

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, NOVEMBER 14, 2012

**Present:**

Trustees: Gordon Smith, George Pearlman, Ellis O'Hear, Walter Pomroy, Chris Parker  
Others: Duncan Hastings (Manager), Rosemary Audibert (Clerk), Steve Towne

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

**1. *Call to Order***

Gordon called the meeting to order at 4:03.

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

Rosemary said the sewer income situation is bad. There is a \$90K note due December 1 and we only have \$80K. She feels we need to start looking at a rate increase. We are supposed to put money into the capital equipment fund every year and we haven't done that in a few years. Hopefully she will get enough money by December 1 to pay the note. We should be fine as long as the college pays. Gordon asked if we can come up with a formula for adjusting sewer rates without affecting water. Duncan said he thinks so. Duncan said he doesn't think the sewer shortfall has to do with total customers. Walter said we are actually slightly ahead of budget in terms of revenue. We had a deficit budget and hoped for a miracle and it didn't come. Rosemary said delinquent taxes are very slow in coming in this year. Last year at this time we were down to \$700 in delinquent taxes and right now we are still over \$3K.

**Walter moved to authorize Rosemary to temporarily borrow money from the general fund if necessary to cover the note payment, Chris seconded, and the motion was passed.**

**Walter moved to authorize Gordon to sign a water and sewer lien on Kelly Ford's property in the amount of \$841.05, Chris seconded, and the motion was passed.**

**Walter moved to authorize Gordon to sign a water and sewer lien on Brad Reed's property in the amount of \$305.92, Chris seconded, and the motion was passed.**

**Walter moved to authorize Gordon to sign a discharge of the water and sewer lien in the amount of \$1246.88 on Ken Harvey's property, Chris seconded, and the motion was passed.**

Rosemary distributed a list of electric and water and sewer accounts that are recommended to be written off. They have been turned over to the collection agency. **Walter moved to write off the \$5, 5055.14 in electric bills and \$9,318.78 in water and sewer bills presented by Rosemary, Chris seconded and the motion was passed.**

Rosemary said our contract with the collection agency contract was for 1 year, starting in January. They have collected from 2 out 18 customers we sent them. Should we renew the contract? Walter suggested that Rosemary check to see what collection agencies others are

using and whether they are happy with them, then come back with a recommendation. Rosemary suggested perhaps we could use two agencies, as long as they were handling different accounts.

The total loan amount for the backhoe will be \$79,780. The village's share is \$6,356.60. The interest rate is 2.24% for 5 years. We can pay off the note at any time. Walter moved to borrow \$6,356.60 in concert with the selectboard for the village's share of the backhoe and to sign the necessary note and resolution on capital expenditure borrowing, Chris seconded, and the motion was passed. Duncan said he is hearing the backhoe will be delivered around the end of December, but there is no firm date yet.

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

Duncan suggested some edits. Chris moved to approve the minutes of October 8, 2012 as amended, Walter seconded, and the motion was passed.

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

Steve gave an update as Tom was not present. He said one of the Cabin Cove homeowners tried to find the leak but was unable. The village installed a curb stop and determined that the leak is either at the T or on the lateral to the other homeowner. More site work will be done to try to narrow down the location. The leak is about 20K gallons a month. Tom has losses down to about 10% or so, which is where he wants to be. With that leak taken care of, it will be even tighter than that. All hydrants are pumped down and have been flushed. A lot of unplanned work was done at the Katy-Win booster pump station and everything is now fixed there.

**5. *Public Works Superintendent Report***

V-Tel is looking to avoid running fiber optic cable up Route 100C due to cost. They have requested an alternate route, going up to College Hill Rd. by Pearl St. and School St. rather than going up 100C and over the covered bridge. By law we have to give them the most cost effective route. Duncan said he doesn't want to sign their application for a pole attachment license yet. If they decide to pull the 100C project, we need to pull the pole attachment license for everything associated with 100C. Duncan will bring this back to the board at the next meeting.

The village will continue tree trimming the lines and services.

We sent a crew to assist with storm damage recovery related to Hurricane Sandy. Steve went with Tim to assist GMP, NHEC & CL&P. It was a rewarding and educational experience. It cost the village nothing except workers comp.

The food shelf chimney is done. Snow removal equipment has been prepped. Some work had to be done on the 3-ton dump truck.

Linex work has been completed for Drew Fairbanks, Stephanie Lockhart, Laraway School, and Jay Orost. Steve met with the Lehouillers about a new power supply for their farm stand.

The streetlight issue in the trailer parks has been addressed. They are now paying for their street lights.

## ***6. Manager's Report***

Duncan thanked Steve and Tim for providing mutual aid to other utilities following Sandy, and Cliff and Nate for taking care of things here while they were gone.

It is a code violation to have fire alarms tied into a Comcast phone connection, so we are switching the lines that serve the fire alarms back to Fairpoint.

Duncan is still waiting for signed water and sewer applications to come back from Rich and Nicole Whittemore.

Duncan sent Mark Cattelona and Rick Jewett the proposed lease and asked that they return it in time for this meeting, but he hasn't heard back from them. Walter suggested calling or emailing them. The board will wait to sign the lease until hearing from them.

