

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, OCTOBER 21, 2024

Present: Selectboard members: Mike Dunham, Peter Hammond, Duncan Hastings, Eben Patch, Mark Woodward

Others: Tom Galinat, Paul Warden, Charles Flaum, Rob Rodriguez, Adrienne Parker, Charlie Gallanter, Sue Lovering, Kyley Hill, Randall Szott (remote), Casey Romero, Howard Romero, Jessica Bickford, Bobbi Rooney, Kelly Vandorn, Jeanne Engel, Tara Smith, 3 other people

Note: All votes taken are unanimous unless otherwise noted.

1. *Call Meeting to Order*

Eben called the meeting to order at 6:30.

2. *Consider Additions or Adjustments and Approving Agenda*

Tom added an item related to the arboretum path. He said Rosemary had sent out information on 3 liquor licenses she plans to approve if the board has no reservations. Board members did not express any reservations.

Duncan added a request to appoint a liaison to the rail trail committee. He also has a report on the town sewer service area. That is not on the agenda, although he has asked in the past to have all the old business items listed on the agenda. Eben said he and Tom thought the full list could be in the packet, keeping the agenda to one page. Duncan said he would like the list to be on the agenda. Mark asked why he doesn't like just having it in the report. Duncan said because he would like to address an item on the list and how he has to add it to the agenda. Eben said he thinks Duncan's report can go under the old business agenda item because all the old business is listed in the packet under Tom's report. Duncan said the public doesn't see that. After further discussion it was agreed to list all the old business items on the agenda in the future.

3. *Public Comment*

Adrienne Parker asked if the agenda for this meeting was posted 24 hours ahead of time on the website. Eben said it was not properly posted, so every item approved tonight will have to be reapproved at the next meeting.

Adrienne said Sharon Mansfield emailed her and said it would be great if she could mention all the garbage on Railroad Street on multiple properties. Sharon feels the town needs to be active in cleanup and prevention of trash. She said she reached out to Tom and Jason and they said they couldn't help. Eben said he thinks Jason directed her to the sheriff. He understands that she found information in the trash that was dumped on her property and relayed it to the sheriff and it is handled. Tom said he and Jason went there. The trash was outside the town right of way. They suggested she reach out to the sheriff's department. The sheriff's department told her what to do and the situation is handled. The town is not responsible for trash on private property, though if it is a health issue the town may need to intervene. Today he and Jason visited some sites, including Railroad Street. They saw trash overflowing dumpsters in the morning but they had been emptied by afternoon.

Mark said the dairy farmers near Scribner Bridge wanted him to say that they need Scribner Bridge to keep their farm open.

4. *Selectboard Issues and Concerns*

Duncan said it was his understanding that the town would select a vendor for the website and then the village would decide if they wanted to participate or have their own site. He is looking for clarification on the process.

Tom said he was under the impression that the board wanted to get prices and that there was no commitment to redo the website. He and Charles selected a vendor to recommend and Charles will write up a report explaining the recommendation. He thought the report should go to the village and the town. There was a request for this to be on the agenda for the joint trustee-selectboard meeting.

Eben said he thinks Duncan is right. It would be nice to find out in the joint meeting how much the village is willing to spend. Then we can have the report for the next selectboard meeting and make a decision. Duncan said he doesn't want to overcomplicate the process. He thinks the selectboard should make a decision and invite financial participation from the trustees. He doesn't want the trustees to look at all the RFP responses and come to a different decision about which vendor to select. Mike said it doesn't appear that they have reached out for a lot of participation. Eben said they asked for this to be a joint agenda item. Duncan said they previously said they would decide once we found out how much it costs.

Eben said he thinks we will pick the vendor. The joint meeting topic would be whether the village wants to participate 50-50 and what their cap on cost is.

Duncan said if they want more features on the website for their needs that could change the cost. Tom said many of the cost estimates are for the worst case scenario and include extra bells and whistles we may not want. It is unlikely that the village could raise the cost. Charles Flaum said the vendor they chose offers the ability to let customers see their utility bills online. That is something we could add in the future.

Tom said his impression was that if we had the money we might contract with a vendor to update the website now; otherwise we would budget to do after July 1. Duncan said he doesn't think we have money in the budget now.

Charles said the top two vendors were Davis and Town Web. Tom said Town Web felt like the best choice because the site could be scalable as the town grows. Charles said some of the others, including Davis, didn't hit all the points in the RFP. Town Web did, and they are constantly upgrading. With some other vendors we would need to know what upgrades we needed.

