

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, JULY 8, 2019

Present:

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

Others: Meredith Birkett, Rosemary Audibert, Troy Dolan, Dan Copp, Arjay West

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 a facility use request for the Village Green, a request to connect a homeowner's footing drain to our catch basin, and a request from the Historical Society to go into the powerhouse building to get any artifacts present.

3. *Review and Approve Minutes of Trustee Meetings*

Scott moved to approve the minutes of May 29, June 3, June 10 and June 17, 2019, Phil seconded and the motion was passed.

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

Scott noted that we are a little over budget for general department safety equipment. Are we budgeting enough? Meredith said she and Troy will have to look into it. (Brian arrived at 6:13.)

Scott asked about electric department rent expenses. We are at 101% of budget almost halfway through the year. Rosemary said that is the electric department paying the general department and also some rent for railroad crossings. We shouldn't have any more expense in that category this year.

Rosemary said water sales are at 59% of budget for 6 months. Phil asked if water sales are usually higher in summer. Rosemary said no, the college is not in session. Meredith and Rosemary noted that we budgeted less this year based on last year's actuals.

Rosemary said sewer sales are also at 59% of budget. Meredith said that tells her the increase is not being driven by the college since they get a flat rate for sewer.

Scott asked about chemical use. We are at 81% of budget 6 months into the year. Dan said we will probably go over budget. The cost for alum went up this year. It also was found that previously we hadn't been using enough of the polymer used when running the press, so we are using more now.

Scott asked if the expense for fire department insurance (89% of budget) is a one-time annual expense. Rosemary said we have paid ¾ of it. She thinks they sent an unanticipated extra bill for workers' comp. Scott asked if anything caused a spike in insurance. Meredith said we had a few claims in the past year.

There was discussion about the schedule for the town fire department payment. They normally pay 10 months into the village's fiscal year, which is 3 months into their fiscal year.

Meredith said the college was planning to pay their fire department bill after July 1. She can send a reminder.

Rosemary said we need to raise \$111,900 in taxes, very close to last year's amount. That requires a tax rate of 0.1882. **Scott moved and Bob seconded to set a 2019 village tax rate of 0.1882.** Phil asked how that differs from last year's rate. Rosemary said it is very close to the same. Meredith said she thinks this rate is a tiny bit less than what we estimated when we put out the annual report.

The motion was passed.

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 one call out at the wastewater plant due to a decanter ground fault. This has happened a few times. We have called Pratt Electrical to see where the fault is coming from. Flood gates were installed on June 20 due to a flash flood warning and removed on June 21. UV bulbs were cleaned and the UV channel and process water tank were cleaned. The residual was pumped back to the influent headworks. This had never been done and there was a considerable sludge blanket at the bottom of the channel. There is a couple more hours of painting to be done at the Clay Hill booster station. When that is done, painting at the water plant will be continued. Blower intake filters at the plant and compressor filters at the River Road pump station were replaced. Repairs to the chain-link fence at the plant were finished.

All coliform samples taken at the water plant were negative. There were several callouts for the water system. All were related to set points and inputs on the new mission control. A few minor bugs in the system still need to be resolved with Champlin Associates but overall it is working very well. Tim and Dan participated in a webinar about the water asset management plan. The bonnet and shaft on the field gate valve at the Nadeau well were replaced. Ferguson has had a few issues with these valves and they warranteed the parts at no cost. The dehumidifier that was installed is working well. It is keeping the building dry. Water loss was 26%. Dan thinks that figure didn't take into account hydrant flow testing or the 62K gallons VTrans used for washing bridges. With those taken into account water loss would probably be 20% or less.

Scott asked if we charge VTrans for water. Meredith said yes.

Scott asked about the new PFAS testing requirements. Dan said he thinks that testing will be required every 3 years. We haven't heard yet. We already got our testing schedule for this year so it won't be required this year.

Gordy asked if the new requirement for lead testing will affect us at all or just schools. Dan said just schools as far as he knows. The lead and copper testing we do will be due next year.

Meredith said to get loan forgiveness for the water asset management plan there is a requirement that a board member attend an asset management workshop. The board member has to go 3 different times for a full day. The value to the village from doing that is \$32K but it is a big time commitment. Scott tentatively agreed to attend the workshops. Gordy asked how board members feel about giving a per-day stipend for this. Others said they felt that would be appropriate. Phil suggested \$100 a day. The board agreed to \$100/day plus mileage. Gordy said to let him know as a fallback if Scott is unable to do it. Meredith said this workshop is just for water. Dan said it will be

beneficial for getting the wastewater asset management plan improved to where it needs to be.
(*Dan left at 6:42.*)

6. Foreman Report and Action Items

The crew relocated the primary underground tap and transformer at Tom and Vickie Foster's property on Drag Lot road. On June 26 there was an outage that involved 20 customers on West Settlement and Sweetser Road caused by tree limbs contacting the line during a thunderstorm. Power was restored in about an hour. The next day the crew cut the right of way from Sweetser road to the end of the line. The crew mowed and cut the right of way around the substation. Nate assisted Morrisville Water & Light on July 3 for a mutual aid call related to a broken pole in their service territory. Five danger trees were removed at 46 School Street. The crew replaced the last pole on River Road East. It was rotted at ground level. They also installed a new transformer and transferred the primary underground at that location. The crew completed meter reading, high/low readings, Dig Safes and disconnect/reconnects.

