

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, NOVEMBER 12, 2018

**Present:**

Trustees: Gordon Smith, Walter Pomroy, Scott Meyer, Bob Sweetser (by phone), Phil Wilson  
Others: Meredith Birkett, Rosemary Audibert, Troy Dolan, Dan Copp, Greg Stefanski, Nick Sharatt, Mia McKenzie, Emma Ainsworth, Heather Lamone, Amber Follansbee, Bridget Couture, Omar Hussein, Kiara Jacobs, Danielle Ford, Daniel Miller, Tessa Taylor, Katelynn Snow, Dani Christopher, Trey Hancock

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

**1. *Call to Order***

Gordy called the meeting to order at 6:00.

**2. *Changes, Additions to Proposed Agenda***

Meredith added discussion of suggestions for the December newsletter. For the item relating to Gail Hall's permit, she will amend it to ask the board for both preliminary and final approval. She said under Dan's report the board will have to discuss a change to the PLC quote. Under agenda item #3 she has two proposed action items regarding the powerhouse building.

**3. *Review and Approve Minutes of Trustee Meetings***

**Walter moved to approve the minutes of October 15, 2018, Scott seconded, and the motion was passed.**

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

Rosemary said the September power bill was the lowest she has seen in a long time. Meredith said that seems to be due to a combination of lower market prices and higher than expected revenues from Peaker 10.

The college paid the \$6K for the fire department for 2018.

Walter said water revenue is lower than it should be. Meredith said she thinks the college has used a little less than last year. Scott said they have fewer students this year. Rosemary said sewer revenue is at 83% of budget, which matches how far into the year we are. She noted that the college has a fixed rate for sewer.

Rosemary said PILOT revenue is about \$1500 less than last year but still more than we budgeted.

Taxes for the current year are 1.19% uncollected, much better than in previous years.

Rosemary asked if the board wants to increase holiday pay or keep it the same. It has been \$100. (*Greg Stefanski and his college class arrived at 6:14.*) **Walter moved to authorize a holiday bonus of \$100 for each employee, Scott seconded and the motion was passed.**

Gordy welcomed the college class. He explained that the trustees are responsible to village voters and ratepayers. The trustees are in charge of water, sewer and electric utilities. The village has its own electric department. The trustees are working to save it. It has competitive rates and good service and it is all under local control. The trustees try to provide good service while making it as

inexpensive as possible to live here. Board members and employees each introduced themselves and talked about their roles and backgrounds.

##### **5. Water/Wastewater Report and Action Items**

Dan said all samples met state requirements. The E-DMR and WR-43 were submitted for review. There was a PLC failure on November 1. It affected the dialer, which had blown a fuse and needed a reboot. A new key was welded to the main drive roller shaft on the press. The keyway was worn badly. The next day a belt broke on the press. A spare used belt was put on. We have one more spare used belt. Dan suggests that if we put the last used one on we should look at purchasing a new belt. They cost about \$750. A faulty solenoid was replaced on the polymer feed valve to the press. The polymer makedown unit is in rough shape and should be replaced. Dan is researching a replacement. A replacement could be used in any upgrade to the press. Pratt Electrical replaced 2 influent overload relays that were undersized for the influent pumps that were replaced last year. Dan doesn't know the cost yet. A thermostat at the water plant wasn't working and was replaced.

Dan submitted the Village of Johnson Emergency Power Failure Plan for the WWTF and the pump stations to the Agency of Natural Resources as a requirement of our new discharge permit. A few deficiencies were discovered and will be addressed as soon as possible. The River Road pump station will get an upgrade, with a dialer that will call immediately if there is a loss of power. Communication from that pump station is the most important because it has the shortest hold time. Dan has a feeling the state will want dialers at all the pump stations.

Walter asked Dan's opinion on that pump station. Dan said the good thing about the cell phone dialing system he wants to install is that it can be used even after an upgrade. It can be used anywhere. He thinks work on that pump station needs to be on the shorter-range rather than the long-range plan. Meredith told him she thought the plan we have for it would be cost prohibitive because we would have to buy a piece of land. Meredith said she heard that was why the estimated cost was high, but she is not sure that information is correct. Dan said it is hard to believe there is not enough space with the space there is now. He thinks we need to look at what other options there are. He can do that if the board wants.

