

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, OCTOBER 15, 2018

Present:

Trustees: Gordon Smith, Walter Pomroy, Scott Meyer, Bob Sweetser, Phil Wilson

Others: Meredith Birkett, Rosemary Audibert, Troy Dolan, Dan Copp, Bobbi Rooney, Eric Osgood, Ellis O'Hear, Sean Audet, Elizabeth Emmons

Note: All votes taken are unanimous unless otherwise noted.

1. *Call to Order*

Gordy called the meeting to order at 6:02.

2. *Changes/Additions to Proposed Agenda*

Meredith added a request from Bobbi Rooney about snowmobile trail improvements.

Gordy asked if Meredith wanted to add discussion of an electric car charger grant. Meredith said she isn't pursuing one for the village. She brought it to the college but it didn't sound like they were going to move on it in the short term.

Walter added an update on his work with the selectboard on the revolving loan fund and an update on the byway. If there is time there are VPPSA matters that probably should be brought to the board's attention – the Highgate sale, an item that should be discussed in executive session, AMI, and budget and solar issues.

3. *Review and Approve Minutes of Trustee Meetings*

Walter moved to approve the minutes of September 10, 2018, Scott seconded and the motion was passed.

4. *Treasurer's Report & Review and Approve Bills and Warrants / Budget Status / Action Items*

Walter said he would like to see percentages by line item in the new report format Rosemary presented. (*Phil arrived at 6:08.*) Walter said he may email Rosemary with suggestions about report format. (*Bobbi Rooney arrived at 6:12.*)

Rosemary gave the board a list of uncollected electric accounts from 2015. Walter asked if these have been sent for collection. Rosemary said we try to collect for 6 months then we send them off for collection. These have all been sent out and there have been zero collections. (*Eric Osgood arrived at 6:13.*)

Walter moved to authorize Rosemary to write off uncollected electric accounts from 2015 in the amount of \$2,589, Bob seconded and the motion was passed.

Walter moved to authorize Gordy to sign a water and sewer lien in the amount of \$281.12 for Don Morits' property on Park Street, Scott seconded and the motion was passed.

Walter moved to authorize Gordy to sign a release of lien for 85 Park Street, Bob seconded and the motion was passed.

Walter said when we discuss charter changes we could discuss liens for unpaid electric bills. Most towns have that in their charter.

Meredith said VPPSA has been working to bring APPA training courses to Vermont. She and Rosemary are planning to attend a course on electric utility accounting in the spring. She thinks the cost is about \$500 per person. (*Ellis O'Hear arrived at 6:16.*) They will not need to stay overnight.

5. Municipal Building Sculpture Proposal

Meredith said the person who was going to talk about the municipal building sculpture proposal is not planning to come.

6. Snowmobile Trail Improvement Request

Bobbi said her snowmobile club is looking for permission from the trustees and the selectboard to do a bandaid fix on the trail from the rail trail to their groomer shack. She walked the trail yesterday with Eric. He mentioned logging the property. For now the club would like to add water bars and take out boulders and then if the boards decide to log the property they will apply for a VAST grant to reconstruct the trail completely.

Walter said the club should make sure they are thinking about stormwater issues. Bobbi said they work closely with the Agency of Natural Resources. Landowners and the environment are the most important things to the club. Without them, they would not have trails.

Eric said when Bobbi mentioned that her club might want to cut trees that are keeping snow off the trail it got him thinking that he doesn't ever recall logging the property. It might be time to look at that. He walked it and the softwoods are very open. That is typically an indication that it is time to start logging. That would bring money to the town and village. Probably we would have to go through a forester and get it marked and put out to bid. We could also clean out the ash trees before they are killed.

Bobbi said the club wants permission to add water bars, take out some large boulders, widen a few spots and take out a few trees. They can't apply for a VAST grant again until next year but they can afford to spend \$500 to \$600 with an excavator to protect the health of their snow cat.

Walter suggested working with the Conservation Commission and Tree Board when looking into logging. There are people who would be interested in tapping sugar maples on the property. We should have the forester look at that too.

Walter suggested that maybe large rocks that are removed from the trail could be moved to the sand pit area to discourage people from using it as a rifle range. Bobbi said that would be hard.

Scott asked if we can make sure we are not violating anything related to Natural Resources or AOT. Bobbi said they won't be. The trail they are working on comes off the rail trail. They will not be in the right of way.

Walter moved to allow Bobbi Rooney's snowmobile club to make trail improvements on the former Tatro property, Scott seconded and the motion was passed.

