

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES
ELECTRONIC MEETING VIA ZOOM AND PHONE CALL-IN
MONDAY, APRIL 27, 2020

Present:

Trustees: Scott Meyer, Brian Raulinaitis, Gordon Smith, Bob Sweetser, Phil Wilson

Others: Meredith Dolan, Rosemary Audibert, Troy Dolan, Dan Copp, Walter Pomroy

Note: All votes taken are unanimous unless otherwise noted.

1. *Call to Order*

Gordy called the meeting to order at 6:03.

2. *Changes, Additions to Proposed Agenda*

Meredith added action on the question of whether to charge interest on water bills this month.

3. *Annual Village Meeting Format and Date*

Meredith said she has inquired about options for the annual village meeting and she got additional clarification today from the elections department of the Secretary of State's office. They were clear that we have to provide people the opportunity to come and vote in person. Voting can't be done entirely by mail. Do we want to convert all our questions to Australian ballot questions and not have a meeting? And if so, do we want to proactively mail a ballot to each voter to increase the chances that people will vote by mail rather than coming in person?

Scott said from what he understands it is not a reality to have a public meeting. He is shocked and saddened to hear that the state is saying we have to allow in-person voting. He would never support having the village meeting at this point.

Meredith said she doesn't think it is likely that we will know in time for a June meeting if restrictions on gatherings will be lifted. She doesn't think it makes sense to try to plan for a June meeting. Most likely we would have to postpone or cancel it.

Gordy asked if there is a way we can have a voting booth just inside the door in the entryway. Rosemary said she doesn't think there is enough room in the entryway. We will need to have a minimum of three poll workers there.

Bob suggested having voting on the patio. Rosemary asked, what if it rains? Meredith said we have the option of having outside or drive-up polling. But we don't have a good covered area.

Phil asked if people can come and drop off ballots they received in the mail. Rosemary said yes. Phil said that would be faster and easier than filling out their ballots here. Maybe that can be done by drive-through. Rosemary said if we send everyone a ballot we have to enclose a stamped envelope so they can return them by mail.

Meredith reviewed the requirements. We can mail ballots to every registered or active voter no less than 15 days before the election, including postage-paid return envelopes and instructions. Ballots must be returned by close of the polls on election day. A municipality may implement drive-up voting procedures where people vote without leaving their vehicle, or the polling location can be outside with standard polling procedures in place.

Meredith said she thinks mailing ballots to voters and allowing what hopefully will be minimal in-person voting seems to be the best option. Gordy asked Rosemary what she would prefer. Rosemary said she prefers the option of mailing a ballot to each active voter. It will be more time-consuming upfront but she thinks it will save time in the long run. Meredith said we can put out a request that people vote by mail rather than coming in to protect the health of voters and employees, but we can't turn voters away if they want to vote in person.

Phil asked what the difference is between active and registered voters. Rosemary said there is a category called challenged voters – people who we believe no longer live in Johnson. If we send ballots only to active voters those people would have to come to the polls to vote and sign an affidavit that they are residents of Johnson.

Meredith said we would change the two-part question about appointing a water and light commissioner to just ask whether the voters will authorize the trustees to appoint a water and light commissioner. The board agreed to that.

It was agreed to schedule a special meeting for Friday to approve the warning.

Scott moved to transition all of the questions from the 2020 annual meeting and election warning to Australian ballot, Brian seconded and the motion was passed.

