

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, SEPTEMBER 9, 2019

Present:

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

Others: Meredith Birkett, Troy Dolan, Dan Copp, Walter Pomroy, Arjay West, Lisa Crews, Daryl West, Pete Dodge, Sharon Duffy, Tracy Myers, Jim MacDowell, Rebecca Treat (by phone)

Note: All votes taken are unanimous unless otherwise noted.

1. *Call to Order*

Gordy called the meeting to order at 5:30.

2. *New Fire Department Rescue Truck Review*

The fire chief and the truck committee gave an overview of the functions of the new fire truck.

3. *Changes, Additions to Proposed Agenda*

Meredith added an executive session for a personnel item.

4. *Review and Approve Minutes of Trustee Meetings*

Scott moved to approve the minutes of August 5, 2019, Bob seconded and the motion was passed. (Walter Pomroy and Troy Dolan arrived at 6:03.)

5. *Treasurer's Report & Review and Approve Bills and Warrants*

Meredith said current taxes are 92.68% collected, a little lower than the last couple of years.

Bob asked if we just send out notices when taxes are overdue or if someone goes and knocks on doors. Meredith said she doesn't know that anyone knocks on doors but she can ask about the process. Bob said he thinks going to see people is a good way to handle it.

Meredith said the state PUC is taking feedback from utilities on the disconnection rule. She thinks most likely that rule will become more lenient for customers. Over 25% of our customers get a disconnection notice each month.

Bob moved to write off \$1,844.41 in uncollectible electric accounts from 2016, Scott seconded and the motion was passed.

Scott moved to put a water and sewer lien in the amount of \$187.28 in place for 115 Park Street, Bob seconded and the motion was passed.

The board reviewed the budget status reports. (Arjay West arrived at 6:15.)

Meredith said Mark Baker intends to pay off his loan from the revolving loan fund ahead of time. (Lisa Crews arrived at 6:23.)

6. *Request to Explore Development of Trail Network on "Talc Mill" Property*

Walter said he is speaking to the board because the village is a half owner of the former talc mill property. He recently reviewed some old plans for that property. He handed out an excerpt from the recreation section of the 2016-2024 Town/Village Municipal Development Plan. It says the town and village should "encourage efforts to revisit and/or implement recommendations of the 2005 Recreation Facilities Plan." The 2005 Recreation Facilities Plan says, "Given Johnson's unique

location, riverfront assets and the availability of certain lands, the town should use the opportunity of the recent acquisitions of the for Tatro land and River Park, along with the development of the Lamoille Valley Rail Trail to envision a Multiple Function Recreation Campus developed in conjunction with the Old Mill Park.” In 2007 the Conservation Commission did a natural resources management report and one of its recommendations was: “The Talc Mill Forest provides a wonderful opportunity to engage Johnson residents in positive outdoor recreational and educational experiences. The combination of current and potential multi-use trails, forest types, and cultural history features speak in favor of developing strategies to promote these opportunities.” The recent Brownfields study had similar recommendations.

The Conservation Commission previously developed a Talc Mill Recreation Proposal for trails on the talc mill property. Walter met with the Conservation Commission, the Recreation Committee and the selectboard. All say they like the idea of developing trails on that property and are in favor of moving forward with a trails project. He is here to get approval from the village to move forward.

Scott said this was previously a mine site. There are no holes there now, right? Walter said there is a pit there. If someone got too close to the edge they could fall in.

Walter said the only trail that exists there now is the VAST trail. Some of the proposed trails follow old logging roads. He sees some places where he would want to make changes to the plan but overall it seems good. (*Daryl West and Pete Dodge arrived at 6:29.*)

Bob asked how we would cover liability if there were trails there. Walter said it would be similar to any hiking trail in the state. They fall under open access. Basically there is no liability unless there is gross negligence. People use the trails at their own risk.

Phil asked if Walter will be looking for grant funds. Walter said mostly what is needed is volunteer labor. He will probably try for grant funds, especially for the mountain bike trails, which are more labor-intensive. He plans to work primarily with the Recreation Committee and the Conservation Commission. He will come back to this board with updates.