The board agreed that Meredith and Brian should consult a forester about the possibility of logging the former Tatro property. (*Bobbi, Ellis and Eric left at 6:28.*)

7. Resident Hard Water Concern

Sean Audet said the line that goes to his washing machine is plugged up with flaky white deposits. He is on his third washing machine in 6 months. Village employees pulled and cleaned his meter. He flushed all the lines in his house. Today he found more of the white deposit. It has appeared since village employees were there on Thursday. The buildup is only in the line going to the washing machine.

Scot said he wonders if there is soap in the backflow preventer. Troy asked if the line is copper. Sean said it is. Troy said he thinks it is buildup on the inside of the pipe. Bob said he suspects the copper pipe is causing it.

Sean said the house has been there for a long time and the copper hasn't been a problem. He has been there over a year and he is just now starting to have this problem.

Bob said if we were having this much buildup in all village pipes more people would be having trouble. He would pull that pipe out and put in a plastic one.

Troy said Nate said he experienced something like this once related to a hot water tank. But he doesn't understand how it gets into the line before the tank.

Sean said he flushed the pipes and got no flakes and now he has them again.

Dan asked, if it was in the feed coming in, wouldn't everything have the same problem? He concurs that it is probably something in the pipe. The air Sean blew through the pipe may have pushed the deposit out and then the water brought it back.

Troy suggested that if there might still be buildup in the pipe Sean could tap on it and then blow it out.

Sean said he drained his hot water tank and didn't get a single flake.

Elizabeth Emmons said the flakes could be tested by Endyne. That could show whether it was a line deposit or something else. Gordy said he thinks maybe that is a good direction to go.

Meredith said if it is calcium or lime from hard water there is no quick solution other than a water softener for the home. Maybe Sean could talk to his landlord about that.

Bob said he would get plastic pipe. Troy said it might be worth replacing the pipe. That could end up curing the problem. It would probably cost a couple hundred dollars. Dan said testing will probably cost close to the cost of replacing the pipe.

Walter said he is not hearing evidence that the problem is in our system. The problem seems to be in the house. Others are not having this buildup.

Bob said he thinks the cheapest approach is to replace the pipe.

Scott said the Aupperlees came in with a similar issue with the cold water feed to their boiler. He doesn't know how that was resolved. Meredith said that was a different type of deposit. We determined that was manganese.

Gordy said Sean's house is not on the end of a line where there might be stagnant water. There should be a lot of flow through there. He suggested Susan could compare past water usage for the house.

Bob and Dan agreed the problem is most likely in the pipe. Elizabeth said if he replaces the copper pipe he can cut it open and see if there is a deposit inside. Sean said he will replace the pipe and cut into it and get back to the village.

Gordy said we have looked into water softening for the village water supply but it adds salt to the water, which can cause problems for people on some diets. (*Sean left at 6:47.*)

8. Water/Wastewater Report and Action Items

Elizabeth Emmons from Dufresne Group handed out information on the water asset management plan.

Gordy said one of our biggest concerns is the system at the foot of Gulf Hill, which is in bad condition. Walter said Lamoille View is another area with issues.

Elizabeth said Dufresne was able to get GIS mapping and make a decent base map. There are a couple of areas with holes but other than that it is pretty good to bring into the water model. They intend to provide those GIS layers back to CSI so they can update the online information.

Elizabeth showed examples of service goals and performance measures from the Town of Brattleboro. The service goals set the ground work for the rest of the evaluation. An example is repairing water main breaks within 24 hours 90% of the time.

Meredith asked about the timeline to get feedback to Elizabeth after we review the suggested goals. Elizabeth said Dufresne wants to finish recording the asset conditions by the end of February. It would be good to have those goals set when they start assigning priorities to assets. Meredith asked if a month or two would be soon enough. Elizabeth said that would be fine.

Walter asked if a maintenance schedule will be part of the result. Elizabeth said they don't get really in depth with maintenance because it changes a lot from system to system but there will be some general maintenance. It is more about life cycle costing and life cycle analysis.

Walter said we are having problems with shutoff valves that are failing. Is that because we need better maintenance? We need to plan for replacing them. Elizabeth said general maintenance for valves calls for exercising them at least every 5 years. That would be in the plan. The plan would prioritize the valves which are the most important because they affect more customers.

Walter asked if there will be suggestions for improvements. Elizabeth said there will be minor suggestions but they will mainly be inventorying the system and prioritizing assets that are in place.

Bob said he feels we should have a plan for valve maintenance. We should operate each valve every month. Troy said the valves with stainless steel rods had impurities. The manufacturer knew it but never reimbursed people for the defective valves.

Scott asked if defective valves would be reflected in inventory. Elizabeth said they generally don't do curb stops. They look at things that are worth over \$1000.

Scott asked if the village will be able to input the valves we know are bad into this system. It would be nice to have one document with everything, not separate documents for large and small assets. Elizabeth said the assets will be put into CUPSS and the village can keep entering assets there. If there were a list of installation dates, that could be imported into CUPSS. Meredith said the CUPSS program does allow additional information. We can work on our own to inventory valves we know are problematic.