4. Village Revolving Loan Fund – Participation in State Program

Meredith said she and Brian Story participated in a webinar by the Agency of Commerce and Community Development about the Restart Vermont Main Street Grant program. They reached out to all communities that they knew to have revolving loan funds and asked how much they had available to lend, then had a conference call to discuss creating a single point of application loan program for small businesses in Vermont. There is about \$10 million available among all the funds. They would like to make people aware of the existence of these funds and provide an easy way to apply for them. They want communities to be open to lending to businesses that might not be within their municipal boundaries if the business has an effect on the community. They are also hoping to provide grant funds that wouldn't have to be repaid along with the loans. Meredith had some confusion about that. It initially sounded like the grant would come out of an individual community's loan fund but they clarified that only certain communities' loan funds can do that, based on the original grant conditions. She is not sure about ours and she is not sure if the state will provide any of the money for grants. It sounds like communities are expected to provide it. They want to have a common application that would go to the state for initial review. The state would do some underwriting and check to see whether applicants were credit worthy. Then once they approved the request it would be forwarded to a local community for approval. It is up to the local community to make the ultimate decision. We would be giving up a little local control, especially if they require a grant to be given. That would reduce the amount we have available to lend out in the future. The selectboard discussed participating in this program at their last meeting and it sounded like their opinions were mixed. There were some concerns about the state getting involved. If we didn't participate in this program it would make sense for us to do something else to bring more awareness to the loan fund. Meredith can do a newsletter this week to go out in the electric bills next week and in it she can remind people about the loan fund. She wants feedback from the board about participating in the state program.

Scott said he listened to the selectboard meeting. What he was hearing is that the bottom line is that the village can always say no. If there was a company in Morrisville or Jeffersonville and Johnson residents were employees there it might make sense to help them out. If the company were in Chittenden County and helping them out would not have a positive impact for the village we could always say no, correct? Meredith said that is correct.

Meredith said if they have given approval at the state level they would want to be aware of any issues why the application would be rejected locally so they would not be surprised by reasons they are not aware of. We would probably want to make it clear that the nexus to Johnson must be strong.

Scott asked, if there was a small business in Johnson that didn't meet the state requirement but that we felt comfortable lending to, does the business have to go through the state and not go directly to us? Meredith said that is a good question. She gets the sense they would like applications to go through the state but she will ask that question. She doesn't think they could take the power away from us to make loans out of our fund so it is more a question of what their expectation is of what they would like to see. She will clarify what their expectation is.

Gordy said our loan fund started about 30 years ago. There was a program through the state – Community Development Improvement Grants. There were guidelines the village had to follow. Eventually the state said that we could keep the money and develop our own guidelines about loaning it out. We have come up with our own guidelines and he would hate to see that change. He is always a big supporter of local control. He thinks we should get the word out that the money is available. He usually doesn't like giving money away as a grant. He would rather have a loan with 0% or 1% or 2% interest. He doesn't like the state getting involved. He would rather see it stay here in Johnson.

Bob said he agrees with Gordy.

Phil said he would be inclined to participate, especially if we have the final veto. The state will have a much bigger bullhorn to let the public know about it and maybe there is a business in Jeffersonville or Eden that employs a lot of people in Johnson and could use the money. He would like to know more about it.

Gordy said if they don't pay taxes in Johnson he doesn't think they should get the loan funds. He thinks it should be only for our own village taxpayers.

Brian said he would like to hear more but he doesn't see how participation in this program could hurt as long as we have the final say. We won't hear about other opportunities to help businesses outside of Johnson if we don't join. If we join, he feels nothing changes except there are more opportunities.

Meredith said she will tell them we have a strong interest but we have remaining questions. She can report back to the board before officially enrolling us.

Scott asked Meredith to find out if a local business can apply directly to us. He would be even more in favor of participating if people could apply to us without going through the state bureaucracy.

Meredith said she wants more clarity about the proposed grants. She doesn't want to drastically reduce the amount available to loan out in the future through giving out grants. If there is a way for us to participate and not fund grants and also still do our own approvals then the risk is taken away.

Phil said it would be good to get a sense of how many businesses they expect to use this.

