

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

**Present:**

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

Others: Rosemary Audibert (Clerk), Tom Elwood, Lea Kilvadyova, Doug Molde, Mark Cattelona, Franklin Cattelona

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

**1. Call to Order**

Gordy called the meeting to order at 4:00.

**2. Grant Opportunity**

Lea said the Vermont Council on Rural Development has a new statewide initiative that offers opportunities to advance broadband or digital economy. One area in which they can provide free services is equipping our downtown with Wi-Fi technology. They would provide consultants to help with planning where the Wi-Fi zone would be and they would provide equipment and installation. She is not sure who would pay for continuing maintenance, but she thinks we would probably have to. She doesn't know what the cost would be. She suggests we apply and then if we are selected have a conversation about long-term maintenance before signing an agreement. The application has to be submitted by Friday. She emailed the library to see if any of the other areas where the Council can provide service would be helpful to them. She would like to include the library if they have interest.

**Walter moved and Chris seconded to authorize submission of a grant application to the Vermont Council on Rural Development. The motion was passed. (Lea left at 4:16.)**

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

Leakage is 36%, down from 42% last month. There are 2 identifiable leaks on upper Main St. Tom has contacted VT Rural Water Association for help in pinpointing the location of the leaks. We are losing about 22 gallons a minute due to those two leaks together.

Tom asked if it would be all right to buy a replacement for a laptop bought for the water project 6 years ago. Its hard drive is full. It could be replaced for about \$850, to be split between water and sewer. The board agreed replacing it would be all right.

Tom said Steve thinks the time to dig to locate and repair the Main St. water leaks will be as soon as the frost is out of the ground. Steve thinks we might want to contract out the work.

Mary Sladyk submitted a request for an excess water usage adjustment to her water and sewer bill. **Walter moved to table the request until the board receives further information on whether the leak was repaired and whether the water went into the sewer, Chris seconded, and the motion was passed. (Tom left at 4:26.) Walter moved to defer any interest charges on Mary Sladyk's water and sewer bill until the board decides what action it will take on her excess water usage adjustment request, Chris seconded, and the motion was passed.**

**4. *Review and Approve Minutes***

**Walter moved to approve the minutes of February 11, February 25, and March 4, Chris seconded, and the motion was passed.**

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

Rosemary said she is waiting for the auditors' adjusted entries for the past year, which she should have tomorrow.

**Walter moved to authorize Gordy to sign the release of lien for Brad Reed's property, Chris seconded, and the motion was passed.**

**It was moved and seconded to authorize Gordy to sign the release of lien for Karen Thomas-McQuilken's property, and the motion was passed.**

**Walter moved to approve Duncan and Steve Towne attending the Municipal Smart Grid Summit, Chris seconded, and the motion was passed.**

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

Duncan got PACIF to waive additional charges that had been billed to us for workers comp for the fire department. Rosemary was not sure of the details. She thought we were billed based on an average of more than one year, but one of the years used was atypical.

**Walter moved to authorize Duncan to have outside counsel review the draft Morrisville Water & Light Transmission Agreement, asking them to look at what will happen under the agreement if a major upgrade to the line needs to be done that won't benefit Johnson and whether there is any way for Johnson not to be required to contribute to the cost in that case. Chris seconded and the motion was passed.**

Duncan's written report indicated that the water rate will need to increase by 3.2% and the sewer rate will need to increase by 6.9%. Walter said he thinks we should re-examine water and sewer billing to shift more to the user fee and less to usage, because as rates go up people look for efficiencies and many of our costs are fixed costs. (*Doug Molde, Mark Cattelona, and Franklin Cattelona arrived at 4:54.*) Rosemary agreed that it would be preferable for user fees to go up. The board agreed to wait to take action on rate increases until Duncan can look at the rate structure so the board can have a more informed discussion.

**7. *Kingsbury Legal Issue***

**Walter moved to enter executive session to discuss the legal issue involving Kingsbury, with Doug Molde invited to join the board. Ellis seconded, the motion was passed, and the board entered executive session at 4:57. Walter moved to come out of executive session at 5:21, Chris seconded, and the motion was passed.**

**Walter moved to instruct the Village's attorney to write a letter to Kingsbury Company, LLC, informing them of the Village's intent to invoke Section 23 of the contract, Chris seconded, and the motion was passed.**

**8. *Cattelona Lease Discussion***

Mark Cattelona distributed copies of the minutes of September 10, 2012, with a section underlined. He said when he left that meeting he thought, based on the underlined statement, that the board was going to see whether the village voters would entertain the idea of selling

an acre of land to him and Rick Jewett. Walter said the minutes reflect both discussion and action. What was underlined was part of the discussion, but further down the minutes show that the action the board decided on was to enter into a lease.

Mark asked if there is any possibility of putting something in the lease agreement about the possibility of buying the land. Walter said no. Gordy said the board does not have authority to sell the land. Mark asked why we couldn't at least ask the voters if they objected to it being sold. Gordy said the land is designated as village forest and even if the village did decide to sell it, the town would have the first option to buy it. The board learned that when they sought a legal opinion. Based on that opinion, they decided not to include Mark's article requesting a vote on selling the land in the warning for the annual meeting. Gordy said even if the land were ever sold, it would have to be sold through a realtor and anyone would be able to buy it.

Mark said he is not interested in a lease agreement, and he doesn't want to speak for Rick, but he thinks Rick feels the same way. They will remove their camp from village land when summer comes.

**9. Adjourn**

**Ellis moved to adjourn at 5:31, Chris seconded, and the motion was passed.**

*Minutes submitted by Donna Griffiths*