

JOHNSON SELECTBOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING and JOHNSON ELEMENTARY SCHOOL  
MONDAY, SEPTEMBER 9, 2024

**Present:** Selectboard members: Mike Dunham, Duncan Hastings, Eben Patch, Shayne Spence, Mark Woodward

Others: Tom Galinat, Rosemary Audibert, Randall Szott, Jason Whitehill, Lydia Putvain, Paul Warden, Meghan Rodier, Casey Romero, Diana Osborn, Charles Gallanter, Luke Willey, Michael Patch, Jackie Stanton, Stacey Waterman, Ben Waterman, Charles Flaum, Beth Foy, Johna Keefe, Rob Rodriguez, Kyle Nuse, Adrienne Stevson, Carri Ferrari, and others

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

**1. *Public Hearing Municipal Plan***

Eben called the public hearing on the municipal plan to order at 6:30 at the Johnson Municipal Building. He invited public comment.

Casey Romero asked how it is handled if minor errors, like spelling errors, are identified. Eben said she should talk to Paul Warden about any small changes needed. Casey said for example there is an incorrect page number in the table of contents. Duncan said the selectboard can make those kinds of changes before submitting the draft plan for regional review but we can't make any substantive changes without sending the plan back to the planning commission and starting the process over again.

Casey asked why ATV trails are not listed in the section on regional trails. Paul said some additions on ATV use were made based on comments at a village trustee board meeting. A section was added to indicate that there is ATV use allowed in Johnson and that they can use Class 3 and Class 4 roads.

Diana Osborn said she doesn't think there is a publicly accessible network of ATV trails, just roads that already exist, and as far as she knows there is not a published map. People could not come to town and access ATV trails the way they could access the rail trail. Another person commented that there is an actual map, but it is not a paper map. ATV riders access it through an app they use. Tom said in order to use ATVs people have to be part of VASA. But the VASA map online doesn't match our ordinance.

Duncan said it is his understanding that if that language about ATVs was added the plan has to go back to the planning commission. Paul Warden said the Lamoille County Planning Commission's opinion is that it does not have to, because the language was added in response to public comment. Charlie Gallanter said he thinks Duncan is right. Duncan suggested looking into that. Maybe we could approve the plan without the new language and then amend it later. Paul said Ken Tourangeau said he would not vote to approve the plan because it did not include comments about ATVs, so LCPC drafted some language. Meghan Rodier said statute does allow changes to be made after the first hearing and before the final hearing is warned. But they can't be made less than 15 days from the final hearing. Tweaks can be made to the plan based on input tonight. The changes must be made before the final hearing is warned.

Meghan said the version of the plan posted online does not include the new ATV language.

Charlie said the trustees had their final hearing. Meghan said they had a hearing but they will have to meet again to approve the draft plan.

Meghan read the language on ATVs that had been added, which includes a statement that town ordinance allows ATV use on unpaved Class 3 and Class 4 roads and a statement that new job opportunities in Johnson could be created by companies providing services to ATV users such as ATV rentals, guided tours and maintenance/repair shops. Duncan asked if that language is acceptable to the village trustees. Meghan said it was suggested by Alberto Della Torre, who attended the meeting with the trustees. She believes it still needs to be run by the trustees. Paul asked if the language was verbatim from the trustees or distilled by Alberto. Meghan said her understanding is that it was Alberto's interpretation of the discussion from attending the meeting and reading the minutes. Paul said if this board were to accept the amended draft the trustees could vote to accept it or not.

Charlie said in the email exchanges there was a list of roads. Is that included? Paul said no. Alberto's draft had some roads listed that are eligible for ATV use, but rather than list some and miss others he just put what the ordinance allows.

Duncan said it is accurate that our current ordinance lists unpaved Class 3 and Class 4 roads but it also states that there can be an annual posting made that could change. Would it be safer just to make reference to the ordinance? Tom said he thinks that would be safest, since there was just discussion two weeks ago about whether to considering reviewing the ordinance. Duncan suggested saying ATVs may be used in accordance with the ordinance.

