

JOHNSON SELECTBOARD / VILLAGE TRUSTEE BOARD
JOINT MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
WEDNESDAY, JUNE 24, 2024

Present:

Selectboard members: Mike Dunham, Peter Hammond, Adrienne Parker, Eben Patch, Paul Warden

Trustee board members: Will Jennison, Ellis O’Hear, BJ Putvain, Ken Tourangeau, Darrell
Wescom

Others: Erik Bailey, Lydia Putvain, Diana Osborn, Patrick Bilow

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Ken and Eben called the trustees and the selectboard to order at 6:01.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Discussion on Jointly Owned Properties

Paul said the question is whether it would be easier for the town and village each to own some properties individually rather than having them continue to be owned jointly. He asked for people's thoughts on joint ownership of the municipal building.

Ken said he is in favor of continuing with the current situation.

Paul said it has been suggested that joint ownership makes it more difficult to do repairs, etc.

Darrell said he agrees with the idea brought up at a recent selectboard meeting of starting a joint reserve fund for municipal building repairs. Eben said that would address the problem of one entity not having enough money when repairs are needed.

BJ said the town and village could each have individual funds. They would not each have to contribute to a joint fund. Adrienne asked what would stop one board contributing more than the other. BJ said the town and village would each still have to pay half the cost of any repairs and would need to come up with their half if there was not enough in the fund.

Ken said he is not in favor of a joint fund. The village could look into asking the voters to set up a specific fund for building repairs.

Mike asked if the village would be interested in selling their half of the municipal building to the town and paying rent. Ken said no.

Mike asked, wasn't the village supposed to take the lead on fixing the municipal building clock tower? Ken said nothing is wrong with it. Mike said the clock tower looks bad. The clapboards and trim should be replaced to match the rest of the building. Clapboards and trim were replaced on the rest of the building but not on the upper part of the tower. Ken said he found no rot and no gapping in the clock tower. He believes the leak that occurred happened before some repairs were done and it hasn't leaked since. It does need cleaning.

Mike said work on the municipal building was planned to occur in three stages. One part was done one year, the second part was done the next year, and the tower was supposed to be done the third year but the contractor that was doing the work died. That work still needs to be done. Will asked if that is the consensus of the selectboard. Paul said he doesn't know that it has been discussed and voted on.

Darrell said some of the repairs that were done on the lower part of the building are shabby looking. Mike said that was some of the work done after the flood.

Will said he recommends tabling this topic until the selectboard discusses it and decides whether they agree with Mike.

Eben suggested maybe the selectboard will want to go to the voters in March and ask for a reserve fund specifically for the municipal building and maybe the village will do the same.

Adrienne said the idea of a joint reserve fund assumes that the town and village can agree on repairs, set a schedule and follow it. She doesn't think they can. It doesn't seem that money is the issue. It seems that coordination is the issue. She is not in favor of a joint reserve fund.

Will asked if the town would be willing to sell its portion of the municipal building to the village. Eben said he is not averse to that. What is critical is that the town is responsible for land records and needs a vault. Mike says he is not averse to the idea either. It would be nice to have a fixed rent amount to budget for. Will said he thinks that option would take a lot more investigation. The trustees can discuss it and have Erik start looking into numbers.

Eben asked, now that we don't have a joint clerk and treasurer, is the town sending bills to the village? And is the village sending bills to the town? The town will need to get a bill for cold storage insurance and the village will need to get a bill for municipal building insurance, for instance. Lydia explained how this is being handled.

Eben said he thinks the jointly owned property should be subdivided and the town and village should each have independent ownership of their garages. Will said he won't even consider dividing the garages until the whole lot is divided between town and village. Eben said the garages are on a separate lot from the larger parcel. Ken said he doesn't see subdivision happening. It would involve Act 250 and brownfields and cost a lot of money.

Mike said he thinks we should sell the 180 acre parcel and split the proceeds. Ellis said he doesn't understand why we are considering selling assets that we have. Ken said we are just talking about dividing the area where the garages are. Ellis asked why people want to split it up. Eben said it would be cleaner. Ellis said we have talked about putting a bike path on the 180 acres. Paul said what we are talking about is not the 180 acre parcel. We are just talking about having the town and village each have 100% ownership of their own garage.

Ken said the MOU between the town and village says that one garage is owned by the town and one by the village and the land they are on is jointly owned. Eben said it does not say that the buildings are separately owned. It says that the town can do maintenance and improvements to

its garage that don't devalue the building and the village can do the same with its garage. It does not say the town owns the town garage and can do what it wants with the building. The intent is that that the town would not tell the village what to do with its garage unless it was devaluing the property.

Will suggested modifying the MOU to give each entity ownership of its own structure. There is no harm in keeping the land jointly owned.

Mike suggested the town and village could each give up half of one of the garages with a quit claim deed. Ken asked if Mike is saying he would rather spend taxpayer dollars to subdivide the property than use an MOU. Mike said he is in favor of whatever is cheapest, but a quit claim deed would settle it once and for all. Ken said no quit claim deed is forever.

