

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, JANUARY 6, 2025

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

Others: Tom Galinat, Rosemary Audibert, Casey Romero, Charles Flaum, Charles Gallanter, Paul Warden, Margo Warden, Justin Mason

Note: All votes taken are unanimous unless otherwise noted.

1. Call Meeting to Order

Eben called the meeting to order at 6:37.

2. Consider Additions or Adjustments and Approving Agenda

Tom added highway mileage certification. Eben added potentially approving website cost. Duncan suggested moving the budget update item to be #10 on the agenda. Tom said the industrial park item is not needed.

3. Public Comment

Charles Flaum said he and Tom discussed Town Web costs. He recommends getting the basic package for \$2620 plus an \$1800 setup fee.

4. Selectboard Issues and Concerns

No one brought up any issues or concerns.

5. Consent Agenda (Minutes of December 2, 16 and 23)

Mike moved to approve the minutes of December 16 and 23, 2024, Pete seconded and the motion was passed with Duncan abstaining because he had not yet read the December 23 minutes.

Mike moved to amend the December 2 minutes to change “Mike wasn't on the selectboard then and didn't know about it” to “Mike was in Afghanistan then and didn't know about it.” Peter seconded and the motion was passed.

6. Funds from the Sale of Lamoille Grammar School

Rosemary said in 1983 when Chesamore Hall was sold we got a check for over \$6000. We have had the money invested. At one point we sent a check to the school district for \$761 but nothing has been sent to the school since then. Currently there is about \$6900 in that account. The Town of Hyde Park has sent the money they got from their school sale (the total fund including interest) to the school district. Morristown and Cambridge are looking into doing the same.

Peter read from the relevant state statute, which says the amount received from a school sale shall be held and invested for the benefit of the town school district. Why would we want to keep the money? Duncan noted that there is no town school district anymore. Mark said he would argue that the Lamoille North Modified Unified Union School District is our town school district. Peter asked why we would want to keep the money if it was intended to benefit schools. Duncan said you could argue that the school district is only entitled to the interest. But probably we should give the whole amount to the school district.

Duncan moved to convey the sum of money in the Union Bank account resulting from sale of the Lamoille Grammar School directly to the Lamoille North Modified Unified Union School District for their use and benefit, Mark seconded and the motion was passed with Mike opposed.

7. *Delinquent Tax Report and Tax Sale Implications*

Rosemary showed the board a report on delinquent taxes. She recently attended a class on tax sales. There have been several changes to the law. We have to wait at least 12 months since the last installment was due to go to tax sale. Many more notices have to be given to people. The recommendation is not go to tax sale for any past due amount less than \$1000 because the attorney only gets 15% and would bill the town for the difference. The advice was that the town should only buy a parcel up for tax sale if there is nothing built on it. It was recommended not to put property up for tax sale if a reasonable payment agreement is in place. It was suggested that it would be reasonable to require that all current taxes be paid and for the agreement to be only for delinquent taxes. We are advised to send a certified letter and regular mail at the same time because some people will not pick up certified mail. If the letter is returned we can stick a notice on a tree at the property and take a picture of it.

Rosemary suggested waiting until closer to May, when another group of people will have passed the 12 month period, and then putting all the delinquent properties up for tax sale. The board agreed to that. Rosemary said there will need to be a motion from the selectboard authorizing the delinquent tax collector to contact the attorney to start the process.

8. *Clerk & Treasurer's Report: Warrants, Licenses and Any Action Items*

Rosemary said she created three new funds: one for the industrial park, one for the river stabilization grants and one for the library grant. Tom said he would recommend 5 separate accounts, for the industrial park, the Vermont Electric Coop stormwater project, Holmes Meadow, the Lendway Lane USDA grant project, and the library grant, because of the amount of money involved and the different funding pools for these projects.

Eben asked board members with ideas about the dedication for the town report to email them to him.

9. *Road Foreman Report and Any Action Items*

Eben read the report from the road foreman. Recent accomplishments included fixing the sander on the salt truck. Current projects include putting new tines on the yolk rake and cutting brush. Upcoming work includes winter road maintenance and training. The Ram 3500 is at the dealer for a transmission issue.

Mark asked if Jason went to look at the mower for sale. Eben said no, it was sold.

10. *Clerk & Treasurer's Report: Warrants, Licenses and Any Action Items (continued)*

Rosemary asked for suggestions for the cover of the town report. Some suggestions were offered. Eben suggested that people bring up ideas at the January 9 meeting. Eben asked Tom to set a reminder for next year to talk about a photo contest for the cover of the town report.

11. *Possible Approval of Town Web Expenditure*

Eben said he had sent out information about Town Web costs. The board previously moved to use Town Web for the website.

