

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, OCTOBER 8, 2012

**Present:**

Trustees: Gordon Smith, Ellis O'Hear, Walter Pomroy, Chris Parker

Others: Duncan Hastings (Manager), Rosemary Audibert (Clerk), Steve Towne, Tom Elwood, Lois Frey, Dean West, Linda Jones, Bobbi Rooney, Bill Loscomb, a citizen who received a parking ticket

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

**1. *Call to Order***

Gordon called the meeting to order at 4:08.

**2. *Treasurer's Report & Review and Approve Bills and Warrants***

The board reviewed and signed the orders and reviewed the budget status report. Rosemary said the Agency of Transportation did a site visit last week and said the village's and town's paperwork for Irene and the spring floods looked okay. We have received a draft financial audit. Rosemary and Duncan will review it for the next meeting.

Walter asked if any progress has been made on documenting internal controls. Rosemary said not yet. Walter said if she can document current procedures, then the committee can look at them.

**3. *Review and Approve Minutes***

Chris moved to accept the minutes of September 10, 2012 as written, Walter seconded, and the motion was passed.

**4. *Wastewater Treatment Facility & Water System Operator's Report***

Tom said it has been a pretty smooth month. His department worked on raising manhole covers and valves during paving, assisted with crosswalk protection, and repaired a hydrant at Katy-Win. Hydrant flushing is scheduled for 3 days next week. They have a work order to uncover a valve at a trailer park; that will be done this week. They are pulling selected meters one at a time and checking their condition. Maintenance on all 4 blowers was completed last month. Flows are still down. It seems the water table is still down. Tom will email a leak comparison sheet that wasn't ready in time for this meeting. There is a leak on a service line that goes to a duplex and another unit in Cabin Cove – about a half gallon a minute. A letter will be sent to the homeowners advising of need to repair. These lines are not owned by the Village and are the responsibility of the homeowners to repair.

**5. *Parking Ticket Issues***

Duncan reviewed what has been happening with parking tickets. He is aware of 3 that were issued in the village this weekend, as well as 2 issued in September and 1 in the summer. Of the 3 issued this past weekend, 2 were for parking against traffic and 1 was for parking so as to partially block a driveway. The sheriff's department issued the tickets on the village ticket book as if they were violations of village ordinance, but they were not village ordinance violations. The officers apparently wanted to do the violators a favor by issuing less expensive tickets. Village ordinance violation tickets are \$25 and if they had been issued on the state traffic ticket book the fine would have been \$99. But these tickets are not enforceable if they are appealed. We are under obligation to maintain the parking lines as

striped under the VTrans grant. They conform with VTrans and federal standards. There needs to be a set distance between the end of a driveway and the end of a parking space. Roger Marcoux agrees that his officers should not write tickets for violations of state law on the village book. The board could adopt a village ordinance about parking and then they could write \$25 tickets based on that instead of tickets on the state book. Anne Mullings joined the meeting to comment that people were complaining because they don't think we have ever issued tickets in Johnson before, but 63 tickets have been issued in the past year. The trustees asked Duncan to put accurate information about the tickets on Front Porch Forum.

**6. *Source Protection Plan Update***

Duncan and Tom updated the Source Protection Plan. The state needs a copy of this in order to issue our permit to operate. The plan identifies possible sources of contamination to the water supply.

**Walter moved to adopt the Source Protection Plan as updated on October 8, 2012, Chris seconded, and the motion was passed.** (Tom left at 4:40.)

**7. *Public Works Superintendent Report***

We will be moving ahead with net metering for the Orosts. We will build a line extension for the group net metering array at Laraway School.

The dry hydrants on Mine Rd. have been put in.

We have adopted a new tariff for street light billing. All private streetlights are either being billed at a monthly flat rate or have been removed, except for some at Katy-Win trailer park and some at Harvey's. Harvey's has 3 on Park St., a private road, which are not being billed to anyone. At Katy-Win there is one LED light on a short section of town highway which belongs to the village. The other 11 lights in Katy-Win are not being billed to anyone. The board agreed to give the owners of the trailer parks the option of either disconnecting the lights or paying for them.

Steve said Stephanie Lockhart has bought three of the old bridge lights and would like to buy them all at \$50 each. **Walter moved to sell the old bridge lights to Stephanie Lockhart for \$50 each, Chris seconded, and the motion was passed.**

**Walter moved and Chris seconded to direct Steve Towne to send a letter to the owners of Katy-Win and Harvey's Trailer Parks informing them that they can either disconnect their private streetlights or pay for them, and the motion was passed.** (Lois Frey, Dean West, and Linda Jones arrived at 4:55.)