Walter said we are putting together the asset management plan and he was thinking we would go out for one bond for all the projects we want to do, but we need to look at possibly moving some things up.

Meredith said the communication system just for River Road will cost about \$3K. We will start with that one. Dan said we will wait and see what the state comes back with.

Dan is halfway through the Phosphorus Optimization Plan that is a requirement of our new permit. The plant is optimized. We are at 13% of our allowed loading for phosphorus.

All water plant samples were negative. There was one callout. The Clay Hill booster station is getting a high pressure alarm. The off set point was lowered by 2 psi and that seemed to cure the problem.

Water loss for October was 12%.

The Monthly Operations Report was submitted.

Meredith gave the board Brattleboro's water system level of service goals as examples. She said Dan has some suggested changes. She thought perhaps we should add a goal related to water hardness. Maybe she can ask Elizabeth Emmons for suggestions. We might also want to add a goal related to the permitting process. There wasn't anything in Brattleboro's goals about customer service related to the permitting process.

Walter said he sees some major issues. He would recommend adding 5 more categories: employee safety and satisfaction, wellhead protection, emergency preparedness and resilience, energy efficiency and management/financial prudence. He thinks our first goal should be in a category by itself: customer confidence and trust in administration. He wants customers to trust and have confidence in us. That should be goal #1. Meredith and Scott both said they liked Walter's proposed categories.

Scott said if we add worker safety and health we don't want to interfere with Dan's company's programs. Walter said we have our own staff as well.

Scott asked if we have any formal emergency action plan. He was thinking we should have short-term, medium-term and long-term plans for dealing with the worst case scenario – the bridge and its two big pipes getting washed out. We should have a manual that tells how to restore water and sewer to the part of the village that is cut off.

Meredith said she will take Walter's suggestion and go back to Elizabeth and figure out how to address those categories.

Walter suggested we should be aspirational in our goals and go beyond just meeting state drinking water standards. We were proactive and tested for PFOA's though it was not required. He would like that kind of proactive thinking to be part of our service goals. Scott agreed.

Meredith said breweries have caused problems for wastewater facilities in other communities due to high strength waste. We need to make sure we amend our sewer ordinance to protect our system so we don't take on risk and cost. Morrisville is rewriting their ordinance and we can probably benefit from their work. Meredith will talk to our attorney about this. Scott asked about Stowe. Dan said Stowe implemented a surcharge for breweries. Dan said there is some wording in the present ordinance that protects us from anything that can adversely affect the performance of the plant. Greg asked if there has been conversation about composting waste from breweries. Dan there has been talk about digesting it. Magic Hat brewery has a digester.

Dan said when a Hallam employee was here recently he found a problem. The original quote from Hallam for the PLC upgrade included a Win911 system. We decided to save money by keeping the dialer instead of getting the Win911 system but the alarm points aren't hardwired into the dialer. They are in the software that is going away. The options are to install a converter, which is not recommended, or to install the Win911 system that was originally quoted. Dan asked if the cost could be rolled into next year's budget and the Hallam employee said it potentially could. He would be surprised if the village saw a final bill before the first of the year. A converter would cost as much as the Win911 system.

Meredith said it doesn't matter if we wait until after January 1 because it will not be in the budget at that point. She feels we should just deal with it in the 2018 budget.

Dan said in the future with the new system Hallam will be able to dial in to our system, reducing in-person visits and labor costs.

Dan said the UPS power supply is dead. The new PLC will have a power backup and he wants a new UPS wired correctly as a secondary backup. That costs about \$200 but it could save money on service calls. He will replace the UPS that is there now and the new UPS will be used with the new PLC.

**Walter moved to authorize Meredith and Dan to spend up to \$70,000 for the PLC upgrade and the motion was seconded and passed.**

Greg thanked the board for meeting upstairs for the benefit of his class. He said the village could reach out to him and his class if there is ever a need for volunteers to help with a project. He and his class left at 7:07.

