

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, SEPTEMBER 8, 2014

**Present:**

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

Others: Duncan Hastings (Manager), Rosemary Audibert (Clerk), Steve Towne, Tom Elwood, Arjay West, Dean West, Tom Carney, Bernie Sheltra

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

**1. *Call to Order***

Gordy called the meeting to order at 7:00.

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

It was agreed to add adoption of amendments to the APPA Safety Manual, an executive session to discuss the foreman position, and discussion of Duncan's workload.

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

Walter moved to approve the minutes of August 11, 18, and 21, 2014, Chris seconded, and the motion was passed.

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

Duncan said the power bill from VPPSA is less than budgeted and that is predicted to be the case for the rest of the year.

Walter asked about the \$2K for outside contracted services under office for sewer. Steve and Tom said they thought that was really supposed to go under plant operation.

Steve said the general department will be a little high in building maintenance and supplies. The salt and sand shed is being relocated because of the rail trail. He said the digger truck repairs that were expected to cost \$10K only cost \$1K. There is still an issue with one brake on that truck, which is being worked on internally, but the truck is inspected.

Rosemary said current taxes are a little behind last year at this point.

Walter asked what happened with Lovin Cup. Rosemary said the sale of the business happened, but as far as she knows they haven't paid off the CDBG loan. We have a lien on their equipment and house. They have been making loan payments. Walter suggested a friendly reminder that their note is due.

**5. *WWTF Chief Operator Report and Action Items***

Tom said the wastewater plant is running well. Flows are down. All samples were good. The belt press broke down over Labor Day weekend and he ordered replacement parts. The supplier charges a lot for parts and they aren't available anywhere else. The belt press is aging and has a lot of moving parts. We ought to think about replacing it in the future. Steve suggested replacing it with a centrifuge. A centrifuge has fewer moving parts and does a better job of getting moisture out of the final product but it is expensive. The cost would be 5 figures. Duncan asked if the belt press can last until the bond is paid off. Tom said he expects so. He mentioned that our UV system isn't being supported any more.

Tom said the water plant is running well. Lead and copper testing was done last month and all results are good. Leakage this month was at 0%. Phosphorus is below even the new state guidelines that are going to be put in place. Tom investigated the roof and all trusses seem to be good. Steve said he doesn't see it collapsing in the next year, but the village will want to address it in the future. Tom said he has some ideas about how we can stabilize it if necessary.

All but one manhole has been found. That one can't be found even with ground penetrating radar.

Tom said we are getting tight on time to do Vactor work before winter. Storm drains need to be cleaned. Steve said we have about 4 days worth of Vactor work to be done. In the past few years, Hartigan has given us 5 days of work for \$5K. We will need to hire a Vactor if ours doesn't show up by the end of October. The board agreed Steve or Tom is authorized to pay Hartigan for Vactor work if necessary to open up critical infrastructure. (*Tom left at 7:34.*)

#### **6. *Public Works Superintendent Report and Action Items***

We contracted with VEC to build the meter package for the B-22 line to our substation. It will cost about \$9K. Steve hopes we can start installing primary metering by mid to late September and be on the Morrisville primary feeder by the end of the month. At that point we will be using GMP only as backup.

Tree trimming is continuing. The village dug post holes for the rail trail building, which is being built now.

We got a deposit of just under \$21K from Encore Redevelopment for the JSC solar array. Steve is working with Fairpoint to get pole sets completed.

The Fairpoint IOP agreement has been completed and signed.

Tim Sullivan has paid a deposit for a primary underground line extension on his property on Hoag Rd.

Steve met with Barry Donovan (WSSI) on Sept. 12. They will begin work on an updated arc flash analysis.

The necessary products have been ordered by Pratt and Smith for building surge protection at the Municipal Office.

A shallow frame has been made for the catch basin/drainage project on Pearl St. Installation will be done once there is a timeline on paving.

Duncan noted a mistake on p. 4 of the August 11 minutes. The sentence, "The JSC solar CPG was approved for a 75 KW solar array" should be changed to read "a 150 KW solar array." Board members agreed to the change.

Steve showed the board the document he had created outlining Village of Johnson safety rules in cases where our rules are more stringent than those in the American Public Power Association safety manual. We go a little further than minimum OSHA requirements, as do most utilities.

Walter suggested just referring to the village personnel policy rather than quoting from it, in case our personnel policy ever changes. It was agreed to make that change.

Gordy asked if we used to give a boot allowance. Steve said no, we never did. We are not obligated to. Gordy said he feels if we require a safety toe boot we should pay for it. He asked what Hyde Park, Morrisville, and Stowe do. Steve said he can research what other utilities do about boots. The board agreed he should do that.

