JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, OCTOBER 6, 2025

Present: Selectboard members: Mike Dunham, Peter Hammond, Eben Patch, Paul Warden
Others: Tom Galinat, Rosemary Audibert, Carl Rogers, Tasha Wallis, Lois Frey, Jeanne Engel, Kelly Vandorn, Eric Schultz, Howard Romero, Casey Romero
Absent: Adrienne Parker

Note: All votes taken are unanimous unless otherwise noted.

1. ***Call Meeting to Order***
   Eben called the meeting to order at 6:30.
2. ***Consider Additions or Adjustments to the Agenda***
   Eben added a recreation grant steering committee procedural question, an executive session, a question about the intermunicipal laptop, and a proclamation.
3. ***Proclamation Recognizing Jeanne Engel***
   Eben read a proclamation recognizing Jeanne Engel for her 27 years of service as Johnson Public Library director and designating October 31 (the day of Jeanne's retirement) as Jeanne Engel Day. **Mike moved to pass the proclamation as read, Peter seconded and the motion was passed.**
4. ***Consider Additions or Adjustments to the Agenda (continued)***
   It was agreed to add discussion on the Municipal Planning Grant. Eben noted that item #9 should be "Approval of All Permit Applications and Fees for the Industrial Park."
5. ***Selectboard Updates and/or Concerns***
   No members of the selectboard had updates or concerns.
6. ***Public Comment***
   No members of the public wished to comment.
7. ***Consent Agenda***
   The consent agenda consisted of the minutes of September 2, September 15, September 16 and September 29 and retroactive approval of the purchase of the road side mower. Donna Griffiths said the September 2 minutes were not finished because she was still waiting for one of the meeting recordings. The minutes of September 2 were removed from the consent agenda. **Peter moved to approve the consent agenda, Mike seconded and the motion was passed.**
8. ***Clerk & Treasurer's Report: Warrants, Licenses and Any Action Items***
   Rosemary passed out the final budget status report and cash on hand report for the previous fiscal year. There is a total of $359,755 that is uncommitted.

   Eben asked why office admin salaries was so far off from what was budgeted. Rosemary said we moved the CEDS and assessor into that category. Eben said we will need to check that when it comes to budget season.

   Rosemary said with insurance and flood expenses we have a net good right now of about $26,600 for the library. That is leaving out $166K of insurance money to fix the library building. Tom said we can't use the ARPA funds for the inside of the old part of the library building so the $166K insurance payment is set aside for that.

9. ***Road Foreman Report and Any Action Items***
Tom said the highway department is getting trucks ready for winter. They will continue ditching and mowing for the rest of October.

10. ***Ditching***
Paul said he thinks ditching should be on our radar as something we need to respond to citizens about. Eben asked, changing practices or better communication? Paul said either or both. His concern is that we have had a couple of complaints from citizens. It seems like there should be some room for judgment with ditching but we shouldn't burden the highway crew with making decisions on the spot. Eben asked if Paul is talking about non hydrologically connected sections. Paul said yes.

Tom said it is clear that the ditching is very effective. We have increased the volume of ditches and upsized culverts and it has reduced washouts.

Mike said he has seen back roads in various towns and they are all aggressive with ditching, just like in Johnson. Paul said there are a lot of roads being ditched that are not hydrologically connected.

Mike said he thinks we should continue what we are doing and maybe put out information about it.

Peter asked, hydrologically connected road segments are governed by the Municipal Roads General Permit? Tom said yes. It is working and our roads are in great shape. Recently there was a resident who had an issue because the ditching was right up against their garden. The question is how we can handle those situations on a case-by-case basis and be sensitive to the needs of residents.

11. ***LCPC Presentation on Future Land Use Maps***
Tasha Wallis of the Lamoille County Planning Commission reminded the board that Act 181 required regional planning commissions to update their regional plans and to update their land use maps using categories defined by the state and an agreed upon color scheme. The map has been updated based on feedback from the Johnson selectboard and village trustees. She showed the board the final map. She said most of the feedback was about extending the area eligible for downtown designation. In the past the community had wanted a larger area than the state allowed. Under the new legislation the town has more say.

Paul asked if the flood overlay is the 100-year or 500-year level or river corridors. Tasha said it is whatever statute required. She does not remember what was required. She pointed out that this is a planning map, not a regulatory map. If a parcel is subject to certain permit restrictions and constraints, those remain, regardless of what map area the parcel is in. There are parts of the downtown area that are included in the flood overlay.