Gordy asked, things will be categorized in different levels of priority or cost? Elizabeth said the guidelines for the asset management program say that you look at consequence of failure and probability of failure, then a priority list is generated.

Walter asked if the report would tell us what we need to have in place to prevent failure or to have on standby in case of failure. Elizabeth said she thinks that is a little more extreme than typical asset management.

Meredith said her goal is to find out what we have now and what condition it is in and identify priorities for replacement. Elizabeth said the goal is to try to push municipalities to be more proactive with their funding. If you know 10 years from now a tank will be nearing the end of its useful life you should start thinking about that now.

Walter asked if the plan goes into what it might cost us or what we might have to plan for if we wanted to increase our capacity. Elizabeth said they will not be looking at well field capacity but they will be modeling the system so we will know what is available in the system.

Bob asked if this system will be used for state requirements. Will all municipalities in the state get into the system? Elizabeth said the EPA CUPSS program is made for small municipalities. Dan said it will only be for our system. It will not be connected to EPA. It will just be used in-house. Meredith said the state is requiring municipalities to have an asset management plan. Dan said it is part of our permit requirements.

Elizabeth said manuals can be scanned into the system.

Meredith said this will be on the agenda for the next meeting.

Gordy thanked Dan and other employees for painting the pump house on Clay Hill. He is happy they could fit it into their schedule

Dan said he had Hallam requote the PLC. The lowest amount he was able to get to was \$62,820 which is \$2,280 more than previously approved by the board. The quote is good through the end of this week. Remote access is not part of this quote. We will add that at an annual cost of about \$400.

Walter moved to authorize Meredith and Dan to get PLC and SCADA upgrades at the quoted price of \$62,820 and the motion was seconded and passed.

Dan said all wastewater plant samples met state requirements. The E-DRM and WR-43 were submitted to the state.

A faulty relay at Highland Heights was replaced at a cost of about \$700. An influent wet well float that wasn't working was replaced.

Trip hazards and rusted or faded vent pipes are being painted. The front entrance steps were repaired and painted. Reflective tape was put on pipe guards and the loading dock to prevent vehicle damage.

We are now running E. coli samples in house for Johnson and Morrisville. It doesn't save any money but it allows for process control.

The job shadow who has been at the facility for the last 2 months has completed his last day. His experience there worked out well. He got a good education and enjoyed it.

A UV intensity sensor is starting to fail. Trojan is trying to find one for us. Our UV system is dated and they no longer support parts or service for it but Dan thinks we will be able to find a sensor. We know the UV is working because E. coli numbers are down.

All water plant samples were negative.

We are having issues with radio communication between the plant and the reservoir. We are getting 10-20 alarms per day. We have a quote for an improved radio system of about \$13K. We decided to have Champlain Associates try to troubleshoot the system. They think it is the dialer but Dan doubts it. He is looking at prices and getting a second opinion. The alarm system is not operational until the problem is fixed. The only critical alarms we won't get are alarms telling us the reservoir has overfilled or emptied.

We are having issues with the chlorine analyzer at the plant. It has not been maintained or serviced for several years. A representative from Pureflow is coming out free of charge to show us how to service it.

Walter asked, is the next person working at the plant after Dan going to know this maintenance needs to be done? Will it be on the maintenance plan? Dan said we can put as much information as we want into the CUPSS program. Meredith said she thinks that is a large enough piece of equipment that there will be a note about doing the maintenance. We can print out a task list from CUPSS.

Dan and employees have started painting the water plant and the Clay Hill booster station. If the weather cooperates they will be able to finish the booster station this week.

Gordy asked if Troy's crew will flush all hydrants. Troy said yes.

Dan said the belt press was fixed and is running better. (*Dan left.*)

9. Foreman Report and Action Items

Troy said on September 13 a car-pole accident on 100C interrupted service for 37 customers for about 7 hours. The replacement and transfer were challenging. The crew used both bucket trucks, which helped in the restoration process. The fire department helped with traffic control.

The crew completed a main line pole replacement and installed an 1800 ft. primary underground line extension to serve Ben Waterman's property.

All mechanical repairs and upgrades were completed on the new bucket truck. It has been stocked and put into service. The crew did right of way cutting, completed various Dig Safes, monthly meter readings and disconnects.

All sidewalk sand is stockpiled for winter. Fall banners are installed. The plate that holds the front bucket on the skid steer had to be rebuilt.

Gordy asked if the village has winter salt yet. Troy said the village paid the town \$3200 for a year's worth of salt last February. He isn't sure if the year runs from February to February or starts and ends at some other time. He doesn't think we have used \$3200 worth. He needs to talk to Brian Krause. Brian gets the salt and the village pays for a percentage of it. In the past we traded use of equipment.