**Walter moved that the Village of Johnson adopt as the complete Safety Manual for Utility Workers the APPA 15<sup>th</sup> Edition Safety Manual, and the following amendments and additions:**

*PPE:*

- The Village of Johnson mandates the use of FR Clothing (provided by the employer) when working on or around electric infrastructure. A long sleeve shirt is to be worn buttoned at the cuff when working on or around electric infrastructure and worn when using rubber gloves and sleeves.
- A hardhat as well as safety glasses and hand protection and safety toed shoes are also mandated.
- **Any work** on secondary voltages above 240 volts on the ground in or around an enclosure requires special FR Arc Rated Clothing and Face Shield.
- **Any time an employee is in a State Highway or Town Road, a class 2 minimum traffic vest is required.** A class 2 arc rated traffic vest is required when around energized equipment in traffic. A class 3 Vest is required at night...Pants are also mandated at night if on Traffic Control. A Class 3 arc rated vest is required when around energized equipment in traffic at night.
- Safety toe shoes are the responsibility of the employee. All other PPE Requirements above are employer provided.

*Tailboard Form:*

- The Village of Johnson mandates the use of a written Tailboard form. This form is to be filled out by the senior man on the job or a person delegated by the senior man. This form is to be filled out prior to the start of the job and read and understood and signed off by all employees on the job before the job begins. If the job changes location, a new form is to be filled out.
- These forms are to be filled out for every job VOJ Staff works on. Electric, Water, Sewer & General.

*Rubber Glove & Sleeve Rule:*

- The Village of Johnson mandates the use of rubber gloves when in the air from the climbing position or in the aerial lift device working on voltages above 120 Volts. They are required ground to ground. No exceptions.
- Rubber sleeves are also mandated when in the minimum approach distance zone. See tables on Tailboard Form.

*Tree Trimming:*

- The Village of Johnson requires the use of the fiberglass insulated pole saw, Rubber gloves and rubber sleeves when working in and around the primary zone & within the minimum approach distances when in an Ariel lift device... A chainsaw maybe used as an alternate form of cutting outside of the minimum approach distances and provided the tree is not in contact with energized equipment. Rubber gloves are required with the chainsaw if used in the bucket in an elevated position or from a climbing position on a pole...
- **No trimming of trees is allowed from the ground if the tree is in contact or will come into contact when cut with energized primary.** The line must be de-energized the taps must be removed from the source.... red tagged with a pole band indicating men and equipment are working on the line and the line is grounded on either side of the work.
- **The use of proper PPE is mandated while using a chain saw**... This includes but is not limited to; chainsaw chaps, a hardhat with integrated safety shield and hearing protection, as well as safety glasses,

hand protection and safety toed shoes. Safety toe shoes are the responsibility of the employee. All other PPE Requirements above are employer provided.

*Traffic Control Form:*

- The Village of Johnson mandates the use of a written Traffic control form when the job requires any traffic diversions. Set up the traffic Control according to the MUTCD Rules. This form is to be filled out by the senior man on the job or a person delegated by the senior man. This form is to be filled out prior to the start of the job and read and understood and signed off by all employees on the job before the job begins. If the job changes location, a new form is to be filled out.
- These forms are to be filled out for every job VOJ Staff works on while in the road. Electric, Water, Sewer & General.

*Cell Phone Use:*

- The Village of Johnson prohibits the personal use of a cell phone while on the jobsite and engaged in work. This will be a self-policing policy....We all stay connected to our families and those non-emergency calls can be made during the employee breaks.

*Safe Workplace*

- All employees are expected to follow safe workplace policies, rules and regulations and to work safely. Employees have an individual and shared *responsibility* to take appropriate action to insure a safe workplace. They shall be expected to immediately communicate to the person in charge and or the affected employee, any unsafe action, practice or condition. In extreme situations they may take appropriate actions to stop the job until a safe workplace can be restored. If the unsafe conditions are not addressed by these actions, the employee may leave the jobsite and shall report the conditions to the Public Works Superintendent or Municipal Manager and shall do so without fear of retribution of any other employees.

Please refer to the complete Personnel Policy for the process of discipline should the Manual or Amendments not be adhered to. These amendments to the Manual and the Manual Itself are subject to updates / review and or change at any time.

**Chris seconded and the motion was passed.**

**7. *Arjay West: Tanker Replacement Financing and Process for Sale of Existing Tanker***

Duncan said Arjay looked back at lease purchase options for the fire truck and they were over 3%. Duncan requested financing proposals from Union and Community National Banks. Union Bank will do a short term bridge loan at .50% (October to January) and a 5-year note at 1.45%. Community National will do a bridge loan at 1.75% and a 5-year note at 1.75%. He recommends going with Union Bank.