Duncan found a copy of the Snow Riders lease. It was for 5 years and can be extended for 3 more years if both parties agree. Beyond that it is year to year. **Walter moved to sign the lease extension for Sterling Snow Riders for the French Hill property, Chris seconded, and the motion was passed with Ellis abstaining. Ellis did not sign the lease.**

The VPPSA Christmas party is December 7 at the Burlington Hilton.

We are supposed to indicate by December 1 if we plan to make any changes in our health insurance plan offerings. Given the uncertainty over health care at the state and federal levels, Duncan recommends that we make no changes. We don't know yet what the rates will be. The board agreed to make no changes.

Duncan doesn't think there is enough benefit for us to enter into a 20-year contract to purchase Seabrook power. VPPSA has recommended taking only 5% of the total 15mW originally negotiated. The board agreed not to pursue a contract for Seabrook power.

**Walter moved to have VPPSA purchase equity shares on our behalf and finance them, George seconded and the motion was passed. Chris moved that we purchase unsubscribed shares if any become available, George seconded, and the motion was passed.**

There is a tree in the Gihon that could cause an ice jam leading to flooding. Duncan talked to Eric Osgood about using the town's emergency reserve fund to pay for removing the tree. Eric thought that would be all right but wanted to check with the selectboard. Duncan thinks the tree should be removed whether or not the town can pay for it. The trustees agreed that it should be removed.

At the talc mill site we hit contaminated soils when putting in a water line. The report came back with some disturbing findings. The state wants us to do another evaluation and they want us to look into additional sources of contamination including residuals from the mining operation that might be in the soils. Duncan thinks we should fight that. There was water quality monitoring done for the portion of the property where the settling ponds were located

so we should be okay as far as that 19 acres is concerned. The town now owns that parcel, which is where the Old Talc Mill Park is located. Duncan has checked with LCPC, who administers local Brownfields funding. He doesn't know if we would qualify for more Brownfields.

Gordon provided us with claim information on an accident the fire department responded to and we filed a claim for \$1966.00 against the insurer. They paid no questions asked. We are to continue filing claims if we have the information.

The source protection plan has been approved and we got our water system permit to operate. Duncan got a phone call from Andre Nadeau. He felt we should have sent out an advance copy of the SPP to him prior to submitting to DEC. We did send out the required notice (to his parents, who are the property owners, and to Andre, who says he never got it but saw the notice his parents got) which included a letter stating that copies were available at the TC office. Duncan went and talked to him, gave him a copy of the plan and told him how the plan addressed his concerns. He is not happy with the plan and he wants a meeting. He wrote Duncan a letter implying that he feels the village is in violation of the terms of the lease agreement between his parents and the village. He feels the source protection area is wrong on the map, but the state delineates and maps it. Duncan proposed writing a letter to Andre stating that he doesn't believe we have taken any action interfering with gravel operations and asking him, if he feels that we have, what we have done and what the interference is. The source protection plan is not a regulatory document. There are no penalties associated with it. We aren't asking for any changes. The well there is a backup source. The board thought the proposed letter looked fine. Steve and the board recommended that Duncan meet with Andre. Duncan said he will, but he would like Andre to flesh out his concerns first.

Lea met with the school board about the grant. Now they don't want the sidewalk in front of the school, between the end of the current sidewalk and the intersection of College Hill Rd. They felt this would reduce on street parking. There will be a required public hearing for input.

The water rescue grant was approved and purchases are being made.

The VTrans right of way permit for the Main St. project has been signed off as complete by VTrans. It says the village is to prevent run off from driveways and accesses into the state storm drain system. Duncan was not sure how this could be done.

We received a grant from Efficiency Vermont in the amount of \$14,000 for 42 light fixtures on Main Street.

Morrisville Water & Light met with GMP and VEC to discuss issues. Work is continuing on the transmission piece.

The final pay req for Kingsbury was signed tonight. There are just a few punch list items let. There will be a walk through tomorrow. Nothing was held back from the pay req, but we will hold the whole check if the walk through reveals that the work is not all done.

Duncan is seeking loan forgiveness for the water planning loan we got for Rte 100C. It looks like we should be able to have the \$11,000.00 loan forgiven in its entirety. Duncan is in the process of trying to set up a meeting with the water supply division.

Duncan asked if the board wants to spend money on legal fees for Stitzel Paige and Fletcher to pursue the curb payment issue. Walter asked if they will take it on retainer. Duncan said he doubts it, but he can check. We would get \$6K if we were successful and it would cost a few thousand to pursue legal action. The board agreed that it would be worth spending some money to pursue this.

**George moved to enter executive session for a personnel matter with Duncan and Steve remaining, Chris seconded, the motion was passed and the board entered executive session at 5:44.** The board came out of executive session at 6:04.

**Walter moved that upon completion of his 3rd year training, Tim Percy be granted a step wage adjustment of \$1.00/ hr, Chris seconded, and the motion was passed.** The board is very pleased with Tim's success and progress as an apprentice lineworker.

7. *Adjourn*

**Chris moved to adjourn at 6:05, seconded by Walter, and the motion was passed.**

*Minutes submitted by Donna Griffiths*