

JOHNSON SELECTBOARD MEETING MINUTES  
VERMONT STATE UNIVERSITY – JOHNSON  
THE ELLSWORTH ROOM, WILLEY LIBRARY  
MONDAY, JANUARY 2, 2024

**Present:** Selectboard members: Beth Foy (remote), Duncan Hastings, Eben Patch, Shayne Spence, Mark Woodward (remote)

Others: Tom Galinat, Rosemary Audibert, Jason Whitehill

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

**1. Call to Order**

Beth called the meeting to order at 6:30.

**2. Consider Additions or Adjustments and Approving Agenda**

Tom added an executive session for employee evaluation. Beth added discussion of food shelf budget needs and office space.

**3. Review Invoices and Orders**

No one had questions on invoices and orders.

**4. Consider Approving Minutes for December 22, 2023**

**Shayne moved to approve the minutes of December 22, 2023, Duncan seconded and the motion was passed.**

**5. Selectboard Issues and Concerns**

Shayne asked if Board of Abatement notices have been sent out. Rosemary said no. Shayne asked if thank you letters to people who gave donations after the flood have been sent. Rosemary said Susan did that.

Duncan said he thinks the board should formally instruct Rosemary to move money into reserves as the board had previously proposed. Rosemary said the board also needs to decide what to do with the \$40K for economic development that was not used last year. Duncan suggested having those as action items for the next meeting.

Beth said the EDA grant application was submitted but it was not accepted. There is additional work being done on it. Randall and Tori from LCPC are following up on issues, none of which are of significant concern. There will be more updates on that at the next meeting. Randall will also have updates on quite a few economic development items.

Beth said she got confirmation that the ANR PILOT money is budgeted. She did not get confirmation of the building PILOT money, which is a larger amount.

**6. Planned Purchases for Consideration**

Tom said printing of basketball jerseys has already been taken care of because the cost was less than \$1000.

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

**Eben moved to approve the tobacco license renewal for Karismatic, LLC, Duncan seconded and the motion was passed.**

Rosemary said expenses are at 41% of budget and income is at 93%. She has a feeling we will fall short on clerk office fees. Recordings of land records have fallen off. Duncan asked if

access to the office is affecting that. Rosemary said she doesn't think so. That line item is only at 34% of budget so far this year. Duncan asked if we should adjust the estimated final amount for the year downward. Rosemary said yes, probably to \$22K. Duncan asked if Rosemary thinks the \$25K in the budget for next year is reasonable. She said yes.

Tom said tomorrow is the meeting with the contractors for the mitigation efforts at the library and the municipal building. Rosemary asked how much more work needs to be done downstairs before we start allowing people upstairs. She knows the floor needs a good cleaning. Tom suggested maybe the people who clean on the weekends could do that and send a separate invoice. Tom said the vault space is secure and no safety hazards such as loose nails and broken boards remain.

**8. Road Weight Limits**

Beth said the board needs to set weight limits on roads for mud season. This is an annual item. Duncan said the selectboard has to set the weight limit by road. Jason said all the posters that have ever been put up are standard ones from the state that all have the same weight limits. The big question is whether we are going to enforce the limits. The sheriff's department can't do enforcement. Only the DMV can. We have to hold the vehicle there until the DMV can get there and weigh it. Some types of vehicles (like agricultural vehicles) are exempt for the most part, but we can make them pay to fix the road if they damage it. Beth said it is our responsibility to set the limits so they are in place if we decide to enforce. Duncan said the state sets what the axle weights are, but we have to set on an annual basis what roads are posted and what the weights will be. If we don't post them it's unenforceable, so he thinks we should post them and then we can discuss what we will try to do to enforce the limits. Beth said it seems to her any dirt road should be posted. Duncan said you can actually do as much or more damage to a paved road during mud season by having overweight vehicles on it. Beth said she would like to delegate this to the public works supervisor and road commissioner. Duncan said he would be happy to have Eben and Jason review it and come back to the board with a recommendation. He thinks the selectboard has to set the limits. Shayne said he sees no reason not to post them even if it's not going to be enforced. It keeps the ability to enforce.

**9. Mill House Update**

Beth said the chimney in the old mill house needs to be replaced. She thinks we need to prioritize all the issues with all town buildings. Tom is working to compile a list of issues with all buildings. Mill house chimney replacement needs to be part of that list.

Beth said the food shelf is using the office space in the mill house. They may have asked us if they could use the space. She does not remember. Work on the village garage will start soon and the village wants to be able to use the office. Duncan said he doesn't remember authorizing the food shelf to occupy that space. Eben said he doesn't either. Mark said he visited there recently. He doesn't think it would be a big problem for the food shelf if we asked them to stop using that room. They seemed clear about the fact that it used to be Nate's office. Rosemary said she thinks Nate gave them the key. The board agreed to inform the food shelf that they should stop using that room.

