \$4800. She suggested budgeting \$4800 and the board agreed.

Beth said she thinks we need to push out our vehicle purchase schedule one year. Duncan said we already did that last year. If we get out of sequence it will cause problems.

Eben said he would like to increase the emergency management reserve fund from \$7500 to \$10K. The board agreed to that.

Beth said miscellaneous expense under selectboard expense has averaged \$1800 over time. Tom said he thinks we should budget zero and put each expense into a specific category. Duncan said we should only put an expense in miscellaneous if it just doesn't fit into any other category. Tom said when we get audited they will question everything in miscellaneous.

Tom said he got numbers today from NEMS. They are requesting a 3.86% increase. Roger Marcoux said it would be safe to budget a 2.87% increase for law enforcement and a 2.94% increase for dispatch.

Duncan said last year NEMS wanted us to have an article to exempt the ambulance building from taxes, but it was too late when they asked. If they have to pay the tax and Johnson has to pay 1/5 of that cost, we actually pay more than if they are exempt. They should make a formal request to be exempt. Eben said that conversation needs to be tied to the budget number, because if the budget includes taxes it needs to be lowered.

Eben said he would like wording in the sheriff's department contract similar to what is in the NEMS contract, saying that if they dissolve, the equipment is dispersed between the contract towns.

Beth said the percentage each town pays of the sheriff's department contract is based on population. She thinks she will ask if any consideration can be made for the decrease in population Johnson experienced as a result of the flooding. We may not be able to resolve it this year, but maybe next year.

Duncan said if we want to look at savings on what we budget for the sheriff's department we need to look at less than 24 hour coverage. Beth agreed. Duncan said Roger Marcoux has not been open to that.

The board considered town office expenses. Shayne asked how much it cost when town meeting ballots were mailed out to everyone. Beth said postage in 2022 was \$8400 compared to \$4500 the year before and \$5000 the next year. Rosemary said we could only mail out town ballots, not school district ballots (because the whole district would have had to agree to mail out school ballots) and that was confusing.

Mark said he met with the clock repair person. He would charge \$550 to tune up the clock. Mark would like him to come and do that with him. He could also get the clock at the municipal building working for the same amount. It was agreed to budget \$1100 for clock maintenance.

Eben said he would like to revisit the idea of fencing Grow Cemetery, which would mean increasing the cemetery maintenance line. He would like to put out an RFP next year for cemetery maintenance. Shayne agreed. Duncan suggested we might want to hire someone part time in summer to repair cemetery stones. It was agreed to increase the cemetery maintenance line to \$10K.

There was discussion about mowing. Shayne said we should make sure the strips on Railroad Street are included in our mowing contract. Wasn't the town supposed to be doing that? Beth said someone needs to sit down and figure out who is supposed to be mowing the green strips. Duncan said he thinks landowners should do it.

There was discussion about how Historical Society expenses and revenue are shown in the budget. Eben asked if we can zero out the Historical Society payment to the town. The town is paying itself and showing the expense and the revenue to itself. Beth said the Historical Society is taking money from a pot of money they have collected and reallocating it to a different purpose – town general use. We should show that transfer happening for visibility. Tom said it feels like taxes are being raised to pay rent that the town receives. Duncan said not all Historical Society revenue is tax generated. Eben said the contribution in lieu of rent was the specific item he was talking about. Tom said it seems strange for the Historical Society to pay the town for rent. The highway department doesn't pay rent. There was discussion about the 501(c)(3) that has been set up, which is separate from the town Historical Society.

Beth suggested focusing on the highway department budget next time and the general budget, including revenue, on December 20.

17. Adjourn

The meeting was adjourned at 10:02.

Minutes submitted by Donna Griffiths