Mike asked the cost for the vendor Tom and Charles agreed on. Tom said he thinks it was \$5700. Charles agreed it was around that amount.

Mike said he thinks we need to update the website as soon as possible. Eben said he thinks we should select a vendor at the next meeting. Duncan said he thinks we should just tell the village trustees we are looking at a vendor and ask if they want to participate. They could have influenced the RFP but they declined to get involved in the process.

Adrienne said she thinks the selectboard should advocate for the village to participate in the town website. It will confuse people if there are two different websites to make payments on.

It was mentioned that the joint meeting with the trustees will come before the selectboard chooses a vendor. Eben said maybe we should wait until a future joint meeting to discuss the website.

5. *Committee Report – Planning Commission*

Paul Warden had sent a written report. He noted that it mentions completion of the draft Municipal Plan but the plan is not quite complete.

Paul said a recent small accomplishment was resolving Johnson's ERAF funding status. ERAF is Emergency Relief Assistance Funding from the state for federally declared disasters. There are 3 levels of funding. It came up at a recent Planning Commission meeting that the state had us listed at 7.5%. They were pretty sure that was incorrect. It has been resolved that we get 12.5%. There is another 5% to be had if we want it. There are a couple of different ways get to 17.5%. Ron Rodjenski will review the options for the Planning Commission at their next meeting. The simplest is adopting river corridors. The Planning Commission previously recommended that the town not adopt them because there are places where the river corridor is mapped as wide enough to allow meandering in places where the river would not meander. But it seems clear that river corridors are coming to the state whether we like it or not. He thinks the mood of the Planning Commission now is to explore adopting them and see if we can get someone from the state to ground truth some of the maps and tweak them. How important is that additional 5% to the selectboard?

Duncan said in the past the selectboard has talked about the impact of the maps, which were not very good. They were going to potentially have a huge impact on village residents. But the state is headed toward river corridor planning and mapping. There was pretty strong concern in past about the impacts on the village of river corridor maps and their accuracy.

Paul said another option to get increased ERAF funding is to combine the flood hazard bylaw map and the river corridor map. Duncan said FEMA is going to come out with new flood zone maps at some point.

Paul said the Planning Commission will meet with Ron to get more information and will probably need to come back to the selectboard to ask what the selectboard wants them to do. He will try to come up with a recommendation.

Duncan said LCPC just got a grant to work with a consultant on flood maps and modeling. Tom said we just got a grant that will allow 3-dimensional flood modeling to be combined with work on reconfiguring downtown Johnson. LCPC is handling that.

Paul noted that the Planning Commission has 2 vacancies. He thinks they should be posted periodically. Eben asked if Planning Commission vacancies get advertised in the newspaper. Planning Commission members said they think they should be. Eben asked Tom to do that.

Paul said a short-term priority for the Planning Commission is the Municipal Plan. The current Municipal Plan expired in September so we are currently ineligible for some grants. Other short-term priorities are maximizing ERAF funding and finalizing the Town Sewer Service Area boundaries. Duncan has been working on that.

A medium-term priority is updating the flood hazard bylaws. The current ones are pretty old and don't match all state requirements anymore. Another possible one is a water and sewer line extension plan. It is up to the selectboard to decide if that is something they should work on. They could also consider

a comprehensive review of form based code to consider whether it is doing what we want and is effective. They plan to work with the task forces coming out of Re-Imagine Johnson. It would be ideal to have a task force for each chapter in the Municipal Plan. There may be value in letting the task forces work without being under the thumb of the selectboard or the Planning Commission.

Personally, he would like to have a Planning Commission member on each task force so the Planning Commission would get reports back on what the task forces are doing and the selectboard could see in the Planning Commission minutes what was reported. He thinks it is premature to insert the Planning Commission in an official capacity. He is not sure they have the bandwidth. He and Adrienne are both on the reconfiguring downtown task force. Charlie Gallanter is on the grocery store one and Kyle Hill is on the housing one.

Duncan suggested the Planning Commission could consider applying for a Municipal Planning Grant to update our capital budget plan. It was developed long ago through a Municipal Planning Grant and it is out of date now. He thinks it would probably be a competitive grant application.

It was agreed that the next group to report to the selectboard will be the Historical Society.