**Walter moved to authorize Rosemary to contract with Union Bank for financing of the tanker truck, seconded by Chris.** Arjay said the capital plan calls for paying for the tanker over 4 years. The board felt it would be a good idea to proceed with a 5-year loan, providing a cushion of an extra year to pay it off if it is needed. **The motion was passed.**

It was agreed to sell the old tanker by taking sealed bids with no minimum reserve. We have the right to refuse all bids and can choose to do so if none are close enough to the figure Arjay has in mind.

Rich and Nicole Whittemore will be submitting sewer and water permit applications for property they bought recently. Arjay has been hired to do the permit work but he is still working on determining the sewer and water flows. (*Arjay left at 8:07.*)

**8. Municipal Manager Report and Action Items**

Duncan asked the board to adopt a resolution designating VELCO as the responsible party for meeting new North American Electric Reliability Council requirements regarding cyber and physical security for the Highgate Converter Station facility.

**Walter moved to adopt the following resolution:**

*The Village of Johnson Board of Trustees hereby authorizes the Municipal Manager to execute Amendment No. 7 to the Agreement for Joint Ownership, Construction and Operation of the Highgate Transmission Interconnection on behalf of the Village of Johnson, dated this 8<sup>th</sup> day of September, 2014.*

**The motion was seconded and passed.**

**Chris moved to approve the excess sewer use application from Chase Vanderveer, adjusting the sewer bill to \$250.83 (three times the 3-month average of \$83.61), Walter seconded, and the motion was passed.** (Dean West, Tom Carney, and Bernie Sheltra arrived at 8:11.)

**9. Lamoille View Cemetery Commission: Water Service**

Tom Carney said the Lamoille View Cemetery Commission would like to talk about the board's decision to charge them for water and see if something can be worked out. Dean said they are pretty sure the water for the cemetery wasn't hooked up without permission from someone in the village. They have 4 faucets to provide water for people to use to water plants around graves. They try every year to wash some stones with a pressure washer. They probably use less than a thousand gallons a year.

Steve said we are required by law to have backflow prevention on any connection to our water system. No matter whether or not the board decides to charge the cemetery for water, we have to have some form of backflow prevention there. The backflow preventer will have to be at the surface. Dean asked how it needs to be protected. Steve said it could go in a buried fiberglass vault, but a cheaper option would be to put in a self-draining curb stop with a small doghouse-type shelter for the backflow assembly. A meter could also be put in there. It would be the Cemetery Commission's responsibility to provide the shelter. In the winter, the water could be shut off and the meter could be removed so the shelter would not need to be insulated. Duncan said he thinks it would be good to have a meter there whether or not we charge for water. It would allow us to detect leaks.

Dean asked if the Cemetery Commission could possibly get a flat seasonal use rate for summer instead of a monthly fee year round. Steve said there would only be a service charge during the winter because the water would be shut off. Duncan said the water charge is \$1 for 750 gallons. It is the service charge that will be the larger charge.

Walter said the Cemetery Commission is asking the village to set a whole new rate structure and class for one property owner. We charge the Masons and they also shut down in winter. The board does not feel the amount is that onerous and we have to treat everyone equally. Ellis said the Masonic Temple has a toilet and running water. He noted that we fill swimming pools at a charge of \$5 for 1000 gallons.

Dean asked, would the board suggest that the Cemetery Commission put in a tank and ask the village to fill it once a year for a donation as they do swimming pools? He said the cemetery can be operated without water. A tank can be used to wash stones. But it is a convenience for the people who come there to have water. He hates to pay any year-round fee for that convenience. Tom said only about a half dozen people use the faucets to water flowers at the gravesites.

Bernie said free water for the cemetery had to have been voted on by some board prior to this one. Duncan asked if the Commission has any reason to believe the village said it would provide free water. Bernie said yes, because they have never paid for it.

Duncan said the monthly service charge would be \$20.10. The water use charge would probably be \$1 or less. If the meter is pulled in the fall, then the charge goes to half. Ellis said he thinks it is not worth charging them for it. Walter said then other groups will ask for the same thing. We can't make exceptions to our policy for one group. We have to be consistent.

Chris asked what the yearly cost to the Cemetery Commission would be. Duncan calculated it would be about \$190. Chris said he understands Walter's perspective. But it would be nice to be able to hit their budget since they are using so little. Gordy asked, what if we waive the reconnect and disconnect fees and just charge for the months they are open? Walter said that would be making a new policy and then everyone else would ask why they don't have pay the disconnect and reconnect charges while other users do. Duncan said he agrees with Walter, with the caveat that cemeteries are a different use than just about every other customer. However, the trailhead building will have only a bubbler and faucet and he assumes the village will charge the town for water at the normal rates. That is a similar application. Chris said he would like to find middle ground.