Meredith asked if there is a way to measure how much we use so we know we are not overpaying. Troy said we felt the \$3200 was probably fair for a whole year. If we had our own building and could see how much salt we were using that would be best way to determine it.

All rubber goods were sent out for 3 month testing.

Troy met with a property owner to begin planning for a primary underground line extension to serve his property off Drag Lot Rd. The crew will be starting that job at the end of the month.

Troy created an invoice for the car-pole accident. The total cost including materials, trucks and labor was \$5600.

Meredith, Nate and Troy met with a state emergency management representative and 2 FEMA representatives to discuss the reimbursement process related to the high wind event in May. Meredith said she had another conference call with them last Thursday. There is a \$3,140 minimum threshold per type of damage. She had broken down our costs into debris removal and utility repair and both were under \$3,140 so they said we could not get reimbursement. She had a conversation in which she explained that the two types of work are really all part of the same task. The amount we would like to get reimbursed is \$3,300. It may be worth going through the process of trying to get reimbursement so Meredith can familiarize herself with how it works. She redid the application and sent it back to them and we will see what they say.

Meredith said a few weeks ago she was given an invoice for paving in front of the cold storage building. The total cost was \$5000, of which we would have been responsible for \$2500. She told

Brian Story that she was not told in advance that the village would be asked to contribute. Brian S. was going to talk to Brian Krause about it. She is not inclined to pay. Troy said it is nice to have that area paved. The town had the work done when they were doing other paving. They told Troy it was happening but didn't ask about a financial contribution. Meredith said we didn't budget for this. Even if the town had talked to her about it ahead of time she is not sure we would have agreed to pay for it.

Scott said it's double taxation on village residents when they are already paying once out of town taxes. He would have argued against paying even if the town had asked.

Troy said the village agreed to collect trash from 2 cans at Old Mill Park. The number has gone up to 6 and they are typically full of cat litter and household trash. An employee found an IV bag and hose in one. Troy no longer wants to empty those trash cans.

Gordy said Old Mill Park belongs to the town. Walter said the trash cans there are not locked. Troy said we suggested having them locked and having smaller holes. He feels the town can empty them with their staff.

Walter said the season is almost over. We should inform the town and the Rec Committee that they need to fix the trash can issue or we won't pick up the trash. Bob said he is in favor of being done with emptying the town cans. Gordy suggested finishing the year and telling Brian that next year the town should make different arrangements. Walter suggested telling the town that if they fix the problem we will continue to do it. Gordy said he thinks we should not continue. Bob said the town won't believe there is a problem until they have to deal with the cans. Then they will do something about it. But he does think we should finish the year.

Phil asked if the village has ever looked into a hiring a contractor like Casella to provide trash pickup service to the whole village. The reason we have an issue with trash is that people have to pay for trash disposal separately. So some go to the park to put their trash in a trash can for free. Meredith asked if there are communities in Lamoille County that provide trash pickup. Phil said he believes Fairfax does. Gordy said Westfield does also.

It was agreed that the village should continue to empty the Old Mill Park trash cans until the end of the season and should not continue to do it after that.

Phil asked, we don't have issues with other trash cans being used inappropriately? Troy said everything mentioned can be found in any of them. Walter said the others have tops that restrict people's ability to put large things in. Troy said last year someone stuck a dead skunk in one. After 4 days in 90 degree weather the smell was unimaginable.

Meredith said VPPSA hired a consultant to do smart meter feasibility assessments for each member. They are coming tomorrow to meet with us for 4-5 hours. They will do a field visit of our system and talk with staff. Eventually they will present a feasibility assessment for electricity and water smart meters.

Walter said the question to him is whether we are jumping in too soon, because the technology is changing rapidly. Is controlling flow both ways from solar batteries and electric cars part of this?

Meredith said she thinks integrating with new technology has to be part of it. She can't say for sure that every AMI solution is offering full functionality like timing for electric car charging.

Bob said he has heard rumors that smart meters are much more expensive. Walter said ultimately we will all have electric cars and batteries that can put electricity back in the system. Meters we invest in today probably won't be able to handle that. Troy said a lot of people would like to check their usage daily. Meredith said smart water meters have leak detection capability. The idea is that maybe VPPSA can store all the data coming in from members. Walter asked if VPPSA is saying that by having better data maybe they can purchase power in smaller increments. Meredith said she doesn't know if we would be buying in smaller increments but it could inform our modeling.

10. Village Manager Report and Action Items

Meredith said the village received an excess water adjustment application from Joan St. Pierre. She sent a letter explaining that her outside hose burst. She usually keeps it turned off but a grandchild must have turned it on without her knowing. When she discovered the problem she shut off the water and threw out the hose.