Diana said she has minor feedback about things like formatting and maybe removing a reference to Johnson State College. But mainly she is curious to know more about how the process works. The planning commission does the hard work of developing the plan but the town selectboard seems like they don't always act in alignment with it. She is interested in understanding how everyone works together around this more. For example, the municipal plan mentions the idea of a swap of land between Sterling Market and the industrial park. That is no longer on the table as far as she knows but it is still in the plan. Paul said that is a thing that might be considered. The planning commission started writing the plan a year ago. They don't revisit every chapter once they have worked on it, so does get a little dated. Shayne said he doesn't think anything the bond vote would move forward would preclude there being a swap. He doesn't think that is off the table.

Diana said she especially appreciated the energy planning and equity part. She felt like that was a nice inclusion.

Diana said the plan recommends things like siting new development near existing highways and not building new ones, siting development near existing utility rights of ways, and discouraging road construction above certain elevations and slopes. She doesn't know if those things have been addressed at the industrial park lot, along with things like vernal pools. Why are we messing with land that is already doing the job the municipal plan is asking land to do? The municipal plan did a thorough job of considering environmental factors and access to infrastructure and she feels like the industrial park plan is at odds with some of the things that are specifically mentioned as goals for the municipal plan.

Shayne said regarding proximity to existing utilities and highways, this property is directly off Route 15. Yes, it would require a road to be built to it but it wouldn't be a new highway; it would be a road to 5 lots.

Diana said her main issue is not with the specifics but more the process. This is just one example of where it seems the actions of the town are headed in a direction that doesn't accommodate the plan.

Tom said part of the planning for the industrial park included an engineer looking at wetlands, wildlife and prime ag soils. It is acknowledged that there is a need to swap.

The public hearing was adjourned at 6:52.

## 2. ***Informational Meeting on Bond Vote***

Eben called the informational meeting to order at 7:00 at Johnson Elementary School.

Duncan explained what has happened so far with the industrial park. The town has looked into various grant sources to assist with developing the park. The town recently had an application in with the USDA Economic Development Administration. We got all the way through that grant process and thought we had a good chance but the grant review committee denied the application. Currently we have a Northern Border Regional Commission grant that will cover about 50% of the cost to develop infrastructure. The rest comes from designated ARPA funds, town reserve funds and the \$590K bond the town is seeking authorization for.

A community member asked, have you done a study on the actual cost of this? Are we going to every site or just the property lines? Do you know what the overrun cost could be? Is this a true number?

Luke Willey of Mumley Engineering said the bond will just help pay for the infrastructure portion of the project – just roads and utilities, not development of lots.

The community member asked, the infrastructure will just go to the property line? Luke said yes.

Luke said the cost estimate is based on the best information the engineers have. Board members said there is a 25% contingency built in. Eben said the \$590K bond amount encompasses the 25% contingency. Duncan said Mumley came up with an estimated construction cost that had a 10% contingency built in and we increased the estimate to include a 25% contingency.

A community member said she knows the town wastewater facility has had some issues. Is it able to take this on? And what would the lots potentially sell for?

Eben said the village had to sign onto the NBRC grant to say they could accept the capacity. There is reserve capacity there for water and sewer. There was some market analysis done by the Lamoille Economic Development Corporation of other industrial parks in our area with similar setups. He believes the price range for lots was from \$55K-75K. So once all the lots were sold the amount we would get might range from about \$935K to over \$1.2 million.

Randall Szott said he is the town community and economic development specialist. LEDC provided prices from other industrial parks. At the St Albans park the price is \$95K per acre. At the Georgia park it is \$60K/acre and at the Swanton park it is \$75K/acre.

A community member asked, are those parks level land? She believes this property is built on a hill. That probably will decrease the sale value, won't it?

Charlie Gallanter asked, aren't all those other sites right on the interstate? Randall said each of those examples are within 2 miles of the interstate.

A community member asked why someone would want to bring business to Johnson when it is not convenient for transportation. What businesses have expressed interest?