**6. Foreman Report and Action Items**

Troy said the crew installed a new 200 amp service that will meter the lighting circuit at Manchester's Mill. The 3-phase service was de-energized. The regulator for Just Send It Solar was installed on the pole. An outage has been planned for November 15 to put it into service. A 200 amp secondary service was installed on 100C to feed a new 4-unit apartment building. The crew has begun work on an 1800 foot primary underground line extension on Drag Lot Rd.

Jeff Parsons has completed his second year of the NEPPA apprenticeship training with a 92 average. Gordy suggested that the board send letters recognizing employees when they move up through the ranks. Meredith will draft a letter to Jeff.

Troy said the crew completed meter reading, disconnection notices/disconnects, re-reads and Dig Safes. The picnic tables on the Green have been put into winter storage. All hydrants were flushed and pumped down. Snow removal equipment has been serviced and prepped for winter. This will be the last winter for the dump truck the village bought from the town. Its transmission has become weak.

All village fire extinguishers passed the 6 month inspection. This month's NEPPA meeting was related to proper grounding of de-energized electrical conductors. Some updated methods were introduced which will change our procedures.

Troy worked with Tom and Vickie Foster and two adjacent property owners to come up with a method of providing service to their lot that would have minimal impact to all involved.

We received payment from Just Send It Solar to cover our cost for the regulator installation. The project should be completed by mid-November.

Meredith and Troy met with employees from DEC at the powerhouse building to evaluate its current condition and discuss how to dispose of contaminated materials.

**7. Village Manager Report and Action Items**

Meredith said she wants to discuss scheduling a public meeting on the Pearl Street sidewalk project. She distributed copies of the site plan included in the grant application. The budget was built off the site plan. If we change the plan it could impact cost. She built a buffer of about 25% into the grant application. Her goal for the public meeting is not to get consensus but to get a general sense that either what we proposed will work or that the community feels strongly that the plan needs to be different. She has heard complaints that on the east side of Pearl Street the green strip has been completely worn away. We could put curbing in to protect the green strip but then people wouldn't be able to park there during Tuesday Night Live. Curbing would also direct water to the catch basin. We will meet with the town before the public meeting to see if they think our plan will work.

Meredith suggested having the public meeting during the first hour of the December trustee board meeting. Walter asked if we should meet on site. Meredith said it is hard to have a conversation out on the sidewalk. She could take pictures. She would not recommend meeting out there. The board agreed to schedule up to an hour for discussion of the Pearl Street project at the start of the December meeting. Meredith will put information about the public meeting in the next newsletter and will do a direct mailing to affected houses. (*Dan left at 7:18.*)

Krystal Woodward just purchased 224 Railroad Street from Dr. Rogers. She has applied for a change of use permit. The use is changing to strictly residential multi-family. Dr. Rogers' allocation is more than she needs. **Walter moved to give preliminary approval for the water and sewer change of use for 224 Railroad Street pending receipt of the state permit, Phil seconded and the motion was passed.**

Gail Hall is interested in putting a mobile home on a subdivided parcel behind Gloria Mobbs' home on Gould Hill Rd. In the late 90's the parcel was subdivided and water and sewer service lines were installed to it. The owners got a state permit but didn't get an allocation from the village. They have provided a copy of the state permit from 2001 and a map of where the lines are. Because they declined to get a local allocation at the time they got the state permit Meredith is treating this as a new application. The owners have paid the full amount for connection and capacity allocation.

Scott asked what the policy is on flushing the pipe to make sure nothing comes back into the public water supply if the pipe has been unused. Walter asked if we suck it out to clean it before hooking it up. Troy said if the curb stop is self-draining there shouldn't be anything in it. He doesn't think we can tell if it is self-draining without digging it up. He agrees it would be good to suck it out first. Meredith said the water main is pressurized so there shouldn't be backflow. Scott said there could be if there were heavy use downstream, for instance from the fire department. Maybe a fecal coliform test should be done at the tap after the line is purged. Meredith said she can ask some people for recommendations on the right language to require the owners to do what is necessary to ensure we are protected.