6. *CEDS Update*

Randall said this morning he met with 4 members of FEMA's community action team. The community action team had said they were willing to produce a long-term flood recovery plan for Johnson. They have been attending all the Vermont Council on Rural Development Re-Imagine Johnson sessions and taking notes. The idea was always that they would use the pieces they could from the VCRD process but that process would not cover all they need. He doesn't think the selectboard ever formally said that we want FEMA to produce a long term flood recovery plan for us. If we want it, they will produce it at no cost, with no obligation for us to adopt it. It would be assistance equivalent to \$100K-200K. If we have a FEMA-approved municipally adopted long-term flood recovery plan that makes certain funding sources available and others easier to get. Ideally, it would be a town and village recovery plan. If FEMA comes in to talk about it, they would prefer it to be at a joint village trustee and selectboard meeting so they don't have to cover the same things twice.

Eben said he thinks it would be hugely advantageous for the town to have FEMA develop a long-term flood recovery plan.

Paul asked if FEMA requests local input to the plan. Randall said yes; they definitely want local input. They were able to get a lot of community input from the VCRD process. They will engage in further conversation. They will have part of their team at all the VCRD meetings, using that as a vehicle for information gathering and reporting and being available to offer technical expertise to the task forces. It was mentioned today that there is someone who can do preliminary site drawings and sketches for the town at no cost.

Charlie Gallanter asked, after they write the plan, can we edit it? Or do we have to take it or leave it? Randall said they definitely want to produce something of value to the community. They could potentially disagree with something the community wants based on their technical expertise and what they think is technically feasible. They will produce the report and the town will have the opportunity to say yes or no on adopting it. If the town does not approve it he doesn't know if FEMA will address the reasons town voted no.

Peter asked, we would still have the benefit of all their work, even if we don't adopt the plan, right? Randall said yes. But there will be an ongoing conversation. He doesn't think a plan will be sprung on the community. There will be solicitation of input.

Paul asked what the timeline is. Randall said he doesn't know.

Paul asked how we interact with them so the downtown task force doesn't duplicate their efforts. Randall said they intend to have someone at each of the task force meetings in the future. We also need to avoid duplication of efforts between the village and town and task forces. There has been discussion of some throughpoint for communication so everyone is aware of what others are working on, which would include the different task forces being aware of each others' efforts.

Mark said it seems that the bulk of the efforts will take place within the village limits. What if we adopt the plan and the village doesn't want to do it? Do we just overrule them? Eben said FEMA is asking to have direction from both the town and the village that both would like a plan prepared. Randall said FEMA would like the town and village both to approve having a plan developed. His understanding is that it would not prevent them moving forward if only the town wanted it, but it would create complication. Eben said he thinks this would be a good joint agenda topic. We can have a motion at the joint meeting to request that FEMA prepare the plan.

Randall said VCRD is willing to visit and talk about the way task forces from similar processes in other communities have played out. It could be productive to have that discussion along with the FEMA piece at the joint meeting. Eben said he doesn't think that should happen at the joint meeting.

Randall said we are at the point where VCRD normally stops their involvement. FEMA could help with the transition and be an ongoing presence, providing some level of facilitation and expertise. VCRD has not committed to doing anything beyond what they have done, though he thinks they will be present at the next meetings.

7. *Industrial Park Next Steps*

Randall said he will be meeting with LCPC and Pat Ripley of LEDC to strategize about next steps this Friday. They asked for some information from Mumley but they haven't gotten it yet. Eben said we got our Partial Notice to Proceed.

8. *Revolving Loan Fund*

Duncan said he, Randall, Pat Ripley and Victoria Hellwig of LCPC have been discussing the advisability of using the revolving loan fund and the complexities it might add to the process. The general consensus of Pat and LCPC is that trying to tap into it at this point would probably complicate matters more than the benefit of using the money is worth. He thinks the general recommendation might be to try to reserve the revolving loan fund and perhaps target it toward businesses that might want to locate in the industrial park. But there is a clawback provision in our closeout agreement that says if we haven't committed a certain amount of funds the Vermont Community Development Program can request the funds back. The advantage of borrowing from the fund would be that we would meet the lending requirements and avoid clawback. Eben said it would also potentially reduce the tax burden. Duncan said it would lower the bond amount. One complicating piece is that we would need voter approval to borrow. And VCDP has their own environmental review that is slightly different from the review required by the Northern Border Regional Commission. Pat and others are concerned that might increase the complexity of moving the project along. If we don't use the revolving loan fund he thinks we need assurances from VCDP that we can keep the funds and target them towards businesses going into the industrial park. If they say no, that could change how we look

at whether we should borrow from ourselves. Eben said Pat Ripley said he hasn't seen the clawback clause used extensively. Duncan said his suggestion is to work through Randall to reach out to VCDP and get assurances from them.