Eben said in general he doesn't know if we would get any large businesses. There was a market analysis done. Duncan said a 2012 study by Yellow Wood Associates came up with primary interest from the food/ag sector and the energy sector. These would be smaller industries. There was also a really good study done in 2017 or 2018 that showed a high market potential for development of smaller scale industries in the Johnson area. It was not specific to the industrial park, just Johnson in general. Morrisville has several very successful industrial parks and they are also not close to the interstate.

The community member said those studies were done before all the flooding. People will be more hesitant now, won't they? Duncan said one advantage of the industrial park site is that it is not in the floodplain. The community member said people may not be able to get in or out if there is flooding around it. What would actually be built there? Duncan said he doesn't think we know the answer to that yet. The community member brought up the large amount of money the town is being asked to spend. Duncan said he would hope it would be an investment in the future that would increase the tax base.

Mike Patch said he thinks we should invest in Johnson. He knows of two businesses that wanted to build here but we didn't have a place for them. It is true that the land is not level, but with a bulldozer and a backhoe you can flatten anything. They are going to cut some hills and it will be flat. The size of the lots will be perfect for a hair shop or a bank. The road could be made to cut through the back of the property and connect to another road and then it will not be landlocked if there is flooding. If we don't invest in Johnson, do you think anyone will come to this town? He thinks we have to put something back in the town because the village will have a lot of green space. Houses are being bought out. They will no longer be on the tax rolls. Flood water will never go to this land. Bulldozers and excavators can make anything flat. There will be businesses there paying taxes. If we don't have a grocery store people will go somewhere where there is one. What does Johnson have to offer to people? If kids don't want to come to the college, it won't be here. If we don't invest he doesn't think people will come invest in us.

There was a question about how much tax base we lost due to buyouts. Eben said there are 15 applications in. That is 15 parcels out of 1,348 in the town. If you assume the value of those parcels is average for the town, we would be losing .11% of our parcels and the yearly tax impact would be \$1.19 per \$100K.

There was a comment about the cost of the bond and the high school taxes people are already paying. Eben said the board has expressed interest in a 30-year bond but we haven't made a decision yet. The reasons for a 30-year term are that the Vermont Bond Bank allows us to pay the bond off early with no penalty and a longer term reduces tax impacts.

Jackie Stanton asked if there are plans to offer tax abatement packages to any prospective businesses – something like telling them they don't have to pay taxes for 3 years. Duncan said the town has a tax stabilization policy. He believes any proposed tax stabilization agreement requires approval from the voters. We don't have any prospective customers yet and we don't have any proposals for tax stabilization agreements.

Charlie Gallanter asked how much we have already spent on this project. Mike said we spent \$248K on the property. Eben said we also spent \$46,500 of ARPA money to contract with Mumley to update the plans. Charlie asked about administrative costs, like applying for grants. Eben suggested that amount is probably under \$100K. Beth said until this past year it was only town administrator or board time. Eben asked if there is administration built into the grant. Randall said yes. That goes toward having someone outside the town sign off and make sure all paperwork is done correctly.

Charlie asked if anyone has done soil surveys to see what can be built on the property. Luke said he is not aware of any geotechnical work having been done on the site. Typically that would be a thing that would come about as lots are developed. His experience is that it is usually not a dealbreaker, at least around here, but some soils may require extra costs or design measures for individual lots depending on what is proposed.

Diana asked what we paid for all the studies mentioned earlier about use of the land and potential businesses.

Duncan said the Yellow Wood study was grant funded. If we don't go ahead with developing the property we are supposed to pay the money back. He doesn't remember the cost – maybe \$12K, not a huge amount. The original Ruggiano study done in 2010 was covered under a grant. So no taxpayer money was used for the studies.

Mike Patch said soil samples were taken when the land was being considered for a school. Mike Dunham said it is viable land to build on. Mike Patch said we should not worry about the soils. The major cost will be the infrastructure. If Pomerleau had to do it, it would cost so much per square foot that he would have to rent the building out for so much no one could afford it. We already have money in this. We already own it. Hyde Park's industrial park is full. Morrisville has one lot. We aren't that far from Chittenden County.

Beth said we have 2 major state highways. We are an hour from Burlington, Newport, St. Albans and St. Johnsbury. We should capitalize on it. This is a lot of free money, with some coming out of our pockets as well. It is an investment. We have built everything on the rivers and everything will flood over and over again. We need to start being resilient and a way to do that is to build economic opportunity higher. She thinks we would be foolish not to take the opportunity.