Tom said the town cemeteries are pretty much full. He wonders if this one was created to handle overflow. Does the town have to provide cemetery space? Duncan said no. Bernie said he thinks towns do have to provide burial space. Duncan said he doesn't believe they do. He said none of the town cemeteries have water. Dean said some of our forefathers must have had need for the Lamoille View Cemetery. It was meant to provide a service to the town.

Duncan asked how many linear feet of new line the cemetery is thinking about putting in. Bernie said 600 ft. Duncan said he thinks there is value in putting in a meter whether or not the board decides to charge for water. Walter said we should provide the basic level of equipment other customers got.

Gordy suggested tabling the discussion for now. Walter said the next time the board discusses the rate structure he wouldn't be averse to adding another level. But now we have a rate structure and we need to abide by it. Gordy said this winter the board will look at the rate structure. It was agreed that if the Cemetery Commission wants to continue getting water the village will pay for the equipment provided to other customers. Gordy said that all board members want to help the cemetery; they just have to find a fair way to do it. The others agreed. *(Dean, Tom, and Bernie left at 8:44.)*

***10. Municipal Manager Report and Action Items (continued)***

We got a Property Valuation Report from VLCT PACIF. They do commercial valuations of town and village property on a rotating basis. We can contest some of the values if we want. We can look at the values again when the insurance is up for renewal.

Duncan has not yet had a chance to set up a meeting with Steve Fitzhugh of Northfield.

L&D and Otter Creek are each willing to contribute \$5K toward crosswalk replacement. Kingsbury has said they do not have cost responsibility and declined to make any payment. Our attorney looked at the contract with Kingsbury and thinks we have some ability to go after them for a lot more than \$5K.

The board agreed to proceed with crosswalk replacement.

**Chris moved to direct Duncan to have our attorney draft a letter to Kingsbury outlining the options: either they pay \$5K toward crosswalk replacement or we will pursue legal action against them for the full value of the crosswalks plus damages and legal fees. Walter seconded and the motion was passed.**

Health Connect is still not functional so it appears our only option is to continue to direct enroll with Blue Cross/Blue Shield as we did last year. It appears they will give us the option to offer the full range of plans as if we were a Health Connect member, specifying what our contribution level is going to be and letting employees select the plan they want. It looks like renewal may be required in October. The board agreed it would be great to give employees a choice of plans. If renewal is required before the next meeting, the board is comfortable re-enrolling with BCBS and offering the full range of plans with the board deciding the amount to contribute.

Duncan has not gotten a response to his letter of two months ago regarding the Master License Agreement for the Lamoille Valley Rail Trail.

Duncan sent Steve Engel a denial letter regarding his request for reimbursement for work related to his sewer service connection repair. Duncan recommended that Steve contact VTrans about the damages. He also notified Hartigan that the bill should be sent to Steve Engel.

With Duncan being sick and Lea being out, nothing has been done about the application for a Municipal Planning Grant for village infrastructure and needs evaluation. Gordy suggested dropping this as Duncan has too much on his plate. The rest of the board agreed. But it was agreed Duncan should pursue a meeting with Steve Fitzhugh.

Duncan did not get anything further done on the policy on cost responsibility for sewer connections.

The selectboard agreed to a policy for signs at the Municipal Offices as put forth by the trustees: No signs, except for municipal purposes, including municipally sponsored entities, organizations and events.

The TMDL Committee to which Duncan was appointed had its first meeting. The state's position is that the investment needed to reduce phosphorus from existing WWTFs would be completely out of proportion to the benefit in reductions gained.

NEPPA gave the Village of Johnson Water & Light Department a 100-year service plaque. We have actually been providing electricity for 120 years.

Gordy said he thinks both the selectboard and the trustees have been putting too much on Duncan's plate. Meetings have been lasting longer. He thinks the boards need to say no to some projects. Could Susan do more of Duncan's work? Duncan said yes. Steve, Duncan, and the board all agreed that Susan is a very valuable employee. The board asked Duncan to let her know how much her contribution is valued.

**11. Personnel Matter**

Chris moved to enter executive session at 9:18 for a personnel matter, with Steve and Duncan invited to remain, Walter seconded, and the motion was passed. Walter moved to come out of executive session at 10:00, seconded by Chris, and the motion was passed.

Walter moved to raise Tim Percy's wage to \$27.13/hr. effective immediately, seconded by Chris, and the motion was passed.

**12. Adjourn**

Ellis moved to adjourn at 10:02, Chris seconded, and the motion was passed.

*Minutes submitted by Donna Griffiths*