Walter said he would say no to this one based on precedent. We turned down a similar request when the issue was human error rather than plumbing. Meredith said our policy says adjustments may be made "due to a water leak or other problems associated with the customer's plumbing."

Scott asked, if the hose that attaches a washing machine to the plumbing broke, would we honor a request for an adjustment? If we would, what is the difference? Walter said the customer's letter said a child turned the water on. Scott said a child turned it on but the hose popped. Bob said that probably wouldn't have happened if the child had not turned it on. Phil said a washing machine line is on all the time. Scott said he turns his off. Bob said he thinks maybe we ought to put something in our policy clarifying that hoses are not included in the plumbing issues that would lead to our making an adjustment. He thinks we had another case involving an outside hose where we adjusted the sewer bill because the water didn't go into the sewer, but not the water bill.

Meredith said the water bill was \$66.38. The average bill for the last 3 months was \$25.58. The sewer bill was \$130.82 and the highest bill from the last 12 months was \$55.36.

Bob moved to adjust Joan St. Pierre's sewer bill to \$55.36, Scott seconded and the motion was passed with Walter opposed.

The village also received an excess water application from Teresa Cote. She was on vacation and her nephew was caring for her home. He inadvertently cut the hose with a mower and it was running for a few days before it was discovered. She feels confident the water didn't go into the sewer.

Some board members said this is the same situation. Scott said it is not quite the same because in this case a person caused damage to the hose and in the other case the hose failed.

Meredith said the sewer charge was \$876. The highest sewer bill from the last 12 months was \$172.36.

Bob said he feels the board should treat this the same as the previous request. The water didn't go into the sewer.

Phil said it would be good to clarify the policy with regard to hoses and flexible pipes.

Bob moved to adjust Teresa Cote's sewer bill to \$172.36, Scott seconded and the motion was passed with Walter opposed.

Scott said he would like to move on adjusting our policy to make it clear it does not include garden hoses. He thinks problems with washing machine hoses are different. Some people do leave them on. Meredith agreed she can draft some adjustments.

Meredith said Drew Fairbanks, who is in the East Johnson Town Sewer Service Area, has gone through the process with the selectboard, gotten preliminary approval from the village and gotten a state permit. Arjay drew up plans for him and Dan, Meredith and Troy thought they seemed in order. He will Y into the main, not into a manhole. This will be the first time in years we have accessed the main on Sinclair. This is just sewer, not water.

Walter asked who will inspect the connection. Meredith said Troy will be there. Troy said Nate has experience with that.

Meredith said there may be coordination with the town to get manholes uncovered if necessary. Drew is hoping to do the work on October 23.

Walter moved to sign the final wastewater permit for Drew Fairbanks, Scott seconded and the motion was passed.

Meredith said Dr. Paul Rogers is selling his property on Railroad Street and seeks to obtain a corrective permit for water and sewer service prior to the sale. He has owned the property since before our permit process was in place. He has commercial and residential use. This corrective permit documents his use. The person who buys the property will have to get a change of use permit and adjust the allocation and go through the state permit process. There is no charge for the corrective permit. The new owner will pay the change of use fees. The capacity based on historical use is 986 gallons per day for wastewater and 951.75 gallons per day for water. Meredith anticipates that the new user's use will be lower.

Walter moved to approve and sign both preliminary and final approval for wastewater and water allocations for Paul Rogers's property at 224 Railroad Street. The motion was seconded and passed.

Meredith said she got a request from Kyle Nuse to use the Village Green picnic tables at Legion Field for a harvest festival she and someone else are organizing later this month. They have someone who can move them and move them back. She thinks the village would approve this because it is for a public event being held on public property but would not allow it in the future for private events. We have a facility use form she could modify. Meredith had thought of the picnic tables as the village's but Kyle and Gordy brought up that someone in the community paid for them and volunteers put them together. But the village considers that we own them. Meredith will

modify the facility use form and make it clear that the tables must be returned in the same condition and that this use is only being allowed because it is a public event on public property.

Meredith said Kyle also brought up the issue of people parking over the sidewalk on Railroad Street. Others have brought up this issue as well. Kyle suggested “No parking on sidewalk” signs. We have an ordinance that forbids parking on sidewalks and has some language about penalties. If we wanted to have the ordinance enforced by the sheriff’s department Meredith would have to get legal advice about it. Does the board want her to look into the feasibility of signs? We would need to make sure they did not interfere with sidewalk plowing.

Walter said he believes where the problem exists, near the laundromat, there is already a signpost and another sign could be added to the post. Phil said the issue also exists by a rental on the corner of Lamoille View.