A community member said he understands that in the past there have been multiple people interested in the property who backed out for one reason or other. He is wondering why elected officials are feeling qualified to become realtors and developers. It worries him that we don't have businesses expressing interest. Why do we qualify to be developers when other people have looked at it and changed their minds? Why do we not try to capitalize on the college property?

Eben said to his knowledge no one on the board is a realtor. There is a reason why the town consulted experts. An expert was hired to design the park. The taxpayers approved purchasing the land for an

industrial park. The college hasn't approached us formally and we haven't approached them formally. There is definitely potential at the college. But if we lost the college's Payment in Lieu of Taxes town taxes would go up a little over 20 cents. That is 10 times the cost of the bond payments. Selling these lots would mean income in perpetuity to the taxpayers.

Duncan said he is not aware of any entity that has approached the town or the Jewetts about buying and developing the property. There have been at least 3 businesses he can think of that probably would have located here if there had been roads, sewer, electric and internet. He expects it could take 10 years to build this project out and sell all the lots. Before he worked in Johnson he worked in Georgia. They built an industrial park. It has provided a nice tax base. We need to think of this as a long term investment.

Mike Dunham said if someone walked away from the opportunity it was probably because of the infrastructure cost. That is what we trying to take care of.

Randall said we were able to talk to the state director of business recruitment. He believes that, based on inquiries he has gotten, if we put in this infrastructure there will be interest.

There was a question about when construction would start if the bond is approved. Eben said if it is approved the town will let the NBRC know by the end of September that we can commit to providing our match. Then we would get finalized prints that could go out to bid. Duncan and Randall said we need to get an environmental review done. We can get reimbursement for the cost of that. Duncan said Mumley is basically ready to submit an application for an Act 250 permit. We need Act 250 approval. Once we have all approvals we will put together bid specs and get bids. The town would accept a bid and construction would take place based on contractor availability. It could be 2025 at the earliest or it could be 2026. Luke said it could take 6 months to get all approvals. If it gets too late in the year next year it may not be a great idea to try to squeeze it into that construction season. Late in the year we would not get as good bids. There is the possibility of 2025 construction but realistically the timeframe could get stretched out.

There was a question about whether the town has looked at the Cambridge industrial park on Route 15 and whether it has been filled. Randall said no. Duncan said his understanding is that it has no infrastructure, just on-site water and sewer. He thinks there are a couple of sites left. If it is not completely built out, it is close to it. Tom said providing municipal wastewater opens up more possibilities in our park.

There was a question about the likelihood of the Act 250 permit being approved. Luke said he doesn't anticipate any major hurdles. Duncan said the feedback we have gotten so far from the Act 250 review folks has been positive. Luke agreed.

There was a question about whether this will be a 30-year bond. Eben said we would have to make that determination. A 30-year term may be the best. It was asked whether the town would pay down the bond as lots are sold. Eben said yes. He said the board feels a 30-year term would be best. Mike said that is what a majority of the board thinks, but he believes in paying a note off more quickly and paying less interest. He suggested a 10-year bond.

Mike Patch said regarding the town maintaining the infrastructure, a lot of towns break out the water and sewer and maintenance costs by lots so when all the lots are sold the town is done. The people

who own the lots own the infrastructure. Hopefully when the lots are all sold we will no longer need to maintain the infrastructure. He doesn't think a 30-year bond is good. He likes Mike's idea. He would rather see a shorter term because we don't know what is coming next for the town. He feels the state will want to help us get permits faster because of the way they are backing flood-affected towns. A development like this is not a big deal in the construction world. He feels we could see spring construction.

Charlie Gallanter said originally we approved buying the land in 2018, correct? At that time the infrastructure was estimated to cost \$1 million. Now we are saying \$2 million. That is an increase of 20% per year. Now we are talking about construction in 2026. He is wondering if the 25% contingency is enough with a 2-year delay.