Scott moved to express support for Walter Pomroy, the Recreation Committee and the Conservation Commission starting to implement the Talc Mill Recreation Proposal, Bob seconded and the motion was passed. (*Walter left at 6: 34.*)

7. Johnson Recreation Request to Change Lock at Rec Storage Building

Lisa Crews said she would like to change the lock on the recreation storage building. Many keys have been handed out over the years. She would like to get a Bluetooth lock that will probably cost about \$100. (*Sharon Duffy and Tracy Myers arrived at 6:34.*) The cost would be split between the selectboard, the village and the Recreation Committee or perhaps the selectboard or Recreation Committee will absorb the whole cost.

Gordy asked if Arjay wants a key. Arjay said for businesses the fire station keeps keys in the station or promotes using a Knox Box. Either can be done in this case. He likes having a Knox Box because then there is no worry that the fire department might forget to bring the key.

The board agreed that it would be fine to get a new lock for the door.

8. *Sharon Duffy and Tracy Myers – Revolving Loan Application & Wastewater/Water Allocation*

Meredith said Sharon and Tracy have determined that they want to hook up to the municipal sewer system. Their wastewater allocation would be the standard single-family allocation of 210 gallons per day. For water they need a corrective permit. She is proposing giving them credit for the existing use so there would be no fee. The allocation would be 405 gallons per day.

Troy said their curb stop will be repaired at the same time the trench is being dug for the new line. Meredith said Arjay is working with Sharon and Tracy on plans and state permits. She suggests that the board give both preliminary and conditional final approval with final approval conditional on receiving the state permit. The existing septic system will stay in service as part of the permit. Arjay said the new sewer line will be separate from the prior connection. Meredith said if there is any subdivision there will be no shared line to cause problems.

Bob moved to sign both preliminary and final approval for wastewater and water allocations for Sharon Duffy and Tracy Myers, contingent on state permit approval, Scott seconded and the motion was passed.

Phil moved to find that premature general public knowledge regarding a potential contract would clearly place a person involved at a substantial disadvantage, Bob seconded and the motion was passed.

Phil moved to go into executive session for the purpose of discussion of a contract according to Title 1, Section 313(1)(a), with Tracy, Sharon and Meredith remaining, Bob seconded, the motion was passed and the board entered executive session at 6:49. The board came out of executive session at 6:54.

Bob moved to loan Sharon Duffy and Tracy Myers \$10,000 from the revolving loan fund for 60 months to connect to the municipal sewer system and improve the existing water line at #4 Route 15 West, Phil seconded and the motion was passed.

9. *Chief West – Discussion of 2020 Fire Services Contract and Capital Planning*

Arjay said the price of fire trucks has been escalating at a higher rate than the truck capital plan can keep up with. A committee was tasked with trying to audit the plan and come up with recommendations for changes and to consider if any changes or efficiencies with the fleet could be made that would not sacrifice capability and would be fiscally responsible. The committee examined 16 different models. They concluded that the fleet and style of vehicles we have are appropriate. Cab and chassis costs are most of the reason for escalating prices. The committee is proposing a revised capital plan. It keeps all the trucks we have. It uses today's cost as a basis. If we purchase a heavy chassis, that can extend life expectancy, so the proposed new plan adjusts the vehicle life spans. It also changes the annual increase from 2% to 3.75%. Meredith said that means we will need more revenue. Arjay agreed. He thinks it will secure the future buying power we need. He said the fire department is planning to make the next truck coming up for purchase a little smaller than the current truck. The increased contribution would mean a \$985 increase for next year. Scott said that sounds manageable. Daryl said the fire department feels it is important for the village to have a reliable plan to avoid surprises.

Scott moved to increase the annual contribution to the fire truck capital fund to 3.75% starting next fiscal year, Phil seconded and the motion was passed.

Phil moved to find that premature general public knowledge regarding a potential contract would clearly place the Village at a substantial disadvantage, Brian seconded and the motion was passed.

Phil moved to go into executive session for the purposes of discussing a contact according to Title 1, Section 313(1)(a), with the three fire department members and Meredith remaining, Scott seconded, the motion was passed and the board entered executive session at 7:09. The board came out of executive session at 7:39.

The board directed Meredith to send the town the village's proposed solution to the fire services contract concerns they raised.

10. Water/Wastewater Report and Action Items

Dan said all wastewater samples met state requirements. The E-DMR and WR-43 were submitted for review. Pratt Electrical replaced the SBR #1 decanter switch with one we had in stock. Pratt found and fixed a loose ground in the line from air blower #2 to the VFD. Worn sampler tubing on the influent sampler was replaced. The sampler was moved upstairs to a drier climate. We will need to buy a refrigerator for the samples at a cost of about \$150. Grass was trimmed around the plant and around the high river warning floats.