Bob said service trucks may need to park on the sidewalk. Those people aren’t going to come and do work if they have to lug their tools a long distance. Troy said it does get them out of the road. Bob said they are not doing any harm. People could walk around them. Troy said he thinks the issue of maintenance-type vehicles can be addressed in how it is patrolled. If it is a repair truck, that is different from someone who parks there constantly. Gordy said Dave Goddette also had concerns about people parking on the sidewalk. Phil said it happens almost every day in those two places. He has never seen service vehicles parking on the sidewalk there.

Meredith asked, if we can get a sign on an existing pole, should we start there? Board members said yes.

Phil suggested that she also see if the ordinance can be enforced. Walter said in the past the sheriff’s department has informally been encouraged to go easy on parking violations. We have to explain to them what we want. Merchants will be upset if we start enforcing parking.

Scott said he has seen people parking on the sidewalk on Main Street. It is happening sporadically everywhere, not just Railroad Street. Maybe in our billing statement we can let people know that we have an ordinance and ask them to pay attention to it so we don’t have to go to the next step. Bob said we should ask landlords to notify their tenants.

Phil said he thinks planting flowers could be a way of addressing the problem. He doesn’t see people running them over.

Meredith said she will put an education piece in the next newsletter saying we don’t want to go down the road of enforcement but we will if we have to.

Gordy said he has gotten a number of compliments on the newsletter.

Meredith said recently black and red beetles have been all over the building. Brian got an estimate from an exterminator of \$600 to spray the building and wonders if the village is willing to share the cost 50-50. Gordy said they are at the fire station also. We could get a quote to include the fire station.

Scott asked who will notify employees and citizens that a pesticide will be applied – the village or the town? Meredith asked if that is required or is just Scott's recommendation. Scott said he would have to look up the requirements. We are required to notify employees and we might be required to notify users of the building. The Agency of Agriculture should be able to tell us. If the applicator has the correct licensing they should know the notification requirements.

Walter moved to cover half the cost of pest removal at the municipal building and the motion was seconded and passed.

Meredith said she will look into notification requirements.

Meredith said Johnson works is hoping to do the Buy Local event again. We budgeted \$500 for support of the Holiday Jubilee and \$1K for insurance for the Jubilee. Meredith hasn't gotten an indication that Johnson Works is interested in getting insurance for the event.

Scott asked, don't they set up a tent with a propane heater? He feels they should have insurance for a tent with wiring and heating. Meredith agreed it would be wise for them to get insurance. She believes the village is safe from liability. Johnson Works has few assets so they don't have much to lose.

Johnson Works is asking for sponsorship of the Buy Local campaign for \$250. This is separate from the Jubilee.

Phil asked if Meredith thinks they won't ask for the \$1000 budgeted for insurance. Meredith said she has made it clear that we are willing to pay and has not gotten an indication they are interested. We can tell them we are allocating \$250 of the \$1000 for the Buy Local event and will still have \$750 to help them pay for insurance if they want.

Walter moved that the village general fund give \$500 for Holiday Jubilee support and the village electric department give \$250 for Buy Local sponsorship. Meredith said the \$1000 was budgeted under the general fund. Walter said we will leave that \$1000 for insurance and provide an extra \$250 beyond what was budgeted. **Bob seconded and the motion was passed.**

Meredith said Peter Moynihan has indicated there is additional work he would like to do to prepare for planting next year at the municipal building. It is easier to do the work now than next spring. We have reached the cap of what we budgeted for him for this year. He also sent a letter indicating that the amount of time he budgeted – about 4.5 hours a week if spread evenly – was just not enough to accomplish what we wanted to accomplish. If he is going to continue next year there will need to be more hours allocated for the work. The board agreed not to approve the request to pay Peter Moynihan for additional work.

Meredith said she communicated to LCPC her concern that the Phase II environmental assessment of the powerhouse property doesn't answer the question of what we need to do if we want to redevelop the building. The Corrective Action Plan to be developed depends on future use and to her future use depends on what we would have to do to support future use and what that would cost. LCPC said something called a Corrective Action Feasibility Investigation is often completed

between Phase II assessment and development of a Corrective Action Plan. It looks at redevelopment options and associated remediation options. It is eligible for EPA funding.

Scott said his concern is that the original reason for doing this was to determine what kind of contamination was present so we could do something before the building falls into the water. He is seeing that goal move further down the road.

Meredith said if we want to keep with the goal of having a public conversation about redevelopment, we don't have enough information to have that conversation. We know there are PCB's, asbestos and lead paint. But we can't say what it would cost to remediate those things. If we only want to tear the building down she thinks we could get an estimate to remediate and safely dispose of the materials.