5. *General Department 2020 Budget Adjustment*

Meredith said we heard from NVU that they were not willing to commit to making the \$6,000 donation to the fire department even before questions about their future arose. They suggested that we check back after July 1. Historically they have always paid after July 1. She thinks it is very unlikely we will get funding from them. This may be a situation in which we are willing to give a one-time contribution to the fire department from the revolving loan fund. She would suggest that we not make a decision on how much to contribute until the end of the year. There could be some fire department expenses that come in lower than budgeted so what we would have to contribute to fill the gap could be less than \$6,000. Her proposal is to leave the fire department budget unchanged and not to cut any expenses outside of the fire department budget if we don't need to. But she did ask Arjay what he could cut if he were asked to make cuts. He said he thought he could shave some from payroll, gear and supplies, vehicle maintenance and building supplies to fill the gap if necessary.

Gordy asked about the enterprise fund rent that went up from \$53,000 to \$60,500 in the 2020 budget. Meredith said \$53,000 is what the electric department has paid every year to the general department for rent. This year we added payments from the water and sewer departments.

Gordy asked why miscellaneous income dropped from \$18,000 to \$6,000. Meredith said miscellaneous income in 2019 included fire department revenue from sale of the old rescue vehicle. The \$6,000 that is in there now is her proposal of one-time funding for the fire department from the revolving loan fund. But she is hoping it would not be that much by the time we get to the end of the year.

Gordy asked why board salaries went from \$2,600 down to \$1,040. Meredith said in this budget we allocated some of that cost to electric, water and sewer.

Gordy asked about the \$1,000 for consultant services. Is that for the merger study? Meredith said yes. Gordy asked if we are obligated to pay anything in addition to this. Meredith said no. She said initially we budgeted for this expense in 2019 but it didn't happen until 2020. The \$1,000 is the general department's share of the \$4,000 the village is contributing.

Gordy said there will be some savings because we have not yet replaced Susan. Will that be significant for the general department budget? Meredith said no. She doesn't believe Susan's position was ever funded out of the general department.

Gordy said we must be saving money on fuel because we have fewer trucks running each day. Meredith said that is right but she hasn't done any analysis of how much we are saving. She is guessing a few hundred dollars.

Phil asked if Meredith is proposing a loan or a donation from the revolving loan fund. Meredith said she was proposing a donation but we could discuss a loan that could be repaid over five years. Phil asked how much money there is in the loan fund. Rosemary said about \$190,000.

Gordy said Arjay told him that he could make some cuts but then he would be coming back trying to get those things in another year's budget. Meredith said the things in the fire department budget aren't things Arjay can choose not to do. He can only delay them and that puts more pressure on next year's budget.

Brian said he doesn't think the fire department is an entity we should squeeze right now if they need money and we have it.

Meredith said if we can't rely on NVU she thinks we have to figure out where else the \$6,000 will come from in the future. We can't just reduce costs for the fire department.

Bob moved to wait until the end of the year to see how much of a deficit the fire department has and if necessary provide a one-time donation to the fire department from the revolving loan fund. The motion was seconded and passed.

6. Village Employee Work Protocols and Staffing

Meredith said the requirements for having employees at work have become more stringent. Currently we have to limit the number of people in the office to two at a time. They are being required to wear masks all the time. Outdoor work crews have been allowed to increase to up to five people but they have to maintain a distance of at least six feet. They are not allowed to congregate indoors together. All common areas except restrooms have to be closed. There can be no more than two people in a vehicle and they have to wear masks in the vehicle. There was a general statement about requiring people to wear masks when in the presence of others which is vague to Meredith. It is being interpreted as a requirement to have a mask on if there is any potential for you to come into contact with anybody. She believes that if only one person will be in a vehicle all day and can clean it before they leave they don't need to have a mask on when in the vehicle.

Scott said VOSHA came out with a training document which was done fairly well. ACCD has an interpretation script that goes along with it. One thing he noticed in today's release was a requirement for cleaning morning, midday and evening. One thing we have been talking about is that line crews would not be allowed to use face masks when working on live wires because they don't have a rating for flame retardance. There are some instances where there might be a safety issue that overrides the COVID-19 safety issue.