Mike asked if there is a yearly maintenance fee. Charles Flaum said it is included in the \$2620 cost. Mike said that is a pretty big charge. Didn't we have some proposals with a yearly fee that was a lot less than that? Charles said they were among the lowest. Mike said he thinks the village is paying less. Charles said they are paying \$2500 but they will basically just have information pages on the fire department and utilities.

Mark moved to authorize spending \$4,420 to have Town Web set up the town website and to authorize the town administrator to sign the contract with Town Web, Peter seconded and the motion was passed with Mike opposed.

Tom asked if the expenditure is going to come out of the current year's budget or next year's. The board agreed it should come out of this year's.

12. *Library Relocation*

Tom said he spoke with Dylan Laflam from the school district. He and Dylan agreed that the town's attorney and the school district's attorney should get together and work on the property transfer. The building mover and the architect will be getting in touch with each other soon to put together a budget plan for a general contractor.

Duncan asked if Tom could provide a written report to the board about plans for the municipal building and the village wastewater treatment facility. Tom said just before Christmas all the potential funders met with the village to talk about how to move or renovate the wastewater treatment facility. Everyone agrees it would be best to move it to the municipal building property. The only holdup is funding. There is still a possibility that it will move. If they can't find funding it will be elevated on its current site. If FEMA approves relocation they will authorize a certain amount and if the project goes over budget they will not pay any more. If the building is elevated on site they will cover over-budget costs. Duncan said the municipal building is jointly owned and what happens on the site is not solely up to the village and its funding entities.

Charlie Gallanter asked if a floodplain permit is needed for the library relocation. Tom said the new location would be outside the 500 year floodplain. Charlie asked, the proposed new smaller floodplain or the one currently in effect? Tom said we have to work under the one that is currently in effect.

13. *Budget Update, Questions for Board, Directives for Administrator*

Tom said the amount of cash on hand for the board to delegate has been established to be \$210,198. He lowered the amount budgeted for paving to match the 4-year grant cycle. The current budget increase is 3.98%. He and Jason are trying to match our paving to the 4-year grant cycle. Instead of planning it by road they want to plan it by segment. We will get a \$175K grant every 4 years. There is a 20% match. If we raise \$75K a year that would give us \$300K plus the \$175K grant so we would be able to spend \$475K on paving every 4 years. With that type of paving plan our tax rate will stabilize. Jason will be getting a price from Pike on Thursday for the paving he has planned for this summer. Instead of deciding what work should be done and budgeting that amount of money, the idea is that we would have a set amount budgeted and we would make the work match the amount budgeted.

Duncan said we are reducing the amount we are budgeting annually for paving by \$35K. Tom said by doing more work at one time we can save money. Eben said the reduction in the amount budgeted annually concerns him a little. Duncan said he doesn't think we budget enough to pave the roads we have. He wonders why we wouldn't at least keep the contribution to the paving reserve at the \$110K it has been the last few years. It was agreed to increase it.

There was discussion about how the budget will show the cost of a paving project and the revenue being used for it.

Duncan asked, we will be eligible for a Class 2 paving grant in 2026? Tom said he believes so. Duncan asked that will be \$175K? Tom said yes, with a 20% match. Duncan said the budget doesn't show a paving project. Tom said Jason still needs to get the numbers for it. He will learn on Thursday from the quote he gets how many feet of reclamation, shim and overlay and total rebuild we can do.

Duncan asked if Tom is thinking the \$12K for annual maintenance would be added to the total paving budget. Or would some be saved out for other maintenance? Tom said he thinks it makes more sense to leave it out for other maintenance. We can always add unexpended amounts to the paving reserve contribution. Duncan said he thinks it is a good idea to have it available for other maintenance.

Tom said Justin has recommended budgeting 4-8 hours additional a week during the reappraisal time. Does the board want to budget for the whole reappraisal process now or spread it out over the next few years? Mark said he wants our tax increase to be lower than 5%. Eben suggested spreading it out.

Tom said if we increase paving to \$110K and take \$10K from reappraisal to reduce taxes we are at a 5.12% increase.

The board discussed possible allocations for cash on hand. Eben said he thinks we should put money in the tax anticipation reserve fund. He doesn't know if we need an extra \$10K in the grant match reserve fund. Tom said the rail trail committee has some grant applications out and will need about \$10K for the town match. We can budget that as expense or we could use the surplus from last year to reduce the amount to be collected from taxes, reducing the tax rate.

Charlie Gallanter said he went to the last rail trail committee meeting. Doug Molde said the committee had grants to cover their match and didn't need any matching funds from the town. The \$10K they talked about was for their committee expenses. Tom said he had a different understanding. Duncan said he thinks we should probably hear from the rail trail committee.

Eben said he would like to use \$140K of the cash on hand to reduce taxes and also reduce expenditures to get to the tax increase we want. He thinks committees need to decrease expenses. He doesn't only want to use cash on hand to trim percentage increase.