Scott said he noticed the whole building wasn't reviewed. Meredith said it couldn't be safely accessed. Scott said we have no idea what kind of contamination is in the basement because it wasn't looked at. That makes him nervous. We still have a building ready to fall into the water. He thinks it could have been predicted that the contaminants found were there. But we still don't have a good picture of what is in that building. Meredith said she told the consultants not to go into the unsafe area.

Scott said he is worried that we have a building with documented contamination sitting over a river and no plan to remove the building. We need to look at the environmental liability of letting that building fall into the river vs. having a historical building. Meredith said she doesn't disagree. She thinks the board can make the decision that preventing the building from falling into the river is a higher concern and move on. The report does say the building is structurally suspect.

Scott said if there are good timber beams in there that can be salvaged we can set them aside. Meredith said they are contaminated. Scott said then they have to go anyway. Walter said if we wanted to save this building we would almost have to take out all the wood anyway, right? Scott said it would depend on the level of contamination.

Scott said if the building slides into the river the cleanup cost would be very high. Walter asked Scott if in his opinion the contamination is bad enough that we need to move quickly. Scott said the building has lead paint and it has asbestos. It has PAH, which is a chemical of concern but is pretty widespread. He thinks the PCB's are on the concrete, which won't go anywhere. Meredith said PCB's are in the shallow soil as well. Scott said they will remove the top layer of the concrete pad. He is not worried about the concrete because it's not going to go anywhere. He has to read through the report but he thinks we need to work quickly.

Walter asked Scott if the cost of cleanup is excessive compared to the cost of tearing it down. Scott said if we tear it down we would need a permit from the health department because it is lead-contaminated. We would have to go through DEC to make sure we are not putting PCB's into the waterway. Walter said we would also have to do this if we wanted to refurbish the building.

Phil suggested maybe we could put up a replica of the old building. Gordy said he would like to have the building completely gone and a parking and picnic area there.

Scott said his understanding is that we need state oversight to remove the building. We need an environmental consultant to be there. When the building is coming down we need to document everything and potentially take samples. The contractor will have to be certified.

Walter said he is thinking about authorizing Meredith to have the building removed. Scott asked for a week to read through the assessment. Phil asked who is arguing for the alternative. Scott said he thinks the Historical Society and Duncan were interested in keeping the building. There is value in it but also liability. It is a contaminated building on a state waterway. Walter said we have to make it clear that it's too contaminated to put money into it.

Gordy said he agrees we should get it done. Is there any funding to put anything back on that site? Meredith said she would be more concerned about funding to tear it down. As the property owner responsible for the contamination we are not able to access any funds to help pay for cleanup. She will look into any grant funds that can cover removal.

Bob asked, why can't we just cap it with good dirt? Scott said he thinks it is too steep. Walter said first we have to get the building out of there, then we can deal with the pad and the ground later. Scott said he thinks the state will be concerned about excavators moving the soil around when taking the building down.

Walter said he feels that unless Scott decides in the next week that he has a different opinion Meredith should tell LCPC to help us get whatever money we can get and that the building has to come down.

Scott said he wonders if we can do it in phases and start with the part that is ready to slide into the river. Bob said he thinks if we only remove part of it there may be resistance to tearing the rest down. He thinks we should remove it all. Walter said he agrees, but the state may be more willing to work with us on the emergency part. Scott said he doesn't think the state will push back.

Meredith said her concern is the cost. Scott said the DEC should be able to give us an estimate. It will be more difficult because it hangs over the river.

Walter moved to authorize Meredith to work as quickly as possible to arrange for demolition of the powerhouse building due to its contamination and dire state of repair and the risk of its falling into a state waterway, Scott seconded and the motion was passed.

Meredith said there had been some conversation about her and Brian disagreeing on the merger study RFP. They were both just busy and hadn't had time to get back to it since spring. Brian made a few changes to her draft and they both feel it is good. In an email Eric asked about including intangible benefits or drawbacks such as customer service interactions. Meredith and Brian intended for those to be included in the RFP. They may add some language about considering intangible things.

Eric also suggested getting feedback from communities that did recent mergers. That is a little bigger change but it could be helpful. Walter said no other communities with recent mergers or mergers on the table have utilities. Meredith said she and Brian had discussed the possibility of reaching out to other communities after the report rather than tasking the consultants with that.

Meredith said in the spring she had suggested putting a cap of \$8K on the cost. Mike Dunham was opposed to that. But the village voters did cap the amount the village can spend at \$4K or 50% of the cost, whichever is less, so we are not paying more than \$4K. Brian reworded the RFP to say that higher scores would be awarded for costs below \$8K. To her, that seems like a good compromise.

The selectboard will be reviewing the draft RFP tonight as well. Meredith and Brian will have to talk and she will let this board know if the town has other proposed changes.