Tasha said the land use map can be updated in the future if changes are desired.

12. ***Municipal Planning Grant***
Tasha said she wants to be sure she is up to speed on what the town wants with regard to pursuing a Municipal Planning Grant. Paul said the Johnson Planning Commission proposed pursuing a Municipal Planning Grant for updating form based code and flood hazard bylaws and making them compatible with each other and for doing an inventory as a starting point for a

capital plan. He recently proposed pursuing a grant for those things and the selectboard agreed. Now he thinks there is a better plan. We could submit a consortium Municipal Planning Grant application with Morrisville for capital planning and address form based code and flood hazard bylaw updates with Community Development Block Grants. A consortium application for the Planning Grant would be much more competitive. That is his recommendation. The chair of the Planning Commission is on board with it.

Paul moved to authorize the Johnson Planning Commission to proceed with a consortium Municipal Planning Grant application with Morrisville to develop a capital plan. He noted that LCPC will assist with the application and grant management. **Peter seconded and the motion was passed.**

Tom said usually with a consortium grant, one community is the lead. Paul said it looks like Morrisville will take the lead.

13. ***Approval of All Permit Applications and Fees for the Industrial Park, Signature Delegation***

Eben reviewed the permit application fees the town will need to pay. Municipalities are exempt from some fees. A public water supply construction permit is $900, a construction stormwater permit is $100, an operational stormwater permit is $4,950 and a VTrans 1111 permit is $250.

Carl said the engineers are planning to submit the Act 250 application this Friday.

Peter moved to authorize the selectboard chair or town administrator to sign the following permit applications for the industrial park: Act 250 land use permit, potable water and wastewater disposal system permit, public water supply construction permit, construction stormwater permit, operational stormwater permit and VTrans 1111 permit, Paul seconded and the motion was passed. *(Howard and Casey Romero arrived at 7:02.)*

14. ***Legion Field Hearing Facilitator RFP Review and Award***

Paul said no RFP responses were submitted by the deadline, but the day after the deadline DuBois & King asked if they could submit and they were told they could. They submitted an RFP. We have since revised it slightly to include additional money to allow them to complete the final drawings if we need them to. That is completely covered by VCRD money.

Paul moved and Peter seconded to use DuBois & King for Legion Field hearing facilitation. Carl said DuBois & King said they would be able to get started right away. **The motion was passed with Mike opposed.**

15. ***Town Sewer Service Area Update, Ordinance and Map Revisions***

Carl handed out copies of the 2009 Town Sewer Service Area ordinance. He has a draft map LCPC started last year. The 2009 ordinance refers to an attached official map, which seems to be missing. It used to be on the wall in the town administrator's office but was damaged in the flood. Rosemary supplied Carl with maps from the 2002 selectboard action and an update from 2005. He has 5 questions for the selectboard.

The first is whether the selectboard still wants to continue with the previously discussed change of not only adding parts of the industrial park outside the village boundaries but also adding in portions of lots that are currently bisected by the TSSA boundaries.

The second is whether the board wants to continue using the existing language about priorities in the ordinance or add something specific about the industrial park.

He was told the town had asked LCPC to work on a metes and bounds description of the TSSA. That would involve a lot more work by LCPC. He wants to know if the selectboard wants them to continue doing that.

Currently the ordinance says if someone in the TSSA wants to apply for a sewer line extension they should first come to the selectboard for selectboard approval, then go to the village trustees for approval. Does the selectboard want to continue with that, or should it be assumed that the selectboard is okay with any sewer line extension within the designated TSSA?

In Article 1(B)(1) of the ordinance there is a line stating “No other extensions of the Village Sewer System may be allowed within the TSSA by this ordinance.” Carl questions whether that should be there, as it seems to contradict the intent of the ordinance.

Eben asked Carl to send out a list of the questions so the board can address them at the next planning meeting. *(Howard and Casey Romero left at 7:18.)*

16. Question on Appointment of Recreation Grant Steering Committee Members

Carl said the town has received a technical assistance grant from the U.S. EPA. There is no money attached to it. They will send federal employees and consultants to help Johnson with a planning process. When Randall applied for it a year ago, he provided a list of steering committee members. It appears that the list was not approved by the selectboard and perhaps some of the people named either were not asked if they wanted to serve on it or forgot they were asked. He has been advised by EPA that we are not locked into having those people on the committee. There is no set number of committee members required. The list in the application had 13 members listed. One of those has said no to serving and one has said yes.