VTrans painted the crosswalks on Route 15. Our crew began painting the side street crosswalks today. Gordy said Troy saved the village over \$2,000 by waiting to have VTrans paint the Route 15 crosswalks. The crew assisted with delivering and placing topsoil for the new flower beds at the village green. The crew had 13.5 man hours filling the VTrans water truck for the bridge cleanings on Route 15. The manhole covers on Wescom Road were raised for the town's paving project.

Troy completed an estimate for Tom and Vickie Foster related to relocating the primary underground service at their property and coordinated with them to reduce the outage time. He ordered 15 new poles to restock our inventory. The digger and bucket trucks both passed their state inspections with no major issues.

7. Manager's Report and Action Items

Meredith showed the board a Pearl Street sidewalk project design that Dufresne is calling 85% complete. Once we approve the design they can send it to VTrans for their review. She thinks this design incorporates everything we reported back to Dufresne we wanted. There is no additional green space on the west side and no bulb-out at the corner on the east side. On the east side she gave them the direction to push the sidewalk as far east as possible without having to move the utility pole and to get as much green space as possible without narrowing the road. On the west side the plans indicate there will be a curb starting at 125 Pearl Street, which was the Studio Center's request. (*Arjay arrived at 6:49.*)

Scott asked when work will start. Meredith said next spring.

Arjay West said final inspection of the replacement for Rescue 1 will be the weekend of July 20. It will go to the Desorcie shop in St. Albans around August 1 where they will mount equipment, build shelving, put on lettering etc. We are expecting delivery around August 10 or 17. We will pay in full when it is delivered. The contract price is \$265,100. With the Sterling Market donation and the money from fundraising, \$235K is left for us to borrow. We need to have funds ready possibly as early as August 10. Rosemary got two quotes for a \$235K loan. The board can pick one tonight and sign the paperwork at the next meeting or at a special meeting if necessary.

Rosemary said Community National's bid was 2.15% with payments of \$50,075 per year and Union Bank's was 2.51% with payments of \$50,597 per year. Arjay said the interest rates are better

than expected. Rosemary said the first payment is due December 19. There will be one annual payment.

Scott said Union Bank says they reserve the right to adjust the interest rate. Community National says nothing about that. Do they do the same thing? If we sign could they go up to 3% in the next year? Rosemary said both are fixed rate loans.

Scott moved to get a \$235,000 loan from Community National Bank at an interest rate of 2.15% for financing of the new rescue truck over 5 years, Bob seconded and the motion was passed.

Gordy brought up the previous discussion about when the town planned to make its fire department payment and how that might affect the fire department's ability to buy air packs as planned. Rosemary asked when Arjay thinks the fire department will purchase the air packs next year. Arjay said he can do whatever is convenient for the village. The fire department has not set any time frame. Meredith said the town payment is coming in October so if the purchase were delayed until October or November 2020 we would have better cash flow. Gordy said the town and village also need to have a joint meeting to discuss how to do the yearly contract with the town.

Arjay said the fire department will be reaching out to vendors. The NFPA guideline just changed so 6 months from now new products coming out will be to the new standard. Rosemary asked about lag time from order to delivery. Arjay said he thinks there is some lag time. He will have to ask. He thinks it will take the fire department 2-3 months to do product research then go to vendors. He will come back and talk about finances after the research is done, probably in fall.
(Arjay left at 7:02.)

Meredith said she learned that as part of getting the necessary approvals from the Department of Health for the powerhouse demolition we need to officially condemn the building. She thinks it will be sufficient for the board to vote tonight to condemn the building and then she can write a letter documenting that. KAS has completed the demolition plan. That will be sent to the EPA. A turnaround of about 30 day is anticipated. The anticipated work start date is about August 5.

Gordy asked how long the demolition will take. Meredith said she thinks it was estimated at around 10 weeks from mobilization to clean up and erecting the fence.

Meredith said Duncan Hastings sent an email requesting that members of the Historical Society be able to enter the powerhouse building to retrieve artifacts. Meredith said no to that. Alternatively the Historical Society asked that we provide any artifacts such as glass insulators, cross arms, or log books. She doesn't think, given the contamination levels, that there is anything we can remove from the building. She doesn't think it is feasible to collect anything and give it to them. One thing she was going to offer to the Historical Society if it feasible is for us to give them a section of the penstock pipe which will be left and which we will have to dispose of. Much of what had been in the building has been destroyed or stolen and some things Duncan is thinking of may be in the most dangerous section.