Walter asked, the state permit is still good? Meredith said she believes so.

**Walter moved to give preliminary approval for a wastewater allocation of 210 gallons per day and a water allocation of 405 gallons per day for Gail Hall's 3-bedroom mobile home on Gould Hill Road and to give final approval contingent on site inspection by our staff and**

**confirmation that the state permit is still valid, with language included in the permit to prevent any backflow to the public water supply. Scott seconded and the motion was passed.**

Meredith said she reached out to the Vermont Dept. of Environmental Conservation and LCPC staff to determine the steps needed to move forward with demolition of the powerhouse building. They both indicated that even if we are going to demolish the building we have to do a Corrective Action Plan for the property. DEC staff visited the site on November 6. They had a conference call with the consultants who did the Phase 2 report. They noted some things that need to be corrected in the report. They will be reaching out to the EPA to talk about the fact that testing was done only in the main part of the building because Meredith didn't allow the consultants into the other part. DEC will be asking EPA if the tests done in one part of the building can be applied to the whole building. If not, we will have to assume the worst possible scenario which means disposing of the PCB-contaminated materials in Michigan at great expense.

Meredith has requested that LCPC cover the cost of developing the Corrective Action Plan and any additional sampling that has to be done. They are willing and have funding available. They want the trustees to make a motion to formally request funding.

Scott asked if LCPC or a consultant will do the CAP. Meredith said it will be the consultant who did the previous report.

Meredith said she has been trying to find potential funding sources. They seem limited. There are state funds that may be available. We may be able to access the Clean Water Revolving Loan Fund. But Meredith has to determine whether we need PUC approval to take out a loan. If we do she doesn't think we should pursue that. She will get on the state's priority list for the loan fund to preserve the opportunity to get a loan but she doubts we will pursue it.

Scott said it could be easier to get state money if we have a plan for redevelopment.

Scott asked, if the EPA says we need to assume the worst case scenario, can we see if the consultant can do sampling remotely? Meredith said we can ask if there is a way to do that.

Walter asked, once everything is in a dumpster, can't we test it then? Troy said everything has to be separated. We talked about taking the building down and storing it on property we own but there was some reason that was not an option.

Walter asked if anyone has given a cost estimate. Meredith said it will be high. She would say it will be at least \$100K. Troy said he would say \$200K. Meredith said she asked if we would be better off doing this or letting the building collapse and was told that there would be a great deal of sampling required if the building went into the public waterway and it would be much worse for us to allow it to collapse.

Walter said we have the pad, the land, and the building to consider. The building is the priority but it sounds like the plan has to address all three. Meredith said we will be working on an expedited CAP. Her understanding is that the scope of that is removing the building.

Scott asked about turnaround time for the CAP. Meredith said she has not heard what it will be, but everyone has responded quickly and has been helpful. Gordy asked if Meredith or Troy can periodically take some pictures and date them to show changes in the condition of the building. Walter said we need to ask what the emergency plan is if we see the building is about to fall in, to keep it out of the river. Troy said he expects if there is a major snow load it will go all at once. Phil asked if we can shore it up. Troy said it has gone beyond that.

Meredith said she believes she also has to reach out to the Office of Historic Preservation.

Meredith said she got an updated quit claim deed from the town this afternoon for the East Johnson sewer system. It looks like the description has been somewhat simplified. It references the easement, which is 10 feet on either side of the sewer line down Sinclair Road. We had talked about billing the town if they do not help us uncover the manholes. The quit claim deed doesn't include anything about that. She will ask the attorney if it makes sense to include that in the quit claim deed or in a separate document. Walter said he doesn't think it belongs in the quit claim deed, but he would like it stated in selectboard minutes that they agree to uncover manholes. Gordy said we need it written somewhere. Meredith said she will have our attorney review the updated quit claim deed and give input. She will share the input with Brian and get an updated version if the attorney suggests changes.