Gordy said ideally one person would be assigned to a vehicle each week and if the person is inside the vehicle alone and no people from the public are coming up to the vehicle then a mask would not be necessary. But as soon as there is another employee or if there is a possibility of another person coming close then the mask would go on. And employees who were in a Bobcat sweeping

the sidewalk should have their masks ready but while doing the work would not have to wear it. Troy is looking for guidance from the board on whether that is the interpretation.

Phil said he did the VOSHA training this morning. The way he interpreted it is that if you are not within six feet of another person you don't need your mask.

Meredith said she reached out with that very specific question, hoping to get that answer, and all she got was an answer that she should just look at the requirements. But the requirements don't confirm whether a person has to have a mask on if they are working outdoors and are not within six feet of another person.

Phil said the guidance that has been given at the Agency of Agriculture is that in that situation a mask is not needed. That is the interpretation of the leadership within the Agency of Agriculture about the VOSHA guidance.

Meredith said she wanted to get someone from the state to tell her that is the correct interpretation before giving that information to employees. They are saying employees have to stay 6 feet apart from each other. But most of the tasks our employees do involve working with another person. They can read meters, operate curb stops and change out meters but a lot of their other tasks involve working together with another person and it is challenging to maintain a 6-foot distance. Troy is trying to think of how projects can be reworked.

Troy said employees who are sweeping often will be within six feet of another employee. He came up with the idea that one person could be running the Bobcat and sweeping sidewalks and another person could be in a dump truck. The Bobcat could sweep and collect material and dump it into the truck. The two employees would be completely separated. Usually employees would be working closer together with power brooms and shovels.

Meredith said this week we need staff to complete the VOSHA training. Signage has to be posted at work locations. She put in an order for face masks through the American Power Association. They are supposed to come in by the end of this week. One of the requirements is that staff have to have access to soap and water or hand sanitizer throughout their shift. She is trying to find hand sanitizer. For next week we will try to think whether there are changes that can be made to tasks so that they can be completed within the rules.

Bob said when you go into a store you and the cashier are not six feet apart but you both have masks on. It is common sense to him that if you can't get the 6-foot distance then you wear a mask. He thinks this is being carried too far.

Scott said the only problem with that is that this is mandatory. We have to work with the directions that came out. Our opinion doesn't really matter. What matters is making sure we are in compliance. Meredith said she agrees that the requirements are making it much more difficult to accomplish things but we are not given a choice. There will be people watching to make sure we follow the rules and we want to follow the rules. The biggest open question is whether employees need to wear masks outdoors when they are more than 6 feet away from other people. She is still trying to get clarification on that.

Scott said we are required to have a designated health and safety officer. The proposal this morning during the EMD call was to have Brian Story be the health and safety officer for the town and to have Meredith be the health and safety officer for village operations and village staff. The safety officer has to have the ability to stop a process if they deem it unsafe. They need to have knowledge of the disease and authority to bring a project to a close.

Scott asked Dan if Utility Partners has something similar. Dan said he has already taken the VOSHA course. Right now one person is working for the whole week. They are not wearing a mask inside or outside because there is no one else at the facility. They sanitize the truck at the end of the week. Right now they are saying it has to be done three times a day, but when you are the only person using a vehicle for seven days he doesn't see why that should be a requirement. Anytime they have contact with other people, which is not very often, they are masked and they keep themselves at a distance.

Scott said another requirement is that, to the extent feasible, before the commencement of each work shift we are supposed to verify that employees have no symptoms of COVID-19, including a temperature check. Meredith said there is a question of how to implement that. You have to get within 6 feet to take someone's temperature. Scott said there are thermometers with remote sensors that can take a temperature at a distance. Some are more accurate than others.

Troy said the previous guidelines that came out when only two people were allowed to work were a lot more acceptable. Instead of having five people, can we just have two and use the previous guidelines? Scott said no.