Duncan said he doesn't think we need to decide immediately about using the revolving loan fund. And he doesn't think we need to immediately apply to the bond bank for a note. If we can defer it a little longer that saves us a little money. He recalls hearing that formally borrowing the money is not a requirement of NBRC, just showing that we have authority to borrow. Randall agreed. The town vote provided that authority.

Randall said if we decide to loan ourselves money and have a vote, that introduces a month delay. He thinks the concern was not so much the environmental review piece as the number of entities involved. The more entities are involved, the more questions may come up that can bog everything down. For instance, we would need to find out from multiple entities if a particular vendor is acceptable.

Eben and Duncan explained to Peter the origin of the revolving loan fund. The town got a grant through VCDP and then the town got 50% of the total amount to use as a revolving loan fund. Randall said we have money in the fund to help businesses but the regulations attached are onerous for businesses that do not have administrative staff to handle the complexities.

9. *Planning Commission and Re-Imagine Johnson*

Eben said he doesn't have an answer as far as what the Planning Commission's role should be in the Re-Imagine Johnson process. There was a recommendation in the Planning Commission report. We will need to talk about it more in the future, along with the selectboard's role. He got an invitation from one task force but it already has 2 selectboard members on it so if he attended a meeting that would be a quorum of the board. That is a hurdle.

Duncan said he doesn't know how to coordinate the work of the task forces with the Planning Commission and the selectboard. For example, we currently have a Swift Current grant application for the grocery store. He is a little concerned that there might be impetus to look for alternatives to that. If the task force works in a way that goes against the application that has been made for a specific purpose that will be a problem for him. Randall said Drew from Pomerleau was at the last VCRD meeting. The people in the room heard directly from him. He addressed the notion of why Pomerleau felt relocation is not economically feasible and explained that they are pursuing the grant. Eben said he shares the concerns about duplication and working at odds.

10. *Planning Commission Town Plan Changes and Final Hearing*

Tom said the town plan hearing is not warned for October 30. The trustees and selectboard need to agree on language at the joint meeting. Paul said after the first version was presented to the trustees they added some ATV language. The Planning Commission edited it but the trustees didn't like the edits, so the Planning Commission edited it again. They added a paragraph titled "ATV trail network."

Eben said he thinks it is important to be able to back the language up with facts. He doesn't agree with some of the added language. Duncan said he questions the accuracy of the sentence "VASA trails in the Johnson area comprise of a 23.37-mile network and are maintained by the Green Mountain ATV Club." He suggests saying something more like "VASA 'trails' in Johnson are primarily based on access to unpaved sections of Class III and Class IV roads as per Town Ordinance. These roads are maintained by the Town of Johnson."

Paul said Meghan Rodier said she got the 23.37 number from VASA. His guess is that it includes roads as well as trails. Tom said the VASA map as shown on the Polaris website seems to have a disconnect with our ordinance. Duncan said that map shows Plot Road as open to ATVs. Tom said there needs to be communication there.

Tom said he thinks Duncan's proposed language is the best. Eben agreed. Mark asked if the trustees have seen Duncan's language. Duncan said not yet. Board members agreed they are comfortable with Duncan's language.

Duncan also proposed changing "All-Terrain Vehicles (ATVs) are an essential part of Johnson's recreation economy." Tom said that is subjective language. Eben said he would be fine with saying that ATVs are a part of Johnson's recreation economy. Paul said the trustees didn't like that. They wanted "essential." There is really no factual basis for that statement. Board members agreed they are comfortable with Duncan's proposal to replace "an essential part" with "a part."

Eben asked if the board is comfortable with the local business wording. He thinks it is rather subjective. Paul said he thinks it is unnecessarily detailed but okay.

Eben asked if the plan needs to be a joint municipal plan. Planning Commissioners said no. Paul said in the past the Planning Commission did a lot of work to combine the separate town and village plans but they could be separate again.

Paul said the language suggested by the trustees includes "An interest exists to find a solution that would provide connectivity between the current trail network and downtown amenities and services." There is interest from the ATV club but a significant portion of the town is also interested in not having that happen. He thinks we should acknowledge the debate.

Tom asked, if everyone agrees on the entire plan except for this paragraph and we have separate town and village plans that are the same except for one paragraph, what are the ramifications? Paul said he has no idea. Duncan said it is not as simple as the town adopting one plan and the village adopting another. The town and village voted to create a joint planning commission. He thinks part of the reason for that was inability of the village to find members to serve on the village planning commission. He thinks we would have to undo the action of having a joint planning commission. Eben asked, you don't think the joint planning commission could prepare separate plans? Duncan said the intent was to have one municipal plan. He doesn't know what the ramifications are if the selectboard adopts the plan recommended by the Planning Commission and the village trustees don't. Paul said the village also will not be able to apply for certain grants until they have a plan. Duncan said he is not sure if they are eligible for Municipal Planning Grants.