Tom said we never established a specific goal for the percent increase. Committees have no direction. If we gave them a maximum increase then they could make their own recommendations to cut their budgets.

Mark said we are dealing with \$47K less in PILOT money. We have a revenue problem. He feels committee expenses are a very small part of the whole budget.

Tom said the largest categories in the budget are highway, emergency services, office and office employees.

The board discussed the possibility of asking Roger Marcoux to cut the sheriff's department budget. Mike suggested asking the voters to decide if they want the town to maintain a contract with the sheriff or go with the state police. Eben said he is not in favor of that. Mark said the

sheriff's department used to spend a lot of time dealing with college students in Johnson but that is no longer the case. Tom said Johnson does have more calls than the other two contract towns.

Tom said there is a proposal for the legislature to adjust the formula for PILOT, which could give us more revenue.

The board discussed possible ways of reducing the budget. Eben said the library's revenue goes down every year and their expenses go up every year. Tom said their expenses are higher now because they are paying to maintain two locations. Duncan suggested they could put out a plea to patrons for donations.

Duncan suggested ticketing more speeders would bring in more revenue. Mark said he is against trying to raise money by ticketing speeders. Tom said that disproportionately affects lower income people and keeps people from getting to work.

Mark said he would keep the amount of surplus used to reduce taxes at \$150K, not \$160K as suggested by Eben.

Duncan said he thinks it is important to look at the capital plan.

Justin handed out information on his proposed budget. He added \$3120 to the budget for sending out and dealing with property information forms to be mailed out to all property owners, asking them to report changes that might increase or decrease their property value. There would be additional cost for mailing the forms and visiting the properties.

Duncan asked if he thinks that needs to be an annual event or if we could do it every other year. Justin said we could do it either way. If we do it annually we would have a postage cost annually but we would probably have fewer reports to deal with at once. The Town of Alburgh does this and they get about 50 back. Duncan asked if we could combine this with another mailing such as annual property tax bills. Justin said the postage cost would be \$989 to \$1102. He is open to sending them out with tax bills.

Justin said his budget includes an assessor assistant. The person who helped him out in the fall was getting \$20/hr. She is requesting \$25-27. Her skills are appreciated but not necessarily needed for this position. We could potentially pay less for someone else.

Eben suggested we could drop the amount budgeted for contracted services from Terri Sabens. Justin said he talked to her maybe twice this year regarding Johnson. He seldom needs her assistance.

Justin said he budgeted for an additional 4-8 hours weekly during the reappraisal.

Eben asked how reappraisals are handled in the interlocal agreement. Justin said the reappraisal itself is not part of the interlocal agreement but his work on it is. When Hyde Park starts theirs, their share in the interlocal agreement will go from 8 to 12, so as a Johnson employee he will go from 30 to 34 hours. Duncan said Hyde Park will pay for the extra hours. Tom said when the 5 towns meet it would be great to be sure we are on same page about reappraisal hours and how overtime is handled. Duncan said he thinks the current interlocal agreement deals with overtime.

He thinks it says the town responsible for it pays it. Justin said he thinks the benefit ratio would be the same but the proration would change. If he goes up to 32 hours he thinks that changes his eligibility for dental or vision. Time off is another issue that hasn't really been addressed.

Justin said to let him know if the board wants to increase compensation for the person who was his assistant or readvertise for someone with less expertise.

14. Town Meeting Warning Article Review

The board reviewed the draft warning Tom had prepared. It includes articles about eliminating some positions. He thinks we can eliminate the Plot Cemetery agent, the Whiting Hill Cemetery agent, the trustee of public money, the grand juror and the auditors.

Tom said the library is reviewing the language for their article. They may have a recommendation.

Rosemary said David Williams had some concerns about where the budget article was on the warning last year. He wanted it later. Tom said he sent David a draft. He will ask him to review the order and make suggestions. Rosemary said she thinks he wanted allocations that would increase total expenditure, like the one for River Arts, to come before the budget.

There was discussion about the money the library trustees have control over. Tom brought up the question of whether they need to follow the town purchasing policy when spending the funds they have control over. His advice is that they should be required to.

Eben asked Rosemary's thoughts on the articles about appointing the town clerk and town treasurer. Rosemary said she thinks if there is going to be an article about appointing the treasurer there might as well be one about appointing the town clerk. If the board hires a treasurer we know they are qualified for that position. If they are elected, they may not be. Eben asked if she thinks the clerk should be appointed as well. She said yes.

Eben suggested adding verbiage to the article about establishing a reserve fund for Class 4 road maintenance so it allows funding from sources other than unspent funds. We don't want to tie future boards' hands. Tom said we only need to state how the reserve fund will be funded the first time. After that it is the selectboard's decision every year how to fund it. Eben said we have been operating under the wrong premise for a long time. He still suggests making a change to the language.