Mike said he doesn't believe inflation will go up that much more. Duncan said the \$2 million figure includes the 25% contingency. Between 2018 and now the estimated cost with a 10% contingency went up from \$1 million to \$1.8 million.

Casey Romero asked what the restrictions on uses for the lots are. She has heard we couldn't put housing in. Eben said no housing is currently in the plan. Duncan said NBRC funding can't be used for housing. Shayne said there is nothing precluding any future owner of a lot from building housing on a lot. The town will not be building anything except infrastructure; then we will sell the lots. Randall said he called the state program director for NBRC and asked this question. The application we submitted made no mention of housing. So their expectation is that this will be an industrial park. However, they have funded housing projects. Shayne's point is that housing can be built but NBRC money can't be used for it; it can be used for infrastructure. It is not 100% clear if housing can go in under the current framework of the current application because we did not make mention of it, but there is a process where we can file for a waiver.

Stacy Waterman asked, if this bond is approved and the town does not get Act 250 approval, what happens then? Eben said we would not have borrowed anything so we would not owe anything. Duncan said the vote is seeking authorization to bond. His take is that we would not actually bond until we have a project. If the project is not approved, we would not need to bond. Mike said considering our situation in Johnson he can't believe the state would ever deny our Act 250 permit.

Stacey asked, wouldn't funding be necessary to even submit an Act 250 application? Shayne said he believes the money we have already paid Mumley included all permitting, including Act 250. Eben said the town already used ARPA money to contract with Mumley for engineering services, which includes the Act 250 application process.

Beth said there is a cost to file a permit application, which is based on project cost. She thinks the question is about the cost to file.

Ben Waterman asked what the application fee would be. Luke said he does not know off the top of his head. Mumley put together some costs that were not included in the contract. He thinks one of those is application fees. He believes some of that was built into the budget for the bond. Eben said that is built into the bond. We worked with Tyler Mumley and he came back with a figure of about \$10K for permit fees.

Tom said the selectboard put \$75K into reserves for this project. That money is not tied to the bond but it is part of the match for the grant. We would use those funds before bonding. Even without bonding, there is money for permitting to make sure the project can move forward.

Mike Patch said it is not a good idea to mix housing with an industrial park. Trucks are frequently coming in and out. Businesses don't want to have to deal with resident complaints. We don't want to slow people down from coming here.

Mike Dunham said he is opposed to putting housing in the industrial park.

Charles Flaum said he is reading that municipal projects are exempt from Act 250 fees. Mike Patch said that comes from the flooding.

Johna Keefe asked if the property is within the village limits. Eben said the bulk of it is. Six lots are and one is not. Johna asked if form based code would affect the project. Eben said it does not affect that area.

Beth asked if the vote includes borrowing from the town revolving loan fund. Eben said no. That has to come to the voters. There is the potential of borrowing \$175K from ourselves at whatever interest rate we choose. Randall said that \$175K is part of the \$590K total. The source of some of the \$590K might not be the bond bank; it might be the revolving loan fund.

Rob Rodriguez asked, if someone bought a 7-acre lot and wanted to put apartments on it, they could do that? Duncan said he doesn't think that is a foregone conclusion. He thinks is a possibility. Rob said he would vote no based on that. He doesn't want apartments there.

Eben said this is town property. He believes we need voter approval to sell any town property, is that correct? Duncan said in order to sell municipal property we have to post notice of our intent to sell. He thinks there is a 10-day minimum posting. Then a group of citizens can petition for a meeting to approve or deny the sale. We don't actually have to get authorization; just post a notice of intent. Eben said there is a process where voters could say no to any sale.

Duncan said he feels we need to develop park covenants and codicils. We could say there will be no residential development. His personal opinion is that it should be industrial only.

Beth said the voters could petition to block a sale. Duncan agreed.

Mike said as long as he is on the board it will be strictly commercial.

A community member said when the property was purchased it was for an industrial park. He thinks it better stay that way or the town will get sued.

Paul Warden said there are a lot of unknowns. But we have a half million dollar head start and if we don't invest in Johnson, who is going to? He thinks we should support this. Eben said the NBRC grant is \$861K, not half a million.

Beth said you miss 100% of the shots you don't take.