Peter asked if it is possible to have a conversation about the wording at the joint meeting. Eben said he thinks we should take the wording we are happy with and ask them if they agree to it. He is expecting to hear no but they might say yes. We could ask the trustees to provide facts to back up the statement that ATVs are an essential part of Johnson's recreation economy. Peter asked why nothing else is referred to as essential. Mike said the dictionary definition of essential is "absolutely necessary or extremely important." He feels ATVs are not essential. Paul said he would hope that at the joint meeting the two boards could come up with an acceptable substitute word or delete it.

The board agreed Tom should send a memo to the trustees about the changes the selectboard agrees on and suggest discussing this at the joint meeting.

Duncan suggested changing “An interest exists to find a solution that would provide connectivity between the current trail network and downtown amenities and services” by changing “solution” to “mutually agreeable solution.” Donna Griffiths said she doesn’t think the word “mutually” should be used unless it is clear which two parties would mutually agree. After some discussion the board agreed not to recommend that change.

Eben asked, if we are told the trustees don’t want to accept the selectboard’s language, where do we go from there? Mike said the town adopts the plan on its own. Eben asked, do we need someone to research the logistics of that? Mark said he is in favor of us having our own plan.

Charlie Gallanter said the town developed form based code and the trustees did not buy into it but it was adopted by the town even though it only covered parts of the village. He doesn’t see creating a joint planning commission as relevant to whether we have one or two plans. Duncan asked if he is suggesting two separate plans would be fine. Charlie said yes. Tom said he will check on that with VLCT.

11. Form Based Code

Eben said we had asked the Planning Commission to make amendments to form based code for flood mitigation efforts and they declined. We asked them to reconsider and they decided again to decline. One of their reasons was the amount of flood storage that would be taken up and one was that they feel it does not make sense to rebuild in the same spot expecting a different outcome. He believes the selectboard has authority to make amendments to the code. We need to decide what to do.

Duncan said he thinks it is worth checking with VLCT on what that process would look like. He believes form based code was adopted as a type of zoning regulation as opposed to an ordinance. If that is correct, he believes this board can propose a change. We would have to provide copies to the Planning Commission and they could review and comment. We would have to have one or two public hearings, then the selectboard could choose to adopt or not adopt the changes. He thinks there is no appeal period. If we adopt an ordinance then there is an appeal period.

Tom asked, form based code was adopted by Australian ballot, right? Duncan said it was an advisory vote. Charlie Gallanter said then there was a petition and an Australian ballot vote. Duncan said the legislature changed the statute so now zoning changes are adopted by the selectboard, not a vote of the voters. Eben asked if Tom can follow up with Rosemary on the petition and Australian ballot vote.

Charlie said Pomerleau is planning on conforming to form based code so they can live with the code the way it is. Under form based code the DRB has broad authority to change provisions and approve plans. Paul said the advice we have been given is that if we want to allow something that does not conform to the code we should change the code rather than letting the DRB approve it or we are setting ourselves up for legal issues.

Duncan said he thinks amending form based code can be relatively simple. We can add a sentence saying the DRB is empowered to review and approve designs based on flood mitigation design requirements. He suggests saying the deviation from form based code shall be the minimum necessary. He believes it should be done and if the Planning Commission is not interested in doing it the selectboard should.

Mark asked if the public will need to vote. Duncan said we should ask Tom to find out. But he doesn't think at this point in time it matters whether form based code was adopted by Australian ballot because current statute doesn't require an Australian ballot vote.

Paul said one of the Planning Commission's objections has to do with compensatory floodwater storage. If a wall is put up around the store, you are displacing water that has to go somewhere. If it floods one more home, have we served the public good? Mike said he feels the amount that would bring the water level up would be miniscule. The Planning Commission is putting a wrench into the works of bringing the store back. He thinks most people in Johnson want the store back.

Adrienne said most people at the Re-Imagine Johnson meeting said the store should not be there. Paul said that is true. At the opening session of Re-Imagine Johnson, one question they asked was whether the market should be rebuilt in the same location and a majority said no. Mike asked how many people were there. Paul said 50 to 100. Mike said he thinks the vast majority of residents did not go to the meeting and would like the store back. Paul said if it is true that the current location is the only option he thinks a lot of people would change their vote. Peter said the question was asked in the context of flood resilience and in that context people agreed it did not make sense. Duncan said it could also be asked whether people would approve going back to that site if it could be mitigated so it didn't flood.