Board members agreed that the selectboard should appoint members to the committee.

Carl said this steering committee will be involved in preparing for the main event, which is a 2-day visit by the federal employees and consultants that will include a tour around town and a day and a half of meetings to which the general public is invited. He gets the impression that they want a steering committee that can help with logistics and also includes people who are more in touch with the recreation economy in Vermont. Maybe it could include people from the state.

The board agreed that Carl should contact the 13 people on the original list to see if they are interested and ask if they have ideas about others who might make good candidates.

17. Financial Policies

Tom said once Rosemary finalizes year end numbers she and Tom will put together draft financial policies. When does the board want them? Eben said whenever they are ready.

18. Library Relocation

Tom said we are getting close to having final bid documents ready. We are waiting on a structural engineer to confirm some points. With the foundation and utilities completed this fall we will be in a great position to complete framing over the winter.

19. Foundation RFP Review and Award

Eben said 3 bids were received for the library foundation and utility work. G.W. Tatro bid $184,100. Isaacs Excavating & Construction bid $163,275. D. Tatro bid $136,000. The library board is recommending that we choose G.W. Tatro because of their reputation, their ability to complete the work in a timely manner and the amount G.W. Tatro has donated to the project already. Silver Ridge Design recommends confirming that all bidders received the addendum and then beginning negotiations with the low bidder, D. Tatro, to make sure all the work was included in his bid.

Paul asked if all the bidders can get the work done this fall. Tom said a condition of the bids was that road work and utility work must be done by November 1 and foundation work must be done by December 1. Eben noted that there are no punitive damages if they don't complete the work by those dates.

Peter moved and Paul seconded to award the contract for library foundation and utility work to G.W. Tatro in the amount of $184,100.

Tom said we budgeted $100K for the foundation and $100K for utility connections. We already paid the village $15,700. All 3 bids are under budget.

Peter said he made the motion because of the library's recommendation. The reputation of the company and their ability to work quickly and with expertise gives us the best chance of completing this part of project on time. Mike said the letter from Silver Ridge noted that the library board is "recommending G.W. Tatro for all the right reasons." Eben said the expense will be reimbursed. Paul asked if we have experience with the other bidders. Kelly Vandorn said when the ground was being prepared for where the library is currently sitting, G.W. Tatro did all the excavation work in a quick and timely manner and the work was donated. Eben said D. Tatro did the foundation under the current library. Greg and Dawn Tatro have been very giving to our community.

The motion was passed.

20. Salt RFP Review and Award

Eben said we only got one bid on salt, from Compass. Their price is $99.09 per delivered ton for up to 500 tons. The road crew likes Compass and the state will not let us purchase at the state contract cost. Tom said he has asked that when the state goes out to bid they include a clause saying that municipalities will also be eligible at the same rate. Tom said last year we paid $96.20 per ton. Eben said the year before that we paid $100.02. He noted that we already have all the salt we need for the upcoming winter. Mike suggested maybe we will be able to purchase at the state contract price for next winter.

Eben moved and Paul seconded to accept the Compass Minerals price of $99.09 for road salt provided that we do not exceed the budgeted line item for road salt.

Mike said he doesn't think we should accept this price. Eben asked who we need to push in the state for municipalities to be included in the state contract. Tom suggested that he start correspondence on that tomorrow, copying the board.

<u>The motion failed with Peter and Eben in favor and Paul and Mike opposed.</u>

Tom said this quote will expire before the next meeting. He will contact Compass for a new quote.

21. Tandem, Next Steps

Eben said a solution not discussed at the last meeting is purchasing the truck outright. We had talked about leasing it for a year and paying interest or paying the floor plan fee. We talked about penalties for cancellation. The warranty start date can be updated to one year after purchase. If we purchased the truck in October of this year and didn't start using it until next December, we would lose 2 months of the warranty period.

Paul said he understands that we want to support local businesses, but Allegiance is basically asking us to bail them out of a poor business decision. They offered us a package deal and we didn't get it. He doesn't feel great about asking the taxpayers to bail them out. Eben said he is against paying any more for that truck than we decided on paying. We could cancel the order. We could just tell Allegiance they have to eat the cost. Or we could purchase the truck only for the amount we were planning on paying. Paul said that means we are still using the truck we have. The Allegiance representative said they would probably honor the trade-in amount they previously offered. But we will have maintenance and inspection costs. He thinks whatever we do it will still cost us more money. Mike suggested canceling and going with a different vendor. Tom said the problem is that there is a 2 year wait for a new truck. The oldest truck we have is already costing us $15K-$20K a year. That is a little less than half what the loan payment would be.

