

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, FEBRUARY 11, 2013

**Present:**

Trustees: Gordon Smith, George Pearlman, Ellis O'Hear, Walter Pomroy, Chris Parker  
Others: Duncan Hastings (Manager), Rosemary Audibert (Clerk), Steve Towne, Lea Kilvadyova, Joe Ciccolo (LNSU Superintendent), Katie Orost (chair, Johnson Elementary School Board), Terry Butler (Johnson Elementary School Board), Sara Davies-Coe (Johnson Elementary School Board)

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

**1. *Call to Order***

Gordy called the meeting to order at 4:06.

**2. *Review and Approve Minutes***

Duncan had some suggestions for minor edits to the January 14 minutes. **Walter moved to approve the minutes of January 14, 2013 as amended and to approve the minutes of January 29, George seconded, and the motion was passed.**

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

Tom said the high E. coli reading he mentioned last month was due to a melted module bank. The module is at the electrician's now for repair or replacement. He has 5 extra modules left. As far as he knows, the state was okay with his explanation about the module burning out. He resampled after replacing the module and the sample was fine.

We still have a water leak by DJ's. The water hasn't come to the surface. He guesses the loss from that leak is 10-12 gallons per minute. The percent loss is up to 42%. Steve said we don't know if the leak is in a main or a service line. He said he wants to be more proactive about leak detection with the help of Vermont Rural Water Association, starting in the spring. (It is hard to detect leaks when there is frost in the ground.) He has in mind some areas that weren't replaced as part of the water project that could be checked.

Tom said VT Rural Water Association will be here on Feb. 25<sup>th</sup> to help him see if there is any way to improve the spreadsheet he made. Duncan suggested it would be good to include a handout of the spreadsheet as part of Tom's monthly report.

Anne Mullings, acting as Harry Fullham's legal guardian, has submitted a request for an excess water usage adjustment to his water and sewer bill. The highest prior sewer reading in the last 12 months was 2300, with a bill of \$37.38. **Walter moved to adjust Harry Fullham's sewer bill to the highest amount billed in the past 12 months and to adjust his water bill to the average of the 3 prior months, George seconded, and the motion was passed.** (C. Parker arrived at 4:21.)

Gary Smith has requested an adjustment to his water and sewer bill, but he doesn't meet the 3 times usage threshold specified in board policy. The average of the 3 prior bills, including the one that was high due to excess usage, was only \$9.07, and his bill was less than 3 times that. **Chris moved to deny Gary Smith's application for an adjustment to his water and**

**sewer bill because the charge doesn't meet the criteria set in board policy, Ellis seconded, and the motion was passed.** (Tom left at 4:25.)

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

Walter noted that we are at 97% of budgeted revenues and 91% of budgeted costs for the electric department. Duncan said the water department will break even if we don't fund the reserve fund. If we fully fund the reserve fund we would have an operating loss of around \$9K. Steve said there are some capital needs that have to be addressed this year. Rosemary said there is currently about \$40K in the reserve fund. The general fund is not looking good.

It was agreed to schedule a budget work session for Feb. 21 at 4:30 and to plan on a follow-up session on Feb. 25 at 4:30 if it is needed.

**Walter moved to authorize Gordy to sign the engagement letter for the financial audit and the single audit, Chris seconded, and the motion was passed.**

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

The dates are set for the 2013 safety meetings. The meetings will be shared between Stowe and Johnson, with Stowe hosting some of them.

Duncan and Steve talked to VTel last week. They have decided they are going to use an alternate route for their fiber, rather than going up 100C. We are waiting for them to revise their licensing agreement before Steve does any work on re-estimating the original application or begins any transfer work. The pipe they want to go into is part of a vault system FairPoint has. They will have to dig up some sidewalk and street on Pearl St. and Rte. 15. It will require a permit from the selectboard and one from VT Agency of Transportation. Gordy asked if we could we send a letter to AOT saying we would rather have VTel go up 100C than dig up Main St. Duncan said yes, but he hasn't seen yet exactly where they plan to go. Steve said he can try to get clarification for the board. After we have more information, he agrees that sending a letter would be a good idea.

Steve recently shoveled off the skating rink. It has been getting a lot of use.

The new owner of a house on upper Main St. has called asking about getting power to a new building in back of the house.