Gordy said he feels that if there is any correspondence between the consultant and anyone other than board members or administrators we should get copies of it. Meredith said one part of the RFP asks consultants to tell how they plan to ensure all views are fairly represented. It doesn't specifically say they need to provide all correspondence they receive. Phil asked if the consultant would be actively soliciting comment. Meredith said she expects they might want to do some interviews and might get unsolicited comments.

Walter said at the annual meeting an amendment was passed saying that before the village pays its share of the study cost we are to get the scope of work. The RFP doesn't really mention the scope of work. Meredith said we have defined the scope of work and we are asking them how they will provide the evaluation. Gordy asked if we have to go to the village voters with the RFP before we can proceed. Walter said the motion from the meeting says that the trustees must receive the scope of work and price for the study. We do not have to have a special meeting.

Scott asked if the RFP asks for full disclosure of the consultant's potential conflicts of interest. Meredith said it asks them to document their experience and provide resumes of key staff. Scott said he would like a comment about disclosure of any conflict of interest. He wants a fair and objective study with nothing going on behind the scenes.

Phil said under required deliverables we are not asking for a full written report, just a summary. Meredith said maybe it should be reworded to say a written report covering the main components rather than a summary. That is what was intended. She noted that we ask for documentation of any interviews performed and all public comments received.

Gordy asked if Meredith can keep village employees informed as the process goes on. Before the discussions with Morrisville our village employees were not informed and had no input. Jobs could be affected. Scott said talented people could leave.

Board members said they would like to see the final version of the RFP that incorporates suggestions from the two boards before it goes out.

Walter moved to find that premature general public knowledge of communication from our attorney would clearly place the village at a substantial disadvantage if discussed in open session, Scott seconded and the motion was passed.

Walter moved to go into executive session with Meredith to discuss confidential attorney-client communications made for the purposes of providing professional legal services to the

body, Scott seconded, the motion was passed and the board entered executive session at 9:25.
The board came out of executive session at 10:15.

Walter moved to authorize Meredith to continue the process of getting a quit claim deed for the East Johnson Sewer System that is complete in terms of description and that the village will accept the deed if we get proper assurance that the town will cooperate in uncovering manhole covers and that if the town does not uncover manhole covers as needed the village will bill the town for time and materials to uncover them, Bob seconded and the motion was passed with Scott and Gordy abstaining.

The board agreed that Meredith should continue working on a framework for a new village charter, making additions and changes to the existing uncodified language. Walter said at some point we will need to have a discussion with the selectboard on a few issues. Meredith said perhaps that can happen at the joint meeting in late November or early December.

11. *Update on Town Revolving Loan Fund*

Walter said the town ran into problems regarding what they can and cannot do related to the housing portion of their revolving loan fund. They rewrote it so they won't be doing much related to housing. For anything going on in the village people will probably come to the village. He told them that we want to work together but we are not going with them over to LEDC for loan administration. They are moving forward to develop applications. We will want to try to adopt and use those so there is only one set.

12. *Update on Green Mountain Byway*

Meredith said the Vermont Transportation Board has approved expansion of the Green Mountain Byway to include Cambridge, Jeffersonville, Johnson and Morristown. The first thing the Byway group will tackle is trying to get signage. They will have to figure out how to pay for it. Maybe all the communities can go in together to reduce expense.

Gordy said he was on the rail trail recently and saw that someone is starting to put graffiti on the old railroad bridge. The village and town might want to get together to offer a reward for the arrest and conviction of the person doing it.

13. *VPPSA Budget Discussion*

Walter said the VPPSA budget is looking large. He asked what was decided at the last meeting. Meredith said there was not a final vote on the budget, just a preliminary presentation. The amount budgeted for net metering software may be decreasing. It was agreed not to move forward with having a consultant develop net metering software as that would be too expensive. There was discussion about the capital fund for Peaker 10. She thinks the recommendation of VPPSA staff was to continue to put \$300K in this year and next year maybe not continue to put that much in out of the operating budget.

Walter said the budget is increasing by 7%, though Johnson's share is only increasing by 4%. Employee equivalents are going up. Their minutes say they have more than they need in the Peaker 10 reserve. He would like the board to direct Meredith to push back on the budget, especially on some items. Meredith said she thinks the hope is that if they don't have to put as much money in the reserve next year that should offset the loss of Hyde Park. They are proposing 0.9 more FTE's but staff say they are stretched thin.

The board agreed that Meredith should express the Johnson village trustees' opinion that the Peaker 10 budget is getting too high and that we need to cut the budget if we are going to lose Hyde Park. Meredith said she will communicate that.

14. Adjourn

It was moved and seconded to adjourn at 10:25 and the motion was passed.

Minutes submitted by Donna Griffiths