All coliform samples taken at the water plant were negative. We sampled for disinfection byproducts. Samples came back well below Vermont drinking water standards. Dan assisted the Dufresne group in getting more information for the AMP. He attended a training for PFA sampling. At the training he had significant discussion about the Nadeau well. We haven't used the well since 2006. It is an emergency well. He asked if we still have to sample it. They said if we don't sample then if we have to use it the whole town will go on a "do not drink" order. The board agreed that we should sample both wells. Dan said we will be sampling this month for PFA and the other 17 analytes the state is requiring. The cost for sampling both wells should be \$500 to \$600. Water loss for the past month was 1%. New employee Lucas Dolan will be starting work tomorrow. All locks were re-keyed as a lot of keys had been given out. Gordy suggested that Dan talk to Arjay about making sure the fire department has access to keys.

Dan said there are two transformers in the WWTF office that hum loudly. He asked Pratt how much it would cost to move them to the next room. He got a quote of \$5,900. Meredith suggested that if they are moved they should be raised up off the ground in case of a flood. He hasn't looked at the cost of that yet. Because the cupola work is not being done this year we could pay for the cost of moving the transformers out of money that was budgeted for the cupola work. Meredith said she thinks we have the means to pay for moving the transformers if we are not doing the cupola work. (*Jim McDowell arrived at 7:51.*)

Gordy asked where the money is going that used to go to bond payments. Meredith said this year a lot went to the PLC replacement. We won't have that expense next year. Dan said the money probably will be rolled into upgrade costs. Meredith said she thinks it is not in our best interest to bond to do the upgrade work we need. Financially we will be better off if we go through the state to get low-interest loans.

Scott said he would like to see the transformer problem fixed. Dan said the \$5,900 estimate is a worst-case cost. Scott suggested that concrete may not be the best sound deadening material. It could be a good idea to get someone in to design the best way to deaden sound. He can send Dan some information on that. Dan said he will look into that and get back to the board next month.

Scott asked about how the sampling is done and Dan explained the process.

11. Foreman Report and Action Items

During the last month the crew completed the pole upgrades from Johnson Farm & Garden to the end of the line. They set and transferred six poles and finished cutting the right-of-way. They installed a new fuse that will protect the customers on West Settlement Road if there is an issue from Sweetser road to the end of the line. This area has been a trouble spot in the past during high winds and wet snow events. Hopefully these upgrades will cut down on the number of outages in that area. A new pole and 100-amp secondary service were installed to feed Sharon Duffy's mobile home. The crew also completed meter reading, high/low readings, Dig Safes and disconnect/reconnects.

Both storage sheds were filled with sand for the winter season. The crew worked on rainy days servicing the winter equipment and assisting J. Durivage Welding in building the snow canopy for the 3500 dump truck. The crew installed the new holiday LED star that was ordered as a test. It fit on the pole and the mounting hardware seems to work fine.

Rubber gloves and sleeves were sent out for 3 month testing. The rubber blankets were sent out for 6 month testing.

Troy placed an order with Irby Tools to restock our inventory that we have used over the summer. He also ordered 15 poles for stock. He is in the process of ordering a new three-phase 112 KVA padmount transformer to have in stock as a replacement for the one that is currently serving Nadeau's Sand and Gravel. Troy worked during the last month updating all Water & Light employee safety records as well as tailboard forms.

Bob described the location of some trees near a power line that a customer would like cut.

Meredith said we have 20 more holiday stars to order if we are going to put one in every place we had the old decorations. She thinks we can afford all of those.

Gordy asked how others feel about putting a couple on School Street. Meredith said her opinion is that we should maximize what we have on Main Street. We can't afford to add any more and putting some on School Street would take away from what we could put on Main Street. Phil said we can look into getting more next year. Gordy suggested thinking about getting more for the next budget.

Gordy moved to approve ordering 20 more LED snowflake decorations, Bob seconded and the motion was passed.

Meredith said she spoke to the Milton town manager about their crosswalks. He said that VTrans maintains the road and recently repainted the crosswalks. Meredith reached out to Jim Cota about getting a design for crosswalks into the plans for repairing the pavement on Main Street and she

asked him about maintenance. He said VTrans will repaint traditional white crosswalks but won't do anything fancy. She told him that Milton's district did it for Milton and he said he would look into that. It sounds like there is a good chance of getting the crosswalks in the plan.