**Ellis moved to give Steve and Duncan permission to attend the NEPPA conference in Stowe in August, Chris seconded, and the motion was passed.**

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

The current phone system needs to be replaced. Duncan got a quote from a local vendor of \$5,838 + \$284.00 for a wireless headset. Some staff would like to try wireless headsets. The trustees would pay half the cost of a new system. **George moved that the trustees pay for half of a new phone system, Chris seconded, and the motion was passed.**

Duncan asked for authorization to approve an application from the town for a connection to village water and sewer for the rail trail building. He doesn't know yet what the flows will be. Initially there will only be a water fountain, but a connection to the sewer system is required. Eventually there will probably be a toilet. There was discussion about putting a

meter in the building. **George moved to authorize Gordy or Duncan to approve an application from the town for a connection to the village water and sewer system for the rail trail building, Walter seconded, and the motion was passed.** Duncan asked if the village will want to waive the fee. The board decided to wait to discuss that until they have better information. *(Steve left at 5:00.)*

**7. School Street/College Hill Road Project**

Katie Orost joined the board for this discussion. Lea reviewed where we are with the project. We have a conceptual design from Otter Creek Engineering. Lea distributed maps showing the possible locations where sidewalk might be put in as part of the project. *(Sara Davies-Coe and Terry Butler arrived at 5:01)* The overall goal of the project is to connect downtown with Johnson State and improve pedestrian connectivity. There have been public meetings with the general community and Lea has met twice with the Johnson Elementary board to discuss the project. She has also met with JSC representatives. The proposal is to lengthen the drop-off area in front of the school to fit one or two more cars and to continue the sidewalk along the school side of School St. to the intersection with College Hill. On the other side of School St., we could improve a section of sidewalk that is currently asphalt. There is also a section of existing sidewalk on College Hill that is in bad shape and could be fixed. There are two alternatives for adding sidewalk on College Hill – continuing the existing sidewalk on the same side of the street as the school or putting a sidewalk on the opposite side of the street. The project would also include crosswalk, drainage, and streetscape improvements. One point everyone can agree on is that it is in the best interest of everyone to slow down traffic in that area. It has been suggested that we put a 3-way stop at the intersection of College Hill and School St. Other possibilities include speed bumps, speed limit signs with flashing speed detectors, and fog lines to make the street look narrower.

The JES school board prefers that any new sidewalk on College Hill be located on the side opposite the school. They are concerned about cutting into the space of the school yard and the proximity of the sidewalk to the school for safety and other reasons. The school board is also concerned that if sidewalk is added on School St. all the way to the intersection some parking on the shoulder of the road that people use now for school and community events will be lost. Johnson State College prefers that the new sidewalk on College Hill be on the same side of the road as the existing sidewalk. They feel sidewalk on the other side will be of no benefit to them as they don't think the school community will cross the road to use it. In meetings with the general community, opinions were mixed.

Lea said a surveyor has surveyed right of way lines and the results should be available soon. She doesn't think this project will go to construction this year. Optimistically, she thinks it is more likely to happen in 2014.

Katie said the school board would like to have a buffer zone between kids on the playground and people on the sidewalk, for safety. Putting the sidewalk on the school side of College Hill would also mean losing about 3 ft. of playground space, so they prefer the option on the other side of the road. In front of the school, they are concerned about parking that would be lost as well as about maintaining a buffer zone.

Walter said adding a section of sidewalk in front of the school would narrow the road, which would encourage people to slow down. Sara said her concern is that if sidewalk is added in front of the school, parents who now pull into that area to park will just stop in the road and let their kids out, which will be dangerous for kids. Walter said with a sidewalk, when they get out of the car they will end up on the sidewalk, which will be safer. Sarah said kids often get out on both sides of the car, so some will end up in the road. Walter said kids who get out on the road side of the car will end up in the road now, too. Sara said they don't end up in the travelled part of the roadway, because now parents can pull well off the road.

Terry said there are crossing guards so speed is not so much of issue during drop-off and pick-up. A big concern is that the school may lose its kickball area because equipment will have to be moved around and that may not leave enough open flat space. There is a very small flat area, so losing even 3 feet is significant. And the school may lose one of the shade trees in the playground. Lea said the newest information from the designer is that we would be looking at a loss of up to 3 feet along the upper portion of the playground. The amount would taper off further down and the sidewalk would have no impact from about the middle of the playground down to the intersection. She doesn't know about the tree.

Joe Ciccolo, LNSU Superintendent, said with a sidewalk connecting downtown and the college and more people coming through, the school would like to keep more of a distance between those people and the students. Katie said the board voted to support putting the sidewalk on College Hill across the road from the school rather than next to it, but didn't vote on whether to put sidewalk in front of the school on School St. Gordy said he doesn't think the village should dictate to the school board. Duncan said this project also involves the selectboard, as they own the right of way. They need to approve the plan.

Duncan suggested that the drop-off area might be able to be moved somewhat to address some concerns. He asked why parents can't drop their kids off at the upper entrance. School board members said they can after the buses have gone through, but they aren't allowed to go up there while buses are there. Duncan said we need to think about all the users. Walter said there are safety issues in this area for all citizens. He thinks a sidewalk in front of the school is important for continuity of sidewalks throughout the village.