**10. Budget – Highway Expense, Outstanding Decisions for the Board**

Tom asked if the board wants to buy a backhoe in FY24 or budget for it in FY25 or not at all. Or instead of buying a backhoe would the board consider buying a pickup that would handle all 5 highway crew members so they don't have to take a tandem axle and 2 town trucks to trainings? Another option is an excavator vs. a backhoe.

Jason said he talked to a salesman who told him that the current backhoe is at an age where it will plateau in value for a while. The trade-in price will not fall much below what it is now as long as it stays in the same shape. He never got a trade-in price for it because the village didn't want to go in on an excavator and wanted to keep the backhoe. He believes the trade-in revenue for it was budgeted a while back at 40-some thousand. He thinks it might go for a little more. People are currently selling backhoes like this, but in worse shape, for around \$40K. Its trade-in value won't change much over the next 5 years or so. The replacement cost for a backhoe like the one we have now from Cat is \$173K. A similar one from John Deere was a little more.

Duncan said he thinks we need to redo the entire capital budget and plan and in doing that deal with the questions of the 5-passenger pickup, backhoe and excavator. The current plan has us replacing the backhoe in 2026-27. He asked if that works for Jason. Jason said yes. He has no problem pushing it back because the backhoe is in good shape. It is fine with him if we don't purchase an excavator. He feels renting one works just as well for us. Then we don't have to worry about maintenance. Tom asked if Jason thinks the backhoe is in good enough shape to serve as backup if the loader doesn't start. Jason said yes. It was agreed to continue to plan for backhoe replacement in the 2026-27 budget year.

Jason said it would be handier to have a 5-person pickup truck. No one wants to use their personal vehicle to go to classes. Employees were told they couldn't have passengers on weekends so they said they didn't want to have town employees in their personal vehicles. That means the crew has to use a tandem and two other trucks to go to trainings, because they are all 2-seater trucks. Duncan asked which truck a 5-person truck would replace. Jason said the 3500 Ram. Beth asked if it is up for replacement in 2025-26. Jason said yes. Tom said using a personal vehicle with mileage is a pretty standard practice. Jason said employees use their personal vehicles when they are by themselves but they don't want the responsibility on their insurance of 4 other town employees. Tom suggested having a conversation with our insurance carrier and making sure employees have all the information about coverage. That might save the town a lot of money.

Tom said we budgeted to take \$40K from the capital equipment fund for the backhoe purchase. We could use that for a down payment on a pickup truck. Eben said we don't finance trucks; we make a single payment.

Beth said we have not been putting enough in the highway reserve fund to get us through more than 8 years from now. Duncan said that is why he thinks we should take a good hard look at the entire plan. The highway capital plan is part of the entire capital budget and plan, which includes the library, the Historical Society building and the municipal building. The current plan is very out of date. By statute, it is to be prepared by the Planning Commission and submitted to the selectboard for approval.

Jason said he would like to bring the board information on the potential financial benefits of trading the truck in a year early. He would not want to trade in the plow or sander, just the truck. The additional cost to get a crew cab instead of a regular cab is only \$2K. Eben said he doesn't think we can budget for a new pickup this year based on the timeframe and what the budget numbers look like so far. Shayne said he would be interested to have the information Jason

talked about. And he would appreciate it if Tom could follow up with the insurance company on coverage for employees in personal vehicles. Beth said she thinks it is good that Jason is gathering information. She doesn't think this budget year is the right year for a new pickup but she appreciates understanding depreciation and what the value is now vs. what it could be in a year.

Duncan said he would like Tom, Jason and Eben to work on developing an updated capital budget and plan over the course of the ensuing year and bring it to the board.

Tom wanted to know how much he should budget to bring in from the capital building fund. For this year we planned on spending \$45K for the clock tower, bringing in \$30K from the capital building fund. We need to do some work in this fiscal year and also budget for next fiscal year. If the board tells him what should be fixed this year he can get numbers from contractors. He got a quote of \$25K for the clock tower today.

Rosemary said the trustees have to give permission for work on the municipal building. Tom said he can go to their meeting next week and ask. Eben brought up the question of cost sharing. Shayne said he thinks we have to give up the idea that the village and town are going to be 50-50 partners in cost. Tom suggested the possibility of drafting a new deed that changes the ownership percentage of the building based on money spent.