Phil asked, can't we get color-impregnated pavement? Wouldn't that be cheaper than painting lines every year? Meredith said she thinks color impregnation might have to be in concrete rather than asphalt and she doesn't think VTrans will want to include concrete in their plan.

12. Village Manager Report and Action Items

Nicole and Richard Whittemore have requested a second extension of their water and wastewater permits for Murray Rentals located at 66 Lower Main Street West. They paid their capacity fee. This would be their last extension. **Bob moved to approve a second-year extension for water and wastewater permits #WW- 001- 17 and W-001-07 for Murray Rentals, Scott seconded and the motion was passed.**

Meredith said the Vermont Studio Center is requesting final approval for their water and wastewater permits. In March they received preliminary approval for increased water and wastewater allocations for their buildings at 11 School Street and 24 Clay Hill. Since then they have received their state water and wastewater permits and have made revisions to their plans which the village has reviewed. They are proposing a wet tap with a gate valve at the main with a new 6-inch line running across the road from there that will split into two 4-inch lines. The curb stops for the two buildings will be rather far past their property lines. We have said in the past that the customer's responsibility starts at the curb stop. She feels it would make sense in this case to say that their responsibility starts at the gate valve. We could say in the permit that before any property is sold we need to see the plan for dealing with the shared line.

Jim MacDowell said he has asked the engineer why the wet tap could not be moved further south. He asked if the village feels VSC should have a separate line to the main for each parcel in order to avoid shared lines. Meredith said that is ideal for the village. The idea with the current plan was to only dig into the road once. She is okay with that as long as the village is not responsible for the extra distance.

Scott said we have required separate water lines for others. What is the difference in this case? Meredith said in another case we required the customer to establish how they would deal with a shared line if the parcel were subdivided. This is a little different than a single parcel with multiple buildings; this is two parcels. If there is a sale, that would require a review of the permits, which might not come up with a subdivision. The Murray Rentals permit says that the owner agrees that the property will not be subdivided without our approval. This is not too different but we haven't asked VSC to get a declaration from their attorney.

Scott asked what legal authority we have to prevent subdivision. Meredith said our legal authority rests with the water and sewer permits. Conditions on the permits must be met in order to get water service so an attorney would make sure that there was an agreement in place as required by the permit before the sale. We are not involved when there is a shared water line but we do not want to get dragged into the situation.

Scott asked, if there is a break in the one line going across the road, will that impair fire suppression for both buildings? Meredith said each property has a curb stop, so the gate valve can

be left open. Jim explained where the valves are. But he said Scott does have a good point. Where will the town go to shut off the water if there is a leak? Troy said we would shut off our gate valve if there was a leak.

Jim said he still intends to press the engineer on whether it is necessary to put the gate valve across the street from the properties. Meredith said he thinks she thinks the permit conditions will be the same either way.

Brian moved to give final approval for WW-019-01/W-019-01 and WW-019-02/W-019-02 with the following conditions:

- **Prior to any sale VSC will document responsibility for the shared service.**
- **VSC will provide the sprinkler flow figure.**
- **VSC's service line begins at the gate valve.**
- **If there is any change in the plans the village will get updated plans.**

Bob seconded and the motion was passed. (Jim McDowell left at 8:38.)

Meredith said VPPSA anticipates a Transco equity offer in November and December 2019. The estimated cost to purchase the equity is \$27,030. **Bob moved to approve participating in the Transco equity offer in November and December 2019 at an amount not to exceed \$28,000 and to assign the units to VPPSA so the purchase can be financed through VPPSA, Gordy seconded and the motion was passed.**

Meredith said Brian Story put together a memorandum of understanding between the town and village regarding the sharing of municipal cleaning costs. The MOU states that the cost of cleaning the municipal building will be split 50/50 between the town and village, the town will pay 100% of the cost of cleaning the library and the town garage, and the village will pay 100% of the cost of cleaning the village garage bathroom. Any requested additional cleaning will be paid for by the requesting party and any changes must be approved by both the town and the village. **Scott moved to approve the memorandum of understanding between the town and the village regarding cleaning services, Bob seconded and the motion passed.**