Darrell said he thinks we can all agree that the town and village each want to own their own building.

Eben said we didn't send the MOU for attorney review because we knew it wouldn't be legally binding on the next year's board. Next year's board doesn't have to agree to an MOU, so does it really solve the problem long-term? What if 20 years from now there is an opportunity for the village to move to another facility and the village wants to sell its garage and the selectboard says no? The board is binding a future village board to potential problems by just having an MOU. What if a future selectboard wants to get half of the electric department rent on the building they own half of? Subdividing would protect the village from that.

BJ said he likes Mike's idea. It is pretty binding. Ken said a quit claim deed is not binding. Mike suggested doing a warranty deed then. Ken said we would have to subdivide for that.

BJ said he likes Will's idea of figuring out what we are going to do with the other 180 acres. We can't really afford to subdivide but we could sell that property

Will asked, isn't the selectboard bound by the vote of the town not to sell the property? Eben said that was an advisory vote only. Mike said we have the ability to sell the property.

Ken said selling the property would be a great opportunity to bring residents back to the community.

Ken suggested that the village can look into a warranty deed.

Darrell said the town has taken over the flat, usable pieces of the land for sand, etc. The village has lost use of that land because the town decided to use it. He doesn't think it should have been just assumed that the town could use it. If the village wants to put up a salt shed, where can they put it? It would be good to figure out what area the village can use if they need some space.

There was discussion about where the boundary between the two parcels is and which buildings are on the 18-acre parcel vs. the 180-acre parcel. Eben said the land where the garages are was purchased as an 18-acre chunk.

Eben suggested that John and Erik work together on options for individual ownership of the town and village garages. They could also talk about the smokehouse and the salt shed. The other selectboard members and the trustees agreed to that.

Will asked if there is consensus on the selectboard about selling the 180 acres and splitting the proceeds. He thinks his board is in favor of selling it all as one lot. Mike said selling the whole thing gets us out of arguments over who gets which half. Eben said it is not a foregone conclusion that the whole selectboard supports that. There has been discussion of town committees wanting trails there. We have a Recreation Economy for Rural Communities planning grant now. He personally is in favor of selling the property and getting it back on the tax base. But if it is identified as a key piece of the puzzle in the recreation planning process, he would be willing to have it appraised by a third party and have discussion about the town buying the village out. He would like to know the outcome of the RERC process before making decisions. Paul agreed that he thinks it is important to hear what plan they come up with during the RERC process and whether that parcel is a key piece. He would be in favor of going back to the voters on town meeting day, so his inclination would be to wait until after town meeting day to make decisions about selling the land.

Will said the town should ask the voters about selling the entire property along with the village and also about buying out the village. The voters need to know that if they turn down both of those options, the village will want its half of the property.

Darrell asked when the property was last logged. Does it have loggable material? Ellis said not really.

Will asked, isn't someone interested in buying the mill house? John said there is someone who is interested in accessing his property via town/village property and in the future he may have an interest in the mill house.

Mike said he would just as soon sell the mill house too and split the proceeds. The food shelf can find another place.

Eben asked if the village is looking to remove themselves from ownership of the mill house and give it to the town. Ken said the trustees will discuss it and get back to the selectboard.

Eben said he would like to go to the voters about it. He noted that the generator for the village garage is behind the mill house. That was brought up as an issue before.

Ken said the trustees have agreed that the selectboard can buy the village out of the shared backhoe as of January 1, 2027. Eben asked if the trustees are okay with having Caterpillar appraise it. The trustees said yes. Eben asked John to work with Ryan to schedule that.

Eben said he thinks John and Erik should come up with tentative solutions for the ownership of the salt shed and the smokehouse at the same time they are discussing the garages. We should leave ownership of the cold storage building as is.

Will said he thinks the trustees are very interested in coming up with an option sooner rather than later. John and Erik should understand that. Mike said he thinks the town also wants to come up with a solution soon.

Will said he thinks both boards need to review the options before the next joint meeting. Paul suggested that perhaps the next joint meeting would be in the next quarter.

4. *Request by Munro Brook for Right of Way by Mill House to Access Part of His Property*

Ken said the village discussed the request for a right of way by the mill house. They would be willing to allow it for fair market value. They wouldn't give it away. That wouldn't be fair to the taxpayers. If the access is for a commercial maple syrup operation, it should not be free. If someone needed access to get to their house, perhaps it would be different. Mike agreed. The rest of the trustees agreed.

Adrienne said she would like to know if the access would affect the food shelf in any way. Ken said we could designate where the access would be. We could keep it on the top corner of the property.

Eben said this would serve an individual and would not bring any good to the public. Ken said commercial syrup vehicles cost the town in maintenance. Eben agreed

Diana Osborn said Munro Brook owns a number of properties that have great recreation potential. She thinks he is interested in being a friend to the town. It might be advantageous to help him out. He might be interested in purchasing the mill house and the recreation task force knows of people who may be interested in converting that building into a hostel or welcome center. He might be a useful person to help that happen. He also owns land on the other side of the 180-acre jointly owned parcel. Perhaps a land swap could be envisioned. It might be useful to have a right of way across his land in the future, depending on what trails we have on our land.