Diana Osborn said she doesn't feel like we have enough information to do this bond at this time. She thinks we need to get information at the Re-Imagine Johnson meeting tomorrow night. Why are we doing Re-Imagine Johnson if we already have all our eggs in this basket? She knows the grant deadline is pressing us into a decision but a lot of people need to weigh in who are not here.

Mike said we don't have any more time.

Shayne said this is a use it or lose it opportunity. This grant was the result of a long effort. It is separate from the conversation tomorrow night but he would say they work together. The long-term visioning work done tomorrow night will only be helped by something like this. Having an asset like this adding to the tax base will help all the other problems the town is facing.

Tom said there is a lot of uncertainty in Johnson. The college is 40% of village utility use. If that stops, what happens to the village? We have an opportunity for a win. If you don't vote for this, make sure you have another plan for a win.

Mark said he was the one board member who voted against this. He doesn't think this is the best way to spend our money.

Eben closed the hearing at 8:25.

3. ***Call to Order Regular Selectboard Meeting***

Eben called the meeting to order at 8:26.

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

It was agreed to add possible approval of a rail trail committee grant application.

5. ***Rail Trail Committee Grant Application***

Kyle said the rail trail wants to apply for a recreation facility grant from the state to finish and repair several things at the Ted Alexander Welcome Center, including finishing the concession stand, repairing wainscoting and finishing trim.

**Duncan moved to authorize Randall to submit a grant application on behalf of the town for the Building Communities Recreational Facilities Grant with the understanding that it requires a 50% match but the rail trail committee believes the match can be covered through other sources, mainly the Vermont Community Foundation. The motion was seconded and passed.**

**Duncan moved to authorize the rail trail committee to submit the necessary paperwork to Act 250 to get approval to install a set of steps or stairs which will be the subject of a further grant application. The motion was seconded and passed.**

6. ***Public Comment***

No members of the public wished to comment.

7. ***Consent Agenda***

The consent agenda included approval of August 5 and August 19 minutes, approval of a noise ordinance waiver for an event at the skatepark on September 28 (rain date October 5), retroactive approval of buyout applications for 289 Wescom Road and 198 Lower Main, acceptance of a grant for election materials from the Center for Tech and Civic Life, delegation of signature authority for documents relating to the Center for Tech and Civic Life grant to Rosemary, and approval of the locations requested by the beautification committee for planters and decorations.

**Mike moved to approve the consent agenda, Mark seconded and the motion was passed.**

Beautification committee chair Adrienne Stevson said she and Eben had discussed the process of getting approval for plantings. They discussed that Adrienne will email what the committee wants to do so the selectboard can approve and that the beautification committee doesn't need to attend the selectboard meeting. If the request is not approved the committee will put it on the next selectboard agenda to discuss. That board agreed that that process sounds reasonable.

Adrienne said she is also wondering if the committee could get a memorandum of understanding regarding what they are in charge of maintaining and what the town is in charge of. Kyle Nuse said the committee was exhausted by constantly having to go between 2 boards to get approval. Having a memorandum of understanding about the responsibilities of the committee and the town and/or the village would make it clear. They are hoping for MOUs for the village and town and potentially for joint properties.

Eben said when the library board of trustees came to the selectboard with an MOU, the board was receptive to the concept. The only hurdle was that this board cannot bind next year's board. The library board had to come back every year with the same MOU. Mark said he thinks it will work. Tom suggested that he work with the beautification committee on it. Shayne said he would love for the committee to draft an MOU and bring it back to the board and he thinks the board should approve it.

Adrienne said she has mentioned the possibility of a joint meeting between the village and selectboard where committees could get approvals from both boards so there is no miscommunication and committees only have to go to one meeting. Eben said the suggestion was one joint meeting a month. That seems like a lot to him. Kyle and Adrienne suggested the meetings could be quarterly. Shayne said finding times both boards can meet is challenging. Mike said he thinks we should have a joint meeting quarterly anyway. Kyle said if it works to have the committee on a joint meeting agenda to streamline the process for approvals, that would be good.

Kyle asked if Eben has spoken to the trustees about having the planters reinstated. Eben said no, he sent an email.