Sara said the school is looking at increasing safety protocols and keeping people off school grounds more during school hours, but a sidewalk going by the school encourages the general public to come right up to where the kids are. The sidewalk is not school grounds, so none of the school's safety policies apply there. Duncan said anyone can walk next to the fence even if there is no sidewalk there.

Gordy and Chris suggested another option would be to have sidewalk only on the side of School St. across from the school. Chris said he thinks the corner by the school is dangerous to walk even with a sidewalk. It is a blind corner. Even if there were a sidewalk he would be uncomfortable having people let their kids out there. Terry said she thinks if we could make the drop-off area bigger and not put sidewalk on that side of School St., that would be ideal for the school. Gordy asked, is it correct that if we don't put sidewalk on the school side of School St., the project can't include the work on the drop-off area? Lea said if we are pulling

out large sections of what is proposed, she would like to see VTrans's perspective for funding based on the whole meaning of the project. Walter said this is part of a grand pathways plan. To him, the sidewalk in front of the school is an important part of the pathways plan. We will have sidewalks on both sides of the street eventually. Chris and Gordy disagreed, saying we don't need sidewalks on both sides. Duncan said if modifications to the proposed project kill it, the village will have to pay back money that has been spent on it so far. J. Ciccolo said he thinks most people walking from the village would be on the side of School St. across from the school. Lea said she uses the school parking lot at the corner of College Hill and School St. when attending events at the school or at Legion Field. She and her children end up walking along the mud strip and the edge of the road. She uses that side of School St. and she thinks other people use it. To her, the loss of four parking spots is not an issue. People will find other places to park.

**Walter moved to put sidewalk on the side of College Hill farthest from the school rather than on the same side of the road as the school, Chris seconded, and the motion was passed.**

**Walter moved to do all the proposed work on the school side of School St., including extending the sidewalk to the corner, perhaps with adjustments to the pull-off area to make it bigger, seconded by George. The motion failed, with Gordy, Chris, and Ellis opposed.** (*Joe Ciccolo left at 5:40.*)

Lea said she thinks removing the sidewalk on School St. from the project would kill it. Duncan said then the village would have to pay back VTrans for the work done so far. Terry asked if pedestrians on the School St. sidewalk would be lower than the school yard. Lea said she thinks so and George agreed. George suggested the school could put fabric on the fence to screen the playground. Terry said she isn't sure the sidewalk on School St. is as important an issue to the school. Duncan said he thinks the school board will have to grant a construction easement because he thinks some of the proposed work will be on school property. Lea said she would like to go back and talk to the school board about the sidewalk on School St. and then bring the results of the discussion to the board.

School board members said they are in favor of putting in a 3-way stop at that corner. Katie asked if a street light could be put in front of the school. (*Katie, Terry, and Sara left at 5:50.*)

**Walter moved to support putting a 3-way stop at the intersection of School St. and College Hill Rd., Chris seconded, and the motion was passed.**

Chris asked why not putting sidewalk in front of the school would kill the project. Lea said VTrans only cares about connectivity, not about improving the drop-off area. She can check with them to be sure whether it would kill the project.

#### **8. Kiosk Project**

Lea she has a potential funding source lined up for building one or both of the Main St. kiosks that we didn't have money to build as part of the Main St. project. The funding comes with a requirement for a 20% match and the kiosks have to be built according to the existing spec. The cheapest cost estimate she got was \$14K for one kiosk. Tim Percy estimates the

village could build one for \$6K, but she has to use \$14K as the cost figure. Gordy said he could see putting a kiosk on the Village Green, but not at the corner of Railroad St. The rest of the board agreed. Duncan said he thinks with contributions and donations of materials we could build something for less than the 20% match, though it wouldn't be exactly like the plan we have. Lea said she talked to GMTCC about whether they could build a kiosk. They said they couldn't build up to the spec we have, but they probably could do something simpler. Duncan said the worst case scenario is that the lowest bid we get could be more than \$14K. Lea said the estimates we have are from when we bid out the Main St. project. Walter said he thinks we should go a different route than using grant funding. George said he thinks \$2800 (20% of \$14K) to get a kiosk built is a good deal and we should take it.

**George moved to go ahead with seeking grant funding to get a single kiosk built at the Village Green according to the existing plan, Chris seconded, and the motion was passed.** As chair, Gordy didn't vote, but he said if he had he would have voted no.

**9. *Arjay West, Fire Chief***

Duncan said he and Arjay met last week to discuss a draft budget. Arjay said the fire department's position is good right now. Operationally, he doesn't have any big changes planned. He thinks he should report to this board at least semi-annually, maybe quarterly.