Scott agreed we should say no to the request. We could ask the contractor to take photos of the interior before it is torn down. Everything is contaminated and would have to be cleaned. Meredith

said she doesn't think there is even anything there. Scott said even if we said yes to removing items the contractor would probably say no. They have control of the site once we turn the building over to them.

Gordy said he believes the building was built in 1895 at a cost of \$7700 dollars.

Meredith said the contractors are going to have to put in netting and a boom in the river. We sent a letter to the property owner across the river asking permission for access to his property. We can possibly attach the netting below the high water mark but if not we will need permission from the property owner. She hasn't heard anything back. She will have to follow up.

Gordy asked Meredith if she can send Arjay an email when work is beginning so the fire department can be prepared if water rescue is needed. Scott said the contractor will need to contact the fire dept as part of a health and safety plan.

Brian moved to vote to condemn the powerhouse building, Scott seconded and the motion was passed.

Meredith said we will be a co-petitioner on GMP's CPG application for the B22 upgrade. As a municipal utility we will have to have a vote to move forward. That will have to be at a special village meeting after the CPG is issued. There will be no cost to us for the B22 upgrade except some legal fees and Morrisville has identified this line section as needing an upgrade. Probably someone from GMP will come to the special meeting to answer questions.

Someone from VPPSA will hopefully come to our August meeting to prep the board for any decisions that might need to be made in the fall, such as equity offerings.

Meredith said for a few years the town has been working on a derelict building ordinance. Brian Story told her they have been struggling with the geographic boundary of the ordinance. They wouldn't want it to apply to an old barn at the edge of town. They have discussed how they would bound the ordinance. One idea was that maybe it could follow the same lines as form based code. Brian asked Meredith to see if the trustees are interested in creating a village derelict building ordinance. Meredith has not read the town's draft ordinance. Her immediate questions were about enforcement. We don't have constables or health officers so who would be the right entity to enforce a village ordinance?

Phil asked if the village has any ordinances. Meredith said there is a firearm discharge ordinance enforced by the sheriff's dept, water and sewer ordinances, and some old ones having to do with speed, sidewalk parking, etc. The town has a noise ordinance, a vicious dog ordinance, etc. Phil asked who enforces the town ordinances. Scott said the dog warden and health officer.

Scott said he thinks it has to be a joint effort because we don't have a health office or constable so he is not sure how we would enforce anything. We are not doing form based code either. He thought the ordinance the town is working on was for a residence, not necessarily a barn or garage.

Phil asked, are they looking for our blessing to use the boundaries of the village? Meredith said she thinks maybe it could be helpful if we said we don't have an issue with their ordinance applying to village boundaries.

Gordy said he has a problem with who determines which building is derelict. Scott said he read through one version of the town's ordinance and he thought it was well thought out. He believes they looked at what other towns were doing. He would be in full support of working with them, but not taking it on ourselves because we have no way of enforcing it. He thinks declaring a building derelict if it is infested with rodents or chemicals is the job of the health officer. If we don't have a health officer he is not sure it would happen. Gordy said he would rather not see us get involved. He feels it should be done for the whole town or not at all. Bob said we tell enough people what to do already.

Scott suggested this could be discussed at a joint meeting. The board agreed this might be a topic for a future joint meeting but a derelict building ordinance should not be a village ordinance only. Phil said the board is okay with the town developing the policy, though. He supports implementing the policy but the village doesn't have the enforcement ability.

Meredith said she and Brian attended a kickoff meeting on June 20 for the stormwater master plan. There were people from state agencies there as well as a consultant on behalf of the conservation district and Mike Stevens from NVU. They discussed areas we know are of concern. Meredith brought up the catch basins on Railroad Street. She mentioned the Pearl Street project. Brian mentioned town roads with known issues. The next step is to develop a data library. There is a quite a bit of data already out there. Then they will identify existing conditions, needs and objectives. There was a long discussion about stakeholder outreach. There may be issues she and Brian are unaware of that residents may be experiencing. They talked about maybe doing an online survey through Front Porch Forum. The consultant was a little nervous about putting something out that widely. She thinks the conclusion was that we would probably have a public meeting where people could come and share their thoughts. Then the input would be less work for the consultant to sort through. Three priority projects will be identified and there will be meetings with stakeholders. Then we will end up with three concept renderings for projects that could potentially be funded. There are state loans available. She doesn't know that there are a lot of grants.

Phil asked how old all the catch basins are. Troy said Nate guesses the ones on Railroad Street are from the 1930's. The ones on School Street may not be as old. Meredith said she explained at the meeting that right now they are functioning but we know they are deteriorating and replacing them is a major expense we don't have funding for.