Adrienne said the trustees voted no to approving the fall planting list she gave them for the village. They want to create a green space committee.

Shayne said he thinks we should support this committee's activities in the town. He encourages them to bring back an MOU that makes it clear that they can plant on town properties. Mark asked if the bridges are town property. Others said yes. Duncan said all the road rights of way except Route 15 are town-owned. Kyle said the village does not agree with that and the beautification committee is put in the middle. Duncan said we need to make it clear that the town is responsible for rights of way other than on Route 15. Eben said that should be on the agenda for next Monday. Mark said Legion Field is town property. Duncan said the arboretum is also.

#### **8. Road Foreman Report and Action Items**

Jason said the crew has been busy with grant work. The sink hole repairs are all completed and the culvert is working well. The hole is paved back up. They got flowable fill for under the garage. They installed terrain for the half pipe at the skatepark. They moved dirt and hydroseeded there. They have been hauling sand. The grant work on Ben Ober Road will be completed soon. Next week they will rent a chipper to cut trees at the landfill.

Duncan asked about sharrow signs on Railroad St. Jason said they are on his list. He is hoping to have them done this month.

The board agreed that Jason does not need to routinely come to selectboard meetings every month, though there may be some meetings where he is needed

Mike asked if we have money to buy a chipper. Jason said only if we find a used one and that is hard. Duncan asked if he has looked into a PTO chipper. Jason said the village had one and it didn't work well for softwood.

Jason said he would like to buy 6 culverts for grant work for \$7500. He needs a slip from this fiscal year for the grant. He wants to use the slip for 6 that were taken out of stock and replace those with the new ones. **Mike moved to authorize Jason to spend \$7500 for culverts as described, if it is legal. Duncan seconded and the motion was passed.**

Tom and Jason would like to order a tandem truck. Eben said he has not seen any pricing for replacing the tandem. He thinks the purchasing policy requires sealed bids.

Tom said we can buy an International under the state contract, but to do that we would have to switch from a 15 liter engine to a 13 liter engine. The 13 liter has a lower purchase price but also a lower trade-in value when we are done with it.

Eben asked to have price quotes for next week's meeting. Duncan and Eben said if the procurement policy requires sealed bids, the policy should be followed.

**Shayne moved to allow the road foreman to purchase up to 75% of the FY25 budget of gravel, salt and sand, Mike seconded and the motion was passed.**

9. *Fall Seasonal Event*

Tom said Carri Ferrari and other volunteers would like to put on a haunted house again this year. They are requesting that the town sponsor the event for insurance and publicity through the town's normal channels of communication. They will accept \$5 donations. Net proceeds will be donated to the Johnson Public Library, the Fire Department, the Humane Society or possibly other organizations. .

**Mike moved and Shayne seconded that the town sponsor the haunted house event for insurance purposes and publicity through town channels.**

Duncan said if there is money involved it has to go to Rosemary. Eben agreed. The money goes to Rosemary and she can reimburse the volunteers.

Carri asked, what is different from last year, when that was not required? Eben said he didn't even know they were accepting money last year.

Carri said she came to the board to ask for money to go through the town and the board denied it. Eben said if this is a town event sponsored by the town he believes funds need to go through the town treasurer. Mike said that is reasonable. Shayne said as he recalls the board did not deny Carri's previous request. The board discussed a couple of ways the town could act as a pass-through for event planning and allowed the group to decide which they preferred. He remembers the board being supportive of the group planning events.

Carri said she is not raising money for the town. What will the town use the money for if it goes to the town? Eben said the money goes through Rosemary but he has no problem with it going to the organization she wants to give it to. He is not saying she is raising money for the town.

Carri asked why this is different from last year and why when the volunteer group proposed doing this the selectboard denied their request to hold their money. Shayne said he would have to check the minutes. He remembers one option the selectboard gave was for the group to become an official town committee and it seemed like they were not amenable to that. He doesn't remember the other options.

Tom said the board wants to help but it has to be done this way. All it means is that checks are written to the town. The board can make a motion now about how to spend the money. It has to flow through the town and be auditable. Mike said if someone got hurt they would sue the town. Asking for the money to go through the town clerk is not unreasonable.