Arjay said the contract towns have agreed to a 2% increase in the fire department's operations budget. That amounts to about \$1900. The fire department is proposing a \$960 increase for the capital truck account, a \$700 increase in labor, and a \$300 increase for truck fuel. Otherwise the budget will be the same as last year's. They are trying to come up with a plan to present to the board for replacing small tools at a cost of about \$10K a year. They plan to purchase a new tanker in 2015. The last payment for the current one will be made in 2013.

Duncan said when the 2% increase was agreed upon, the fire department wasn't aware how big the insurance increases would be. The village could ask the Johnson selectboard and Waterville and Belvidere if they would consider a larger increase.

Walter said now that there is no fire department representative on the board, the board may miss opportunities to help the fire department. For instance, Gordy was able to suggest adding hydrants to the water project on Clay Hill. How can we facilitate communication? Duncan said he can start sending Arjay his monthly report and the meeting agenda. Board members suggested sending him meeting minutes as well. It was agreed that Arjay would come to the budget work session.

**10. *Manager's Report (continued)***

Duncan distributed copies of the Annual Power Outage Report. We had a total of 6 reported outages last year. We were just under our CAIDI and SAIFI threshold for SQRP reporting.

Duncan distributed copies of a spreadsheet Susan had prepared with information on our net metered customers. We have 3 net metered customers. Those customers total 63.78 KW. The total allowable for our system is 157.2 KW, so we are at about 40%. One large array like Laraway's gets us a long way towards our cap. In theory we can deny new applications if we

hit the cap, though in reality the public service board will probably give us a new cap. It may be in our best interest to put in a large array of our own to get us to the cap.

We received a letter of thanks from Connecticut Light & Power for our assistance during Sandy.

The Municipal Electrical Association of Vermont (MEAV) has been a very loose organization. They collect dues and also pay money out, for instance for the NEPPA Rodeo. The group wants to establish itself as a legal entity, MEAV, LLC, to formalize collection of dues and money handling and establish a bank account. At least 4 members need to have their boards vote to form and join the LLC. **Chris moved to form and join MEAV, LLC and the motion was seconded and passed. Walter moved to authorize Gordy to sign the operating agreement for MEAV, LLC, George seconded, and the motion was passed.**

In order to keep the River Rd. W pump station alive for possible funding, Duncan submitted an application to the Priority List for the Vermont Clean Water State Revolving Fund.

The village prepared a bill for the water leak at Chesamore and submitted it to George, who indicated he would file an insurance claim.

Lea has responded to the letter from Kingsbury, denying all claims. Kingsbury is likely to appeal. If that happens, the trustees will rule on the appeal.

Mark Cattelona called and said he had been under the impression that the village was willing to sell him a small piece of land. He is starting a petition asking the village to sell him a piece of land. Duncan asked Doug to draft a letter asking Mark to vacate, then found correspondence from Doug indicating Doug might have a conflict of interest. He is waiting for Doug to get back to him about whether he does have a conflict. The letter hasn't been sent yet, but Duncan did send Mark a letter telling him that the matter is being turned over to the village attorney and giving him the gist of what the attorney's letter would say. If Doug can't send the letter we can use the town's attorney, Dave Barra.

We received an amendment to the Group Application for Vermont Electric Coop to change the net metering Certificate of Public Good to be a Group Net Metering Application. The application is consistent with our Tariff.

We will apply to the 2013 PACIF Equipment Grant & Scholarship Program. Steve said this would fund training for electrical employees on OSHA regs.

The extension of time and increase in funds we requested for the HSU Water Rescue Grant 2012 were approved and we bought a second water rescue motor and filed the reimbursement request.

The grocery store plans are proceeding nicely. It has been determined that the project will not be subject to Davis Bacon wage reporting. As far as the lineup of lenders for repayment, LEDC won't even be in the queue, so we are third in line.

Duncan hasn't yet gotten in touch with the homeowner who spent money dealing with the suspected Cabin Cove water leak.

Duncan and Steve haven't yet had time to sit down with George Lague to further discuss his developing a cost proposal for an electric system voltage conversion and T&D study.

Duncan distributed a draft Morrisville Water & Light Transmission Agreement and reviewed it. He handed out a spreadsheet showing the schedule to buy in over a 5-year period. We would be fully vested at the end of 5 years. Walter asked if we know what GMP will charge for backup. Duncan said there is not much new information on that. Craig is working on a letter to GMP and VEC. Duncan asked the trustees to look over the agreement carefully. The board will need to take action on it at some point. **Gordy moved to authorize Duncan to have Primmer Piper Eggleston & Cramer review the draft Morrisville Water & Light Transmission Agreement and the motion was seconded and passed.**

**Walter moved to enter executive session to discuss personnel issues, Chris seconded, the motion was passed and the board entered executive session at 6:53. The board came out of executive session at 7:11.**

***11. Adjourn***

**Ellis moved to adjourn at 7:12, Chris seconded, and the motion was passed.**

*Minutes submitted by Donna Griffiths*