The village trustees agreed that if he wants to pay fair market value for a right of way, they would agree to it. Paul said this will be on the next selectboard agenda for the selectboard to discuss.

5. *Railroad Street Repairs*

John said he has talked to Erik about Railroad Street. The surface has issues and the drainage underneath has issues. They have talked about the possibility of getting grants to work together on improvements. He talked to Jason about paving and they agreed that we shouldn't pave Railroad Street until the storm drains under it get fixed. Could the town and village coordinate on grants and do a joint project?

Erik said he is trying to get a grant to repair catch basins.

Will said he thinks the trustees have no problem with John and Erik working together to try to get grants.

Adrienne asked who will have maintenance responsibility after the work is done if the town and village get a grant together. Others said responsibility will remain the same as now.

Mike asked what the village thought of the foolish study that was done on Railroad Street that recommended narrowing the road by a foot. Trustees said they have not seen the report.

Paul said the rail trail committee identified an issue with places where storm drains are below street level on Railroad Street. Is there any way to put another drain on top at street level? BJ said there are collars that are used when repaving. Ken said that costs a lot of money and it would not make sense to do it before the road is fixed.

Diana suggested that a logical solution might be to let bicycles use the sidewalk. Ken said the village does not have any ordinance against bicycles on sidewalks. Diana said we could put up a sign saying that bicyclists are welcome to use the sidewalk. Paul said when that was discussed previously, there was consensus that we should not do it. Mike brought up a house on Railroad Street that often has young kids in front of it on the sidewalk. Bikes and kids might not mix.

Eben said as an interim solution we discussed paving the section right by the bridge where the road is in bad condition. That might happen this year. There is no village infrastructure that needs to be replaced under that section. He suggested that maybe the town could purchase risers for a few storm drains that are bad and the village could install them. Ken suggested having Nate Brigham take a look at them. .

The boards agreed that John and Erik should look into grant possibilities, separately or together. John said for some grants, if multiple municipalities are working together, the application can score higher.

6. *Rosemary's Retirement*

Ken said the village gave Rosemary a card and money. He thinks Erik would like to work with John on a party for her. Erik said she is leaving for vacation July 4. He suggested scheduling it after she returns. Eben suggested inviting people beyond town and village employees. The boards agreed that John and Erik can work on planning a retirement party. Ken said the trustees have no issues with that as long as the price is reasonable.

7. *Posts around Trees on Main Street*

Mike said the posts around the trees on Main Street need to go. Ken said what was done was not the project the village approved. The original plan included curbing. The village has no issues with removing the posts. The town committee that put them in did not do what was agreed on with the village. The trustees were told the committee ran out of money. Will said he thinks the trustees are in favor of the town having those removed and replaced with something more friendly to parking. Ken said part of the problem is that the grating around the trees was removed. It was designed to be broken as the trees grew. It was helping to hold the bricks in place. Mike said he thinks the barriers around the trees need to be fixed to match what was originally planned or they need to go.

Paul said the selectboard will bring it up to the tree board to figure out a solution.

Ken said the trees were put too close to the road. Mike asked, do we actually want trees? When they get bigger they will get into infrastructure. Paul said he thinks they look nice. Ellis said we were told they would only grow to be 7 feet tall.

Darrell said if the selectboard tells the village they don't care, the village can rip out the posts around the trees. They are in the way when sidewalks are plowed. Paul asked how they are in the way. Ken said it is not that they are in the way, but that they could be broken by the plow.

Ken suggested that the tree board see if they can get another grant for curbing and maybe we can do something different where there is a parking problem.

Mike asked if the trees actually need a barrier around them. Adrienne said yes, because otherwise people can step on the roots.

Ken said trees blocking lighting is an issue.

8. Other Business

Ken said the Hometown Hero banners that the village put up were not paid for with tax money. Alan and Lynn Lehouiller and some other residents donated money. The trustees would like to keep this project non-tax funded. Maybe some committees would like to help with funding. They don't charge anyone who applies. Darrell suggested that maybe it could be mentioned at a selectboard meeting that people who want banners for family members who served can contact Erik. It is not only for village residents.

Adrienne asked if the banners will hang year round. Erik said they will probably be up until October this year. Ken said they will be up for Flag Day, Memorial Day, etc. Adrienne said she is a graphic designer and could design some banners for other times. Ken said the village already has a variety of other banners that can be used.

Erik mentioned the new street sculptures. Ken said the beautification committee is working on something for the Cold Spring. Paul asked if the sculptures are permanent. Erik said no. Adrienne said she thinks they will be there for 2 years. The beautification committee is looking for another artist whose work could be featured next.

9. Adjourn

The meeting was adjourned at 7:23.

Minutes submitted by Donna Griffiths