Eben asked if the board wants to change form based code. Peter said he would like to learn more. Mark, Eben and Mike all said they are supportive. Duncan said if the board is willing to entertain the basic concept he presented, he can flesh it out with specific language. Board members agreed they are comfortable with that basic concept.

12. Scribner Bridge

Eben said the conversation tonight is about anything the selectboard would like to have in the scoping study, not necessarily what would be done with the bridge. This is so a future board could use the scoping study to get grants. We couldn't seek grants for anything not in the scoping study. His goal for the bridge would be to repair it.

Duncan said the first scoping study included the option of removing the bridge and relocating it. He is not advocating for that, but if it is not in the scoping study it won't be an option.

Mike said we are going to fix the bridge, no ifs, ands or buts. We are not going to spend a ton of money doing it. We will get some welders to give us a price and then we will get carpenters to put wood on. Fixing it is not rocket science. We could have fixed the bridge long ago with the money spent on studies.

But that doesn't fix the flooding, Duncan said. Mike said we have already taken care of that. We have rock on the other side. If it washes out again it won't take all the gravel it took before. And we will just put it back. Tara Smith said in the last two floods nothing has happened to the rock. Since it was fixed well, it has stayed strong.

Eben said he is in favor of repairing the bridge but not opposed to including removal of the bridge in the scoping study. Mike said he thinks the majority of people in the community do not want the bridge gone so it is a waste of time to think about it. Tom said we can use the study to justify that opinion, so when we apply for grants we can say the scoping study found the community is against removal so it

is not an option. Eben said bridge replacement is already in the scoping study. We could add the option of getting rid of it and returning the channel to its natural state. All that would do is give the future selectboard that option. Peter said he cannot imagine any scenario where he would want to see the bridge removed, but if adding that to the scoping study will help us get grants he is okay with it.

Tom said he will reach out to see if this option can be added to the study to justify the other options. He thinks we can have the results of the study in 2 to 4 weeks.

Tara said the bridge hasn't really been maintained. Tom said the road foreman brought up recently that that needs to happen before winter. Eben said we budgeted \$19K for bridge contracted services. He thinks the board would be interested in knowing what it would cost to repair the siding. Mark asked if Jason could put together an estimate. Duncan said at the last board meeting he believes we asked Randall to investigate grants. Eben said he thinks the boards could be repaired relatively cheaply.

13. Review of Library RFP and Location Decision

Tom said he hasn't put together the RFP yet. Kelly Vandorn will be meeting with another mover on Thursday. So far they have heard different things from different companies and he wants to get information from another company before putting out an RFP. The two companies we have spoken to so far have said different things regarding who works with the utility and how that is done. One company expected we would add fill and grade and the other did not.

Duncan said he thinks there are two ways of approaching it. One is to put out an RFP saying the contractor is responsible for doing everything required to move the building. The other is to come up with a detailed set of bid specs, which he doesn't think we could do.

Mark asked what the deadline for using the grant funds is. Tom said December 31, 2025.

The board reviewed site plan drawings by Mumley and Howard Romero. Mumley showed two possible locations, on the east and west ends of Legion Field. Mumley feels either location is very feasible. Mark said he is in favor of the eastern location, on the alumni lot. Howard Romero said the Tuesday Night Live Committee approves of the eastern location and not under any circumstances the western location. Mark brought up the possibility of deed restrictions from when the college gave the town Legion Field. Board members agreed they would like to see the building on the alumni lot and are not supportive of the western location.

Duncan said he knows the building is shown up against the street to conform with form based code but George Hill Road is also a town highway and there is a longer street front there than on School St. He feels the building should be pushed to the back of the lot as much as possible. Mark said he would tend to agree. If the front of the building is up against the street and people are parking on the side, will we put in a side entrance? Howard said a major tenet of form based code is that parking should not be in front of buildings. Duncan said it depends which road we consider the front.

Tom asked if he can put out an RFP for architectural services. That will do three things. The architect will work with Mumley for final permitting, do structural engineering for the building, and address which street the front of the building should face, where the parking, addition and porch should be, etc.

Mike said he likes Howard's layout better. Howard said we will need an elevator. He chose to put the entrance in the middle of the two buildings and not at the end like Mumley. Duncan said he likes Howard's parking layout better.

Charlie Gallanter suggested thinking about how form based code applies to the library when the selectboard is looking at changes to form based code.