Troy said the new requirements make our job almost impossible. He said there are a lot of guidelines in place to protect the public from our employees and there are no guidelines to protect our employees from the public. He has concerns with that. He hopes within a couple of weeks the guidelines will loosen up.

Scott encouraged all the trustees to go through the VOSHA training. He suggested that Meredith send it out to everyone.

Gordy said Troy had set up plans with AOT to do street sweeping but the virus situation has prevented that from happening.

7. Request for Village Green Easement Adjustment

Meredith said she was approached in March by Alex Nadeau. He has been in discussion about purchasing the lot behind the village green from Chan Parker. There is an easement through the village green to provide access to the parcel behind it from Route 15. The location of the current easement runs right through the concrete retaining wall. That won't work for us or a potential buyer. Before Alex moves forward with the purchase he wants to see if the easement could be relocated to make it more usable. Does the board want Meredith to spend time on this? There will probably be associated legal cost.

Walter Pomroy said this was all discussed with the Main Street committee during the Main Street project. They approached Chan Parker about moving the easement then. They left an opening in the retaining wall just for this purpose. The Historical Society wanted to build their headquarters above the retaining wall and the plan was to have a driveway come down through that opening.

The plan to relocate the easement pretty much died when the Historical Society project to purchase that lot died.

Meredith said she is happy to pursue this if everyone is comfortable with it. We will need to speak with the owners of the adjoining property. We need to keep in mind that if we relocate the easement and the land is redeveloped that means there will be more traffic coming through the village green driveway. But she doesn't know that there is any immediate plan to develop the property.

Brian asked if we have any idea why Alex Nadeau wants to move the easement. Meredith said she thinks before buying the property he wanted the easement to be more usable. Brian asked, if he owns adjoining land he could put an easement through his property, right? Meredith said that is right.

Gordy said looking at the property boundaries it shows that the access to the village green is on George Pearlman's property. Relocating the easement may be more George's say. Meredith said one of the things we have to spend time and maybe money on is determining whose land we are talking about.

Brian asked if it would be more fair to push the cost onto the buyer so we are not spending money on someone else's transaction. Meredith said she thinks if there is going to be a survey the purchaser should pay for it. For the Pearl Street sidewalk project we have asked for easements and the Studio Center is incurring legal costs to work through an easement for us. If a property owner is asked for an easement typically they have to bear the legal fees. But if there is going to be surveying of the parcel to be sold the purchaser will have to pay for that.

Brian said we aren't selling anything. We have nothing to gain. So why are we spending money to help with the sale? He thinks it should be between Chan Parker and Alex Nadeau. It should be up to them to figure out the sale of that property. Meredith said the easement is on our property and they are asking for permission to relocate it on our property or possibly on someone else's property.

Brian asked, we are not agreeing to relocate it, we are just looking into relocating it? Meredith said yes. She will do some research and come back to the board.

Phil said it looks like if the easement is moved it would be on George Pearlman's property.

Scott said if the access would be too steep for a fire truck to get up it could be helpful for Alex Nadeau to know that.

Brian said he thinks we should hear from Alex Nadeau about what he wants to use the access for before we spend any money. Meredith said she can see if he can provide more detail about what he might be doing with the property in the future.

8. *Waiving Interest on Water Bills*

Meredith asked if the board wants to waive interest on water bills for another month. She said the Public Utility Commission extended the moratorium on disconnections for electric customers to May 31. This would be in keeping with that spirit. The interest is 1%. **Bob moved to waive interest on water bills until May 31, Scott seconded and the motion was passed.**

9. Other Business

Brian said he is selling his house. He is staying in Johnson but may be moving out of the village after the summer.

10. Adjourn

Scott moved to adjourn at 7:34, Brian seconded and the motion was passed.

Minutes submitted by Donna Griffiths

UNAPPROVED