**8. *Homeland Security Water Rescue Grant***

Duncan said the Homeland Security grant the fire department applied for to purchase water rescue equipment has been approved in the amount of \$11,179. **Walter moved and Chris seconded to accept the Homeland Security grant for water rescue equipment, to authorize Duncan or Gordon to sign, and to authorize purchases reimbursable through this grant to be made through Rosemary with village funds. The motion was passed.**

**9. *Historical Society***

Dean West said the Historical Society went to the selectboard recently and told them that they had had the lot surveyed by a private surveyor and had a contour map done showing the

elevations and the approximate amount of fill that would be required. Before that they met with Rebecca Pfeiffer from the state, who told them their project was feasible on this lot. She said the permit would come to her office and if the project were designed for proper drainage the permit would probably be approved. The amount of fill needed would probably be between 5 and 8 feet and the whole lot preferably would not be filled, only the part occupied by the footprint of the building and maybe not even all of that, depending on the design. The building they have decided they would like to design around is the former Prescott building. They will need around 1800-1900 square feet of display space. He cut a footprint out and took it with him to the selectboard meeting and they moved it around on the map to see how much of the lot it may occupy and what space would be left. He asked the selectboard if they would appoint at least one person from their board to work on a committee with them to see where the building would best fit on the lot, and he would like to ask the same of the village trustees.

Dean said the selectboard had some questions. They asked if the Historical Society would be amenable to a proposal to include the library in their project. He was unable to answer that because the last communication the Historical Society had from the library was when they were looking at the funeral home building. They heard from the library then that they didn't want an old building design; they wanted a 21<sup>st</sup> century design. Eric Osgood asked if the Historical Society would agree to a joint meeting with the village trustees, the selectboard, and the library. They agreed. The selectboard's other concern, which he doesn't quite understand, is that whichever group comes to the voters first might be favored in getting funds, but the Historical Society hasn't asked for any funds. The selectboard doesn't want to make a decision until they know what the library is doing. The Historical Society asked them for permission to go ahead and try to plan their building somewhere on this lot so they could have a plan to start fundraising with. The footprint will be 1800 square feet, but only part of that will be two stories. All of the downstairs will be display space and there will be about half as many square feet on the second story for an administrative office and a meeting room.

Gordon suggested Lea might eventually be able to spend some time helping the Historical Society and library to come up with a joint plan. Perhaps a property could be purchased on Main Street. Dean said he thinks people would go along with that idea as long as the location was suitable. A lot of people in town would like the Historical Society to be in a historical building. They have looked at it and they can't afford to buy, renovate and maintain one. The best alternative is a new building with a historical design. If someone would like to build with them and maintain that kind of plan they would be willing. The selectboard asked how the Historical Society would feel about moving into the current library building if the library moved out. They have discussed that, and that building would not be suitable. They don't think it is large enough. The downstairs couldn't be used as it can flood. The upstairs would not be suitable and there is not enough parking. They prefer to be on Main St. They would like not to be delayed by someone else's plans.

Dean said the selectboard also asked for a business plan. He doesn't know what that is. They aren't in business. They are not asking for funds. The selectboard has contacted Lamoille Development and asked them to help the Historical Society with a business plan. Duncan said he thinks the board wants reassurance that the town won't have to pay for maintenance,

etc. in the future even though the Historical Society thinks it will have enough money to pay for it. Dean said the selectboard asked at what point in their fundraising they would be ready to start construction. He thinks they would need at least 75% to 80% of the total cost first. They think with funds they have they could raise within an 18-month period about the balance needed. Duncan said there is a limited amount of money out there, whether from donations or taxes. If there is a way where both the Historical Society and the library could be winners, that would be better. (*Lois Frey, Dean West, and Linda Jones left at 5:15.*)

**10. Bobbie Rooney: Holiday Jubilee and Parking Ticket Issues**

Bobbi said she wanted to talk about the Holiday Jubilee as treasurer of Johnson Works. Johnson Works would like the town and village to buy 6 more garland sprays and 6 banners to outfit the rest of the poles for winter. The estimated cost is \$2050.

Bobbi also wanted to talk about the traffic tickets issued on Saturday. It was confusing that the tickets were for a state violation but people had to go to the village to pay them. One of her clients was ticketed. What can we do to let people know that the sheriff's department will be enforcing parking laws? She wants people to come to town and wants businesses to be viable. The message sent on Saturday wasn't a good message.

Duncan explained what he had previously explained to the trustees about why the tickets were written on the village ticket book. He said Jo Ann Benford can review the tickets and waive them if applicable. The sheriff's department could then issue \$99 tickets for the same violation, but they probably wouldn't. He thinks Roger Marcoux understands the issues with writing tickets now, but if his officers see violations they have an obligation to enforce them. The town has the contract with the sheriff's office but the town can't direct what officers do. They can draw their attention to problems, but not direct their efforts.