Mike said a lot of towns use older trucks and don't put such a burden on their taxpayers. There are maintenance costs with older vehicles, but some towns must balance that and understand that the maintenance costs might be less the cost of owning a new vehicle.

Paul asked what the pros and cons are of buying the truck now using our own money. Rosemary said there is not enough in the capital equipment fund to pay cash.

Tom said the slot scheduled for this truck at Viking is Allegiance's slot, not ours. If we cancel the order we have to reschedule with Viking and it will take 2 years.

Rosemary asked if we can pay for just the truck, not the body. Eben said that is $198K. Tom suggested Allegiance might let us make a principal payment now to help them with the $4K in interest they are paying every month. That way we would not be paying more than we budgeted but we would be helping them by making payment in advance. By making a $50K down payment now we would actually reduce our total interest payment. We would not take out a loan at this point. The $50K would be principal only.

<u>Paul moved to authorize Tom to propose to Allegiance that the town make an initial payment of $49,955.19 as an advance principal payment with the goal of helping Allegiance with their cash flow, Peter seconded and the motion was passed.</u> *(Eric Schultz left at 8:01.)*

Eben said he thinks we should authorize Jason to schedule body builds for the next 8 years at Viking, as long as it costs us nothing. We will talk about that at the next meeting.

22. ***Special Selectboard Meeting Planning for Lowe Lecture Hall Vote***

Tom said EverGreen Environmental would charge $1200 for lead testing and $825 plus $12 per sample for asbestos testing. He got a second quote of $1400 for asbestos and $1200 for lead. Does the board want to move forward with lead and asbestos testing?

Mike said he thinks we should just spend the bare minimum for a building inspection now. Maybe we can just test for asbestos as well. Paul suggested we could just do the building inspection now and ask the voters if they want us to do further testing before they make a decision. Eben said he thinks we should do the lead and asbestos testing. Mike said it would be a waste of money if the townspeople don't want us to acquire the building. Someone could move to table the vote on acquiring it until more testing is done.

Tom said the lowest price for an inspection without lead and asbestos testing is $885 ($700 for the inspection and $185 for radon testing.) Eben said that fits under the motion from the previous meeting authorizing Tom to order an inspection. The board agreed he should go with that price. Tom said they previously said they could have it done as early as October 16. If they can't still do it soon enough he can use the other company that provided a quote and he can check with other companies as well.

23. ***Review Invoices and Orders***

Paul said he is concerned about signing orders during meetings. He does not have time to read them. Eben said at one point we scheduled 15 minutes for board members to review the main sheet. Tom said right now Rosemary prepares the orders the day of the meeting. We could create a policy that they need to be put in a certain amount of time before the meeting. Then scanned invoices could be sent to board members before the meeting. Mike said at one point the board was reading orders aloud at meetings. Eben said that put a lot of extra work on Rosemary. She was highlighting things that were out of the ordinary. Rosemary said the board can appoint a board member to sign orders. Tom said some other towns have their town administrator or manager sign warrants before they go before the board.

Paul said he would like to see some kind of report on the orders. Tom said he thinks we would have to change our procedure so orders were done in the off weeks between meetings. Paul asked Rosemary if that is workable. She said yes. Paul said he is not asking for a change at this point.

24. ***Interlocal Assessor Laptop***

Eben said when the interlocal assessor was first hired we used the Town of Hyde Park board clerk's laptop for the assessor. That laptop has reached the end of its life. The Hyde Park selectboard wants to know if their board clerk can use the same laptop as the assessor (who is the same person as the board clerk.) The board clerk would not put any confidential information on it. It would basically just be meeting minutes. Rosemary said Hyde Park did not charge us for use of their laptop. Eben said they would like us not to charge them for using the assessor laptop now. Rosemary asked if we should be charging the other towns. Board members said they do not think we should. It was agreed that the Hyde Park board clerk can use the assessor laptop.

25. ***Executive Session***

Peter moved to enter executive session under 1 V.S.A. § 313(a)(1)(E) because premature public knowledge regarding storm drains could clearly place the town at a substantial

<u>disadvantage because the selectboard risks disclosure, with Tom Galinat attending, Paul seconded and the motion was passed at 8:25.</u>

The board came out of executive session at 8:46.

26. Adjourn

The meeting was adjourned at 8:46.

Minutes submitted by Donna Griffiths