Meredith said the RFP for the merger study has been updated to include the changes suggested by the trustees and the selectboard. It calls for a full written report rather than a summary and language was added about consultants noting any conflicts of interest. The selectboard wanted acknowledgement that pros and cons could be different from different perspectives. They also wanted the report to include similarities and differences to other communities that have considered mergers. Gordy said that should include only communities with utilities. Scott agreed that the comparison must be made to other communities with water, sewer and electric utilities or it will be a waste of time.

Meredith said she got a call today from Doug Molde. He feels strongly that the deliverables should include the consultant's recommendation. He feels it is pointless not to get a recommendation. He is not speaking for the whole selectboard but he thinks others feel the same way. He would not vote to approve the RFP unless it includes that as one of the deliverables.

Meredith said her personal opinion is that it is up to the trustees, the selectboard and the community to react to the analysis. She doesn't think getting a recommendation is best. Gordy agreed. He said different people could come up with different recommendations. Scott agreed. He said when this was discussed at the village meeting we didn't talk about getting recommendations. Walter said this report will include factual things and a lot of intangibles. He doesn't want an outsider consultant making a recommendation based on a lot of intangibles. Bob said he agrees. Phil said he tends to agree. He assumes the recommendation will be based on the report and at that point we can arrive at our own decision. It would depend on how they backed up their recommendation, whether it was based on intangibles or financial facts. Walter said there will be analysis and they can analyze intangibles but he doesn't want a conclusion. Gordy said he feels if they come to a conclusion our hands are tied.

Meredith said she and Brian added a little more language about intangibles and included language about conflict of interest.

Meredith will report back to Brian that the trustees would not like a recommendation, just an analysis. Gordy said without a recommendation each board can give their perspective and the voters can decide.

Meredith said Brian communicated that the selectboard's position is that the village should wait to develop a charter until after the merger study. She is planning to send out a newsletter in December. Should it include a request for people who want to serve on a charter committee?

Walter said the powerhouse building is a big project that has been put in Meredith's lap. And he is getting the idea from Dan that we need to replace the River Road pump station sooner rather than later. He wants to know if fitting in the charter will work.

Meredith said it depends on what we want to do with the charter. It doesn't seem that the town has an appetite for in-depth discussion about changing things. If we are only making a few small adjustments it seems like it could be relatively simple.

Walter said we would have to get it to the legislature by the end of January. Meredith said she thought we were shooting to have it approved at the village annual meeting and then approved by the legislature in January 2020.

Gordy asked if we are talking about changes big enough to go to the legislature. Walter said the charter has to go to the legislature. Meredith said we either say we have a charter, although it is uncodified, or we need to go to the legislature.

Walter said if we push work on the charter off by 6 months we won't really affect the timeline. Meredith said we could have a special village meeting to approve it. Phil said we don't just want a light update; we want a full update. Walter said he thinks there are important issues to be addressed in the charter and they are serious enough that it will not be a light update. His feeling is that we should push the charter work to the back burner. We have to deal with the powerhouse building and if we are going to do anything at the annual meeting it may be approving a bond for wastewater projects.

Bob said he doesn't see where changing anything will make any difference. Meredith said the message from the attorneys is that we have an uncodified charter. But she doesn't see the point of going through the process unless we make changes. Walter agreed. There are changes he wants to see. He feels we should put the charter on hold for a while and readdress it in spring. He thinks Meredith and Dan should be able to apply their time to moving forward with wastewater bonding.

The board agreed to pass on to Brian that due to changing priorities of the village the trustees are delaying action on the charter.

Gordy said we should have a set of standards for what goes in our newsletter. People may want to advertise in it or various groups or individuals may want to use it. Meredith said the content is strictly village business.

**Walter moved that the village formally request that LCPC fund the Corrective Action Plan and any adjustments to the Phase 2 report for the powerhouse building and that Meredith be authorized to seek funding through the Clean Water State Revolving Fund, Scott seconded and the motion was passed.**

8. *Adjourn*

**Phil moved to adjourn at 8:09, Scott seconded and the motion was passed.**

*Minutes submitted by Donna Griffiths*