Bill Loscomb, one of the owners of Lovin' Cup, said some of his customers also received tickets. The man who had come with Bill said he was the one who got the ticket for parking across two spaces. Bill said the paint job took away some spots and now people are going back to the way they used to park. Ellis said VTrans set a certain width for parking spots; that was out of the board's hands. He said he agrees we need more parking, but the loss of spots was nothing this board or Steve Towne or Duncan did. Bill said he wonders why it was never an issue before if two cars were parked there. Lack of parking is part of the issue. This was Columbus Day weekend. No one is parking in the lots. Walter said when the lots were built he never anticipated customers using them to a great extent, but he thought they could be used by employees to make room for tourists. Bill said 40% of his business is to-go orders. A lot of their money comes from tourists, and they won't stop if they can't get out quick and go.

Bobbi said some business owners have been discussing people who own businesses parking on Main St. She asked, is there something positive we can do to get the word out to people that laws are going to start being enforced, to tell people about the parking areas and to encourage merchants to park in the lots? Bill said he understands that the townspeople vote on whether the sheriff's department has a presence here. He wants them here. But tickets on Columbus Day weekend might affect how people vote on having them here. Duncan said he

could write something and put it on Front Porch Forum. He said we could also put information on the town web page or include notices in electric bills.

**Walter moved that the village contribute \$1000 to Johnson Works for the purchase of decorations for the lamp posts, Chris seconded, and the motion was passed.**

Bill asked, is there any recourse for changing how the lines are painted? Board members said no. Walter said there has to be an 8 foot clearance at every driveway. (*Bobbi, Bill and the other citizen left at 5:47.*)

***11. Manager's Report***

Duncan said the voters at the special town meeting approved the backhoe purchase. Duncan asked if the trustees are still willing to contribute 20% of the cost. They said yes. **Walter moved to authorize Steve Towne and Duncan to work with the town in selection and purchase of a backhoe, Chris seconded, and the motion was passed.**

The board agreed that Duncan should fill out and submit the VLCT 2013 PACIF renewal application.

Duncan distributed copies of the Basic Emergency Operations Plan. He will be seeking selectboard approval for the plan at their next meeting.

There is a meeting scheduled with GMP, VEC, and Morrisville Water & Light on Wednesday to discuss the planned buy in of transmissions lines from MW&L.

Duncan distributed a draft of the Cattelona lease. Board members agreed they are comfortable with the wording and the lease can be sent to Mark and Rick. If they sign it, then board members can come in and sign it individually. Ellis said we never had to pay taxes on this land before. Is there any statute that says village land is a municipality? Duncan said both statute and case law are against us. No statute allows tax exempt status for that land.

Steve said the Main St. punch list has been whittled down by about 2/3. Walter asked if there is anything on the list that would seriously impede plowing. Steve said no. Ellis said there is one crosswalk that will be ripped up by the plow in winter. Steve said that crosswalk is probably 2 1/2 inches low. Duncan said it is right where it should be where it meets the curb line. There is a hump on both sides of the road. Ellis said he thinks they should come back and fix it. Duncan said he doesn't know what the fix is. It may be that those brick pavers won't work out. Steve said if we raise the crosswalk we will have to raise the curb apron as well, because it matches perfectly with the curb. Duncan said then water won't run down the curb line. He said we will have to have the blacktop ground in 2014.

Duncan has started the process of seeking loan forgiveness for the water planning loan we got for Rte 100C. It looks like we should be able to have the \$11,000 loan forgiven in its entirety.

Mike Timbers filed a claim for damages to the basement foundation with Kingsbury. The village is not responsible for the damages. We are letting the insurance companies work it out.

Nicole and Rich Whittemore have their sewer and water applications and are in the process of filing them with the village.

ECI did not want to work on trying to fix the Pearl St. puddle. There was discussion about possible ways to fix the problem. Chris said he thinks we should do something, but he thinks we should wait until spring.

The village trustees, selectboard, Historical Society, and library board will meet on October 11 to discuss Historical Society and Library building issues.

Duncan said a log of backhoe usage is being kept so we can see how much usage is the town's and how much is the village's. From March 28 to October 4, less than 20% of the usage has been for the village. Duncan said we will figure out a new way to share the cost of backhoe maintenance with the town.

***12. Adjourn***

**Ellis moved to adjourn at 6:22, seconded by Walter, and the motion was passed.**

*Minutes submitted by Donna Griffiths*