At 8:46 Rebecca Treat of KAS joined the meeting by phone. Meredith said the power house building is gone. The demolition process went relatively smoothly. There was an unexpected cost of about \$16,000 for air monitoring but there were only 8 truckloads of material instead of the 11 we budgeted for. She thinks the final cost will be close to what we anticipated. We thought Casella could take the concrete rubble but there is some special paperwork that needs to be done before it can be hauled away. There are some trees that had to be removed and now need to be disposed of. The pipe penstock was taken. The next question is how we get the site in safe condition while developing a plan for how it will be used next. We need to know if the walls of the remaining foundation are stable enough to be sampled with an air hammer. KAS is looking for a structural engineer to determine that. Rebecca suggested that at the same time we have the engineer determine whether the walls can be reused.

Meredith asked Rebecca to talk about the sampling she thinks needs to be done. Rebecca said we need to collect data on soil, river sediments and surface water. It is not clear what will be required beyond that by the EPA and the state. We will need to sample the walls and the soil inside. There is an urban boundary that currently comes close to the building but does not reach it. The DEC is

open to extending that boundary to include the powerhouse. Within that boundary there is a higher threshold for PAHs.

Meredith said LCPC has some Brownfields funding and they are applying for another grant. Ideally we will get some grant funds and get sampling done this fall. Meredith reached out to an engineering firm to get a quote for the work we need done. The estimate was \$1,500 for a site visit, an opinion on whether the walls can withstand air hammering and a report on whether the existing foundations can be reused. Meredith may ask Rebecca to go to the site with the engineer. Rebecca said she can do that. Rebecca said there is another sampling method if we can't use an air hammer but she thinks the air hammer method is better and comments on reuse from the engineer will be helpful.

Bob moved to authorize Meredith to engage an engineer and Rebecca Treat and to apply for Brownfield funds, seconded by Brian.

Bob asked if it would be okay to put sod on the bank before the fall rains. Rebecca said she doesn't see any reason not to do that. She will follow up with Meredith on that tomorrow. She is in favor of stabilizing the slope. (*Rebecca left at 9:02.*)

Scott said the state released an old light fixture and some other items that were found in the stream by the powerhouse and he took them to the Historical Society.

Meredith said the village included a \$500 contribution towards the Holiday Jubilee in its 2019 budget within the Parades, Events and Celebrations line item. **Scott moved to authorize contributing \$500 toward the 2019 Holiday Jubilee as budgeted for 2019, Brian seconded and the motion was passed.**

Meredith said in 2018 the organizers of the harvest festival held in October asked to move the village green picnic tables to Legion Field for the event. Like last year, Meredith recommends approval with the understanding that the use is intended for a public event on public land. The board agreed that that would be all right.

Meredith said Stanley is done with the work on the municipal building. The total of all invoices, to be shared between the town and village, is \$61,130. That is quite a bit higher than last year. We added work where the tower meets the building to prevent more water leakage in that area. A new vent was added to replace one that was blocked. We budgeted \$25,000 and that was to include concrete for a new walkway. Meredith doesn't think we can afford the walkway. Our share is \$5,500 over budget. Most of that will come from the electric department.

Phil asked what the total cost was for the three years of work on the municipal building. Meredith said she thinks we spent about \$35,000 the first year and about \$46,000 the second year in addition to the \$61,000 this year.

Meredith said she will call each property owner who will be affected by the Pearl Street sidewalk project to let them know that our attorney will contact them about easements.

Meredith developed a draft joint meeting agenda. She let Brian know that we wanted to be able to speak to the people who sent proposals for the merger study. He is going to check with the selectboard on that. She is scheduled to be induced on September 23, the date of the joint meeting. Since she can't be there, she and Brian thought it might make sense to pare down the agenda. She suggests just including the merger study proposals and the fire service contract.

The board agreed that there is no point discussing the merger proposals if the proposers won't be available to answer questions. It was agreed that the agenda for the joint meeting should be discussion of the merger study (if proposers can participate) and discussion of the fire service contract.

Meredith said she will try to get the agenda for the October meeting developed as much as possible before she leaves and Gordy can finalize it.

Brian asked if our maternity policy is good. Meredith said employees are able to use any benefit time they have and the rest of their leave is unpaid FMLA leave.

13. Adjourn

Bob moved and Scott seconded to adjourn at 9:20 and the motion was passed.

Minutes submitted by Donna Griffiths