Peter moved and Duncan seconded to authorize Tom to prepare an RFP for architectural services and send it out upon approval from the selectboard chair and vice chair. It was agreed to send the RFP to Howard as well. **The motion was passed.**

Eben asked about the library board's thoughts on location. Kelly Vandorn said they feel they need more information. They are interested in identifying the very best place on Legion Field for the library. She feels they need professional advice. They don't want the library in a place where there would be drainage issues from the hill behind it or flooding because it is in the 500 year flood zone. They are not emotionally attached to either location. They feel they need advice from an architect. They want to cooperate with the selectboard. They would like to know what the selectboard expects from the library trustees. They are elected to oversee the building. In the past they always arranged for bids and selected contractors. With the town involved in the grant they are not sure what their role is and how the board would like them to help.

Duncan said his understanding is that the town owns the building and the lot. The town is ultimately responsible for repairs. At the last meeting he threw out the concept of possibly turning the building and lot over to the library.

Kelly said one of the moving companies asked who our construction manager is. Most big jobs like this have a construction manager. She feels we need someone like that overseeing the project who is qualified to make decisions. Tom said once an architect is in place Mumley and the architect can define what part of the scope is lacking and that is where a general contractor will fit in. He thinks we need advice on the process from both the engineer and the architect.

Duncan said we will need to decide whether we are going to come up with design specifications or use a design build concept where we give a basic layout and the contractor designs the building. Mike asked which gives us the best deal. Duncan said some people have really good luck with design build. We did that on the fire station, but he doesn't think it worked out that well. There were a lot of cost overruns. Eben said design build can be cheaper but is more profitable on the contractor side.

Mark said he hopes the library trustees will weigh in on the design. Kelly said they are really committed to trying to preserve the historical aspect of the building. Mark said it would be nice to have the addition blend in with the old building.

Howard said a quality architectural firm will make recommendations at the start about the project. They should be able to help us answer most questions.

14. Arboretum Path

Tom said Sue Lovering would like to put in a 4 ft. staymat path in the right of way. Right now is the best time for the road crew to do it but they don't have the material. We would have to buy it. It will cost about \$2000 to \$2500. We can either wait and do the path next fall using milling from paving or spend money now to buy material.

Mike asked, we can't buy milling cheaper than staymat? Tom said he and Jason did not discuss that. Millings pack better than staymat. Eben asked, we can't ask another town if they have milling? Duncan suggested checking with Pike. Tom suggested the board could approve up to \$2500 and if we use milling the price may be more like \$1000.

This item was not budgeted. Tom thinks we would overspend in the arboretum line. Eben said he would rather see us budget \$2500 for next year.

Duncan asked if anyone has contacted the owner of the house. Sue said she has given permission for work to be done there. Duncan asked, everyone agrees about where the path will be located? Sue said it will be right down the middle of the right of way. Duncan said he believes the deed is not explanatory about where the right of way is. It would be good to get the owner's written consent as to the location of the path. Mark agreed.

Eben asked, could it wait until next year? Sue said for 4 years people have been standing on the sidewalk under the sign wondering how to get to the arboretum. The Tree Board has wanted to address it and now they have a chance.

Mike moved and Peter seconded to spend up to \$2500 on material for a path to the arboretum. The motion was passed with Mike opposed.

Eben said we need a signed agreement from the owner. Tom said we won't spend money until we have a signed agreement.

15. Town Sewer Service Area

Tom handed out a map showing proposed new Town Sewer Service Area boundaries. If there is any parcel that was partially in the Town Sewer Service Area, this puts the entire parcel within the TSSA. Mark asked if Paul is okay with that change. Paul said yes. This is a pretty limited expansion, only affecting parcels that were already partially included. Duncan said it is quite a bit of additional area. Mark said we are increasing the value of some acreage. Duncan said he can bring back a more detailed map for the board to approve if the board is okay with the concept. Board members agreed they are okay with the concept.

16. Kennel Update

Tom said he has gotten no response from Hyde Park. He talked to Crystal. He has concerns about whether she would be able to do the work needed to add kennels on her property in a timely fashion. He asked her to provide more information before the next meeting. Or should we move forward with Hyde Park? Eben said he doesn't think the board ever prevented Tom from moving forward with Hyde Park. Duncan said he thinks the board suggested a general preference to go with Crystal if she could get a kennel set up. Tom said she will take 2 more weeks to put numbers and timelines together and report back. Eben said he would like to hear back from Hyde Park.