The board discussed some changes to the wording of the advisory article about dividing and potentially selling joint town-village property. Charlie Gallanter asked why the article is needed. The town can do this without the article. Duncan said we don't want to put work into this and then have people say, "We didn't ask you to do that." Mike said he doesn't think this will go far. He thinks negotiations between the town and village will be difficult. Board members agreed they would not want to pursue subdividing the property if the voters were not in favor of it.

Peter suggested having the items that it is most important to get input on earlier in the meeting and less critical items after lunch.

Mike said he does not feel we need to have state legislators interrupting the meeting to speak. Charlie Gallanter said if one town resident objects to them speaking then they can't speak. Mark said he thinks we ought to let them speak this year. We are talking about reductions in PILOT

money. It might be good to have the people responsible for that speaking to us. Eben suggested that we could tell the legislators a good time for them to show up.

Margo asked why the selectboard is planning to warn an article on amending the ATV ordinance. Eben said to get feedback from the voters. Mark said it is advisory. Margo said it was suggested at a previous meeting that the ATV club should be asked about what they want. Many citizens of Johnson have spoken about ATVs. Why did the selectboard feel the ATV club should be asked what they prefer? She pointed out that the American Academy of Pediatrics calls on pediatricians to advocate for ATV safety and efforts to repeal laws and ordinances that encourage unsafe behaviors such as use of ATVs on public roadways. They point to the number of injuries and deaths, especially of those under 16. And the Consumer Federation of America says ATVs are not designed for on-road use. A study reinforces that use on roads is dangerous no matter the surface type. She is concerned about bringing this question to town meeting in the absence of education and information.

Paul said currently task forces are putting a lot of effort into reimagining Johnson. Pulling out one very slim but controversial issue that changes what Johnson looks like seems out of context with all the other efforts going on.

Margo said issues of noise and disruption have previously been brought up. It affects property values if ATV use is opened up on a road where it was not previously allowed. Eben said it could increase or decrease property values. He looked at other towns that opened up road to ATVs and it didn't increase or decrease their grand list. Paul said for some people it would decrease enjoyment of their property.

Duncan said he would like to pull this article from the warning. Peter said he can't support opening up every road in town to ATVs. He is would be in favor of removing the article.

Mike said he talked to some ATV club members after the last meeting who were in favor of the article but he didn't have a lot of conversation about it.

A majority of board members agreed the ATV ordinance article should be removed from the draft warning.

Mike said in 2020 he suggested the idea of a budget advisory committee and the board wasn't behind him but we put it on the warning. There is a budget advisory committee in Cambridge to assist the selectboard. It is made up of businesspeople like accountants. He doesn't know why the previous board was against this. They didn't really speak to the benefits of it at town meeting so it failed. He thinks it would be a good vehicle to assist the board with budgets.

Eben asked, does it even need to go to town meeting? Can't we just form a committee? Duncan said there is specific statutory language about budget advisory committees. Once a committee is established it is has a life of its own. He thinks that is why some board members didn't want to establish it. They didn't want their hands tied. He thinks there was a perception that they would be faced with a budget developed by people other than themselves.

Eben said he is open to the idea. He doesn't know how much traction it will have. Tom read from the relevant statute. Eben suggested researching this and including an article on it in the next draft

of the warning. Board members would be appointed, so the article would be to have the selectboard appoint a budget committee.

15. RFP Review for HVAC

Tom said one contractor did not do a site visit but reviewed pictures. He thinks the HVAC system can probably be repaired. Everyone else suggested replacing it. That contractor did not respond to the RFP. Can he get him to come back and provide an estimate? Board members said yes.

16. Old Business

The board did not need to discuss old business.

17. Highway Mileage Certificate

Tom said nothing has changed on the highway mileage certificate. **Mark moved to approve the highway mileage certificate, Peter seconded and the motion was passed.** Duncan asked if we verified that the certificate shows that all of Lendway Lane is Class 3. The map previously showed that part of it was Class 4, but it is not. That is important because we need to get the full dollar amount for mileage. The board asked Tom to verify that the Lendway Lane mileage is correct.

18. Town Employee Organization – Clarification and Possible Restructuring

Tom said currently some town employees are supervised by the town clerk, some are supervised by the selectboard and some are supervised by the town administrator. It sometimes creates resentment or dysfunction when we ask them to work together when that is not in their job description and there is no clear understanding of the chain of command. There should not be three different top tiers. He feels specific examples need to be discussed in executive session. He thinks the time to make any changes would be when Rosemary leaves. Now is the time to think about it. Mike asked if there is currently a problem. Tom said he thinks there is lingering confusion. Mark agreed that when Rosemary leaves would be the time to make any changes.

19. Executive Session for Employment Evaluation

It was decided that an executive session was not needed.

20. Adjourn

The meeting was adjourned at 10:18.