Eben said he thinks we should plan to have the work on the clock tower done this fiscal year. Maybe the town can pay for it and finance the village share at zero percent. Maybe if they want to budget for half the cost of the clock tower work in their next fiscal year we will need to do it in our next fiscal year. Duncan said we have the same problem with the mill house. We talked once about the idea of the town owning the building and the village paying rent. He thinks ultimately that would be a good solution but that doesn't solve the immediate problem of how much we spend on the clock tower. The village has a number of options. They could borrow from their own revolving loan fund to pay their share of the cost. He thinks we should plan for the work and hope to get as much money as we can from the village to meet their obligation. Shayne said if they can't pay he thinks what Tom described would be great to pursue. Beth said there was a joint selectboard-trustee meeting on May 10 at which BJ moved that the village agrees to anything the selectboard does to improve the municipal building that does not use village money. Tom suggested the mill house could become the property of the town, with the village using its equity to pay for half the clock tower work. Mark asked if anything being discussed requires approval from the voters. Eben and Duncan said transfer of property does.

It was agreed to budget for bringing in \$30K from the capital building fund again next year. Tom will put \$30K on the expense side so any repairs will be net zero.

There was discussion about the amount to budget for Scribner Bridge and/or other bridges. Jason said the sidewalk area on the Railroad Street bridge has peeling paint and rust starting. Duncan said the state is responsible for all maintenance on that bridge, including painting. The town is only responsible for clearing brush away from the abutments and maybe one or two other minor things. Eben said for next year he is comfortable budgeting for \$15K coming in from the bridge and culvert reserve fund and \$15K going out. Duncan asked if Mark can think of anything that will come up as a result of the Scribner Bridge study that we are going to have

to pay for. Mark said nothing comes to mind. Tom said he will go to Thursday's meeting on the Scribner Bridge grant and come back to the board with better numbers.

There was discussion about a separate line item for Class 4 road labor. Jason said he thinks we need to start doing more preventive work on Class 4 roads before they erode to the point that the Municipal Roads General Permit requires work. That will save money. He talked to Tom about starting to track labor on Class 4 roads. Duncan said we have a Class 4 road policy that is pretty clear. That policy may get changed, but for now he would be cautious about doing a lot of work on Class 4 roads that is not required by MRGP and is not replacement of bridges or culverts. Tom asked the board's thoughts on reclassifying Class 4 roads to legal trails since MRGP creates an unfunded mandate to do work on Class 4 roads. Beth said she thinks that is a discussion for another time. The board agreed that Jason should track different types of work in a way that does not involve creating separate lines in the budget. Shayne asked if Tom could send out the Planning Commission's proposed list of Class 4 roads to change to trails. He thinks it would be nice for the board to discuss that after the budget is done.

It was agreed to combine the tree and brush removal line with the invasive species line.

Tom asked about carrying over unspent paving blacktop maintenance funds. The board agreed to consider it toward the end of the fiscal year.

Jason explained that the amount budgeted for culverts was reduced. We had been prebuying a lot of culverts but when they are used for grant-funded projects we need to provide receipts and canceled checks and if we buy them the year before the price is different than the current price. The idea was to buy fewer culverts ahead of time and buy culverts for grant-funded projects at the time of the project, hopefully using construction project capital.

Jason said he would like to buy a second York rake. Duncan said he thinks it should be in the capital equipment plan. It will cost about \$9K. It was agreed not to budget for that next year.

Tom asked what non-highway projects are planned for public works in the upcoming year. No one suggested any reasons to increase the amount budgeted for non-highway projects.

Tom said the skate park budget is not finalized. Work still needs to be done to determine where money will come from to pay for the half pipe.

It was agreed to budget for \$24K of ANR PILOT income, slightly less than what we got this year.

There was discussion about how to handle ARPA funds in the budget. Beth said she thinks the ARPA funds we show coming into the budget should be in two different buckets – committed and uncommitted. Tom said the motion the board passed was to apply the unallocated ARPA funds to the operating budget. The board allocated \$50K to the CUD and \$44K for engineering for the light industrial park. Tom said there is a risk that the engineering may cost less than \$44K and any unspent amount may need to go back to the federal government. The board might want a new motion to move all the ARPA funds into the operating budget to prevent having to

give any back. Duncan said he thinks it is unlikely we will not spend the whole \$44K on engineering.

Duncan said the total budget is not up that much but the total to be raised by taxes is up by over 10%. We need to figure out how much surplus we can apply to reduce taxes. Eben said the budget is up 10% over last year's proposed budget, which does not include the \$50K article for the community and economic development coordinator. Duncan said based on the latest report, if we apply everything we intended to apply to reserves we would have about \$162K surplus at the end of the year. If we allocate \$100K or \$120K to reduce taxes that would get the tax increase down to 4.5% or 5%.

***11. Executive Session for Employee Evaluation***

**Shayne moved to enter executive session under 1 V.S.A. § 313 (a)(3) for employee evaluation, inviting Jason, Rosemary and Tom to remain, Duncan seconded and the motion was passed at 8:43.** Jason left the meeting at 9:09. The board consented out of executive session at 9:52.

***12. Adjourn***

The meeting was adjourned at 9:53.

*Minutes submitted by Donna Griffiths*