Eben said today we got a bill from Hyde Park for a surrendered dog but Tom directed them to seek payment from the sheriff's department. Tom said the dog was seized in a cruelty case and brought to the shelter by the sheriff. Hyde Park billed Johnson because the dog was from Johnson but he sent our ordinance showing that the dog was not seized under our ordinance and asked that they submit a bill to the sheriff's department.

17. Joint Meeting Agenda Items

Mark asked if we should start talking to the village about Rosemary's succession plan. Tom said they have started talking about it in the office. Mark asked if we should inform them that we are planning on having a town vote to appoint the next clerk. Eben said he doesn't think we need to inform them. Duncan said they already voted to appoint rather than elect.

Tom said Rosemary brought up that village and town holidays are different. It would be easier if they matched or if there were two separate personnel policies. The way it is now creates resentment in the office.

Mark asked which employees are shared with the village. Eben said no one is shared. There is reimbursement for shared services. Duncan said everyone is either a town or a village employee. Eben said Rosemary and Susan work 60% of their time for the town, Marla works 20% of her time for the town and Lydia works 60% of her time for the town. Rosemary, Susan and Lydia are town employees and Marla is a village employee. Duncan said Rosemary is an elected official. But her paycheck comes from the town, said Eben. Duncan said she is subject to most aspects of the personnel policy.

The town has two floating holidays and instead of those the village has Indigenous People's Day and Presidents' Day. Tom said matching holidays would be the easiest. Mark said whatever we do for office employees we also have to do for the road crew. Tom said they have their own union contract with holidays specified by the contract. Eben said the only reason the village gave the additional holidays to office employees was because the union contract had them.

Eben said he thinks we have a very generous combined time off policy. Mark agreed. Duncan said if people wanted to take Indigenous People's Day off they could. Eben said he is not in favor of talking about holidays at the joint meeting. Others agreed.

Eben said the previous boards set next year's pay increase based on last year's CPI so we have already budgeted for that increase. At the joint meeting we need to see if we want to go with what we already agreed on and formalize it.

Health insurance is a suggested agenda item. Mike asked if we are going to talk about self funding. Eben said we asked Tom to work with Erik Bailey on options. Tom said they have a suggestion of an immediate change leading to savings. After union negotiations in the spring they can bring a proposal for a plan that will save money.

Duncan said he wants to see any health insurance proposals on paper before they are discussed at the joint meeting. Tom said the idea is to make MVP the standard instead of Blue Cross Blue Shield. There is also a more comprehensive plan but Erik is uncomfortable implementing that until union negotiations are completed in spring so everyone can transition at the same time. The boards will get both ideas and maybe more before the joint meeting.

Other proposed agenda items include AC at the town office and clock tower repairs.

Duncan asked if we should talk about ownership of the municipal building. At one joint meeting the trustees were conceptually amenable to us owning the building and then paying rent. Mike said he thinks they changed their mind. Eben said he thinks we can talk about interest in ownership of different buildings as well as the joint 180 acre parcel.

It was agreed to talk about the possibility of the town purchasing the 20% of the backhoe that the village owns. Eben said he thinks if they want to sell us the 20% we should get it professionally appraised and give them 20% of that amount.

Eben asked to add the joint municipal plan and the FEMA long-term flood recovery plan as agenda items. He asked Tom to see if Randall can be there.

Board members suggested starting the joint meeting at 6:00 pm.

It was agreed to add discussion of a holiday party to the joint meeting agenda as requested by Susan.

18. Budget Process

Duncan said he thinks it is a good idea for two board members to work with Tom to prepare an initial draft. Eben and Duncan volunteered to work on it. Duncan asked if the board wants to set a target for the total budget increase. Tom said the cost of living increase is 2.5%. Mark said he is thinking we should shoot for that.

19. Old Business

Board members suggested removing from the old business list ATV ordinance, drainage clarification in village, communication to the public, and library as needed and changing “NBRC with a positive bond vote” to “industrial park.”

20. Rail Trail Committee Liaison Request

Duncan said Doug Molde would like us to assign a selectboard member as liaison to the Rail Trail Committee. Shayne Spence was the previous liaison. Peter said he wishes he could do it but he has a conflict with their meeting date. Mark agreed to be the liaison.

21. Executive Session - Personnel

Mike moved to enter executive session with the board only for evaluation of an employee under 1 V.S.A. § 313(a)(3), Peter seconded and the motion was passed at 10:09. The board consented out of executive session at 10:33 with no action taken.

22. Adjourn

The meeting was adjourned at 10:34.

Minutes submitted by Donna Griffiths