Carri said her group does not trust the town. And no one will be writing a check. People will be paying cash. Tom said the town will distribute the proceeds as the volunteers wish after reimbursing the volunteers.

Shayne called the question.

**The motion failed, with Shayne in favor and Mark, Mike and Duncan opposed.**

**Duncan moved and Mark seconded to authorize the use of town insurance for volunteer efforts to create a haunted house, with proceeds to go to Rosemary and the net after expenses to be donated to organizations to be determined by the organizers.**

Eben said the volunteers will give money to Rosemary and also give her receipts for expenses. The volunteers will get reimbursed and whatever is left over, the volunteers will decide where it should go.

**The motion was passed.**

**10. #2 Fuel Contract**

Tom said he got 2 bids, one for a set amount and one for a rack plus price. Duncan asked if this was put out as a request for bids or if Tom just called people and asked for a price. Tom said he called 3 people. Duncan said in the past Brosseau has given us a price over the rack price but he is not seeing that in this proposal, so it is hard to compare to the bid from Fred's. Tom said Brosseau said he can't offer a rack plus price this year because of uncertainties about cost due to the new Affordable Heat Act. Duncan said normally we specify what we want to see in bids and then we can compare.

**Mike moved and Duncan seconded to have Tom prepare a fuel RFP and distribute it to fuel dealers in Lamoille County.**

Mark said he wants to know why we are not doing bulk purchasing with other towns.

Tom asked what we want to request in the bids. Board members said a fixed price and a price above the rack price.

**The motion was passed.**

Duncan said he thinks Mark's idea of bulk purchasing is good, but it is too late in the year to do it now. We ought to keep that in mind for future discussion. Bulk purchasing may not be limited to just fuel. Mike suggested we could buy salt that way. Eben suggested asphalt.

**11. *Committee/Commission Advisory vs. Non-Advisory***

Tom said under the new law there are different requirements for advisory and non-advisory groups.

**Duncan moved that the selectboard, the development review board, the board of civil authority, the board of abatement and the library board be considered non-advisory and that all other town board, committees and commissions be considered advisory. The motion was seconded and passed.**

**12. *MERP Grant***

Tom said the MERP grant serves energy burdened towns. Johnson is considered one. LCPC put together a grant application for us. The suggested measures to make energy efficient changes to town owned buildings were included in the packet. **Shayne moved and Mike seconded to have the Lamoille County Planning Commission submit an application for a Municipal Energy Resilience Program implementation grant with the list of locations and energy efficiency measures included in the meeting packet and to delegate signature authority for any required signatures to the town administrator. The motion was passed.**

**13. *RFP for Engineering Services – 1 Year with Autorenewal for 2 Additional Years***

Tom said a new trend is for towns to put out an RFQ for engineers to be on staff to put out bids for projects. They are on staff for a specified term, similar to a town attorney or auditing firm.

**Duncan moved and Shayne seconded to have the town administrator create and publish an RFQ for engineering services for a term of 1 year.**

Mark asked if the term would be the budget year or calendar year. Tom said it would all be grant-related work. He doesn't know that it would matter. Duncan said it could be a year from the date of issuance of the agreement.

**The motion was passed.**

**14. *FEMA Consultant Update***

Tom said he submitted all paperwork for 2 projects to FEMA. We are looking for about \$450K to come in. Our work with Stone Shore Consulting is coming to an end. There will be a meeting tomorrow about the skatepark and we are wrapping up the library. We get a final determination tomorrow about the skatepark. Ron Rodjenski's work is getting small. He can be available as needed but for the most part the remaining work can be done by Tom and Rosemary. Mark said we should thank Ron somehow. Eben suggested that Tom draft a letter.

**15. *Rent at Historical Society House***

Tom said our tenant at Holcomb House was without hot water for about a month. His rent is \$600 a month. Does the board want to make some acknowledgement of the burden? **Duncan moved to reduce the Holcomb House tenant's rent by half for one month, Mike seconded and the motion was passed.**

**16. *Adjourn***

The meeting was adjourned at 9:30.