Meredith said they are hoping to have a final master plan about a year from now. They would want to pick the top 3 sites in terms of need by March and then develop concept plans for proposed solutions to address the issues.

Gordy asked, having the study done won't be held against us at a later date? Meredith said it is not without that risk. The issue of where we store our snow, near the river, has already come up. Troy said two culverts in Eden were destroyed by a storm but the town couldn't get funding from the state for replacing them because they already knew they were bad before the storm.

Bob asked what happened with the water coming off Clark Ave. Scott said the property owners put in a soil berm that seems like it is working.

Meredith said our IT services provider says about 13 municipal computers are operating Windows 7, which won't be supported after January 2020. About 3 are new enough that they could handle an upgrade to Windows 10. The others aren't new enough and would need to be replaced. The estimated cost to replace them all is about \$15K. If we replaced them all in 2020 it would be big hit. We will have to try to figure out what can wait and what really needs to get upgraded.

Scott asked if the IT folks will look at desktops vs. laptops with docking stations. Desktops are being replaced with laptops and docking stations in state offices. Meredith said some employees don't need a laptop. When we replaced the computer at the water treatment facility Tom felt fine going with a desktop. We will have a mix of laptops and desktops. We will try to see if there is consolidation ability anywhere.

Phil asked, the village owns 50% of the computers? Meredith and Rosemary said that is approximately correct. Phil said so realistically our cost would be \$7500 over 2 fiscal years. Rosemary agreed that we could purchase the computers over 2 fiscal years. Meredith said we haven't budgeted for any computer replacement in this fiscal year. Rosemary said we probably could replace a couple.

Phil said just because a computer will support Windows 10 doesn't mean all the drivers, etc. will work once Windows 10 is put on it.

Meredith said she and Brian met with a VLCT consultant to discuss joint employees. The consultant spoke to her boss, who thought moving to individually employed employees and contracting employees to the other entity would be a cleaner way to manage and better in terms of performance reviews and discipline. The town and village would still need to speak with each other. If we were doing a review of a village employee who did work for the town we would want feedback on how they did their town duties. We would need to designate a notice period if one entity wanted to make a staffing change. The consultant talked about the importance of looking at total compensation when looking at rates paid by one entity to contract for the other entity's employee. Workers' comp issues could come up. A village employee could be injured when doing a task for the town. How would that be handled? Scott said workers' comp with the state would be a good place to check. Usually if the employee is under the direction of someone who is telling them what to do that affects who is liable. Meredith said in her mind they are village employees and workers' comp is the village's no matter what task they are working on. We each want to make sure the other entity is not putting employees at risk. There was discussion about how to handle IT permissions, security, etc. It was pointed out that clean and complete job descriptions are needed. When hiring, one entity may want to include a representative from the contracting entity in interviews to get input. The consultant provided some suggestions of other communities to speak with. Meredith and Brian probably will first contact these communities and then flesh out what they want to bring to an attorney.

Meredith said about a week ago Nat Kinney sent information he and Scott had worked on regarding follow-up on merger study proposals. Meredith and Brian plan to draft emails with feedback and questions for all 3 consultants. They may invite the consultants to have a phone

conversation. Phil asked who would be part of the phone conversation. Meredith said she and Brian thought they might do it. Scott agreed with that approach. Scott said it was a pleasure working with Nat.

Gordy and Phil said they will not be available to meet on August 12. It was agreed to meet on August 5 at 6:00 instead. That will be the only meeting in August.

Meredith said the village received a facility use request form from Jackie Stanton for a candlelight vigil related to immigrant detention camps on July 12 from 8:00 pm to 9:30 pm. The event is not affiliated with any political party. She sees no reason to deny the request.

Meredith said Brian Stearns is requesting to connect footing drains on his property to storm drains on St. John's St. She let him know that in the past we have not let private landowners connect to our storm drain system. We did not allow the Studio Center to connect. There could be liability issues and she doesn't see us giving permission to do it. She told the homeowner she would bring this up at the meeting but didn't foresee any change.

Scott asked, since this is the second request should we be looking at setting up a policy? It seems like the state might have to be involved. Meredith said she thinks we would need to do an engineering evaluation of our storm drain system to identify what it could handle. She doesn't think it would work if every building in the village connected. Scott said he thinks it would be nice to have a policy.

At Gordy's suggestion, the board agreed to plan a barbecue at 5:30 on August 5, with staff invited as well as board members.

Meredith created a document outlining requirements for food trucks operating at the Village Green as well as an application for vendors. It has been posted on the municipal website and will be posted on the village Facebook page and on Front Porch Forum.

8. *Adjourn*

Bob moved to adjourn at 8:14 and the motion was seconded and passed.

Minutes submitted by Donna Griffiths