

**Selectboard Regular Meeting • January 23, 2020  
Approved Minutes**

**SELECTBOARD PRESENT:** H. Childress, C. Fenton, C. Haynes, P. Kenyon, T. Redfield

**TOWN OFFICERS PRESENT:** Town Clerk Laura Castle

**PUBLIC PRESENT:** Michael Beattie, Peter Stevenson; Poultney Rescue Squad (Katrina Davenport, Debbie Dougherty, Jeff Spencer)

**CALLED TO ORDER:** 7:02 P.M.

**MINUTES:** T. Redfield moved to approve the minutes of the 1/9 regular and 1/16 special meetings; P. Kenyon 2<sup>nd</sup>; [*all in favor, motion carried*].

**PUBLIC:** Poultney Rescue Squad (PRS) representatives appeared to discuss the changes in the relationship between PRS and the Middletown Springs First Response (MSFR). PRS service covers transporting needs for the Town. MSFR is intended to be its own entity, with its own EIN and insurance; they're the first line of response before the Poultney Rescue Squad, but they are a non-transporting agency. MSFR currently is insured under the PRS, but was supposed to be independent by January 1, 2019; if PRS does not renew that insurance, the MSFR would not have its license renewed. Statutorially, MSFR should be fully independent, but MSFR has not completed its status as an independent institution. Their attorney believes that the current arrangement is no longer legal, and that the MSFR must have its own independence, with EIN, banking and insurance arrangements.

It's possible that MSFR could dissolve and deliver its assets to PRS, but that is not PRS's intent or desire.

Carl believes that the Poultney Rescue Squad has not fulfilled its responsibilities as they expressed them in early 2020, and that their board is illegally composed; per the bylaws, the president of the MSFR must be a member of the PRS board, which has not currently allowed that participation. All members of MSFR are currently members of PRS. He believes that it would be legally acceptable for MSFR to be listed as a D.B.A. under PRS.

Their attorney Mr. Spencer responded that independent status requires independence of organization and operation, and that a DBA arrangement would require a surrender of MSFR's assets, governance and existence. The same is true for the Town's oversight and insurance; if the Town insured MSFR, it would become a Town agency with again no independent existence.

PRS has paid staff on duty seven days from 8AM to 6PM, with volunteers outside those hours.

As the Board deliberated, Carl made the case that MSFR is small enough in membership (3 members) that it wouldn't be likely to operate independently. So the question becomes which entity MSFR becomes absorbed in; the Town, the PRS, the MSVFD...

Michael Beattie attended to present a revised building plan for the Town Office, at one story, approximately 36' x 80' (2900 sf.), with space for clerk, treasurer, listers, vault, public meeting space, bathrooms and kitchenette. He hopes that this project will gain support through the ability to bring local contractors and volunteers together to conduct much of its construction, under the oversight of a Board-hired construction manager. His proposed plan continues to be a net-zero building with no energy cost for its operation.

Michael has been in contact with a number of contractors, all of whom have expressed interest in participation. He believes that it reflects the decade of knowledge that the Building Committee has learned in its studies of other towns and buildings.

H. Childress noted that it was difficult to ask Michael to move forward with further detailing, as we have a petitioned article for an entirely different configuration of a Town Office. He provided a record of his correspondence over that petitioned item between himself, Garrett Baxter (Senior Attorney for the VLCT's Municipal Assistance Center) and Will Senning (VT Secretary of State's Director of Elections), indicating that the language of the petitioned ballot item was noncompliant with State statutory requirements. Lead petitioner C. Haynes was unwilling to consider amending the petitioned language. Several detailed questions about the building's size and configuration, as laid out in the ballot item, were presented to the petitioner, who was unable to fully respond.

H. Childress moved to accept the petitioned item on the Town Office as presented; C. Haynes 2<sup>nd</sup>; [*Aye—Fenton, Haynes, Redfield; Nay—Childress, Kenyon; motion carried*].

**TOWN OFFICERS:** Town Clerk Castle is developing ballots in advance of Town Meeting; the tabulator company will install programming and conduct tests once the ballots are printed.

**HIGHWAY:**

- Summer mowing window of availability—week of July 13
  - Backhoe bucket delivered to fabricator
  - Dubois & King will begin research on Daisy Hollow Road modifications
  - Bill and Brent off on Friday 1/24, so as to work the snowstorm over the weekend.
- T. Redfield moved to sign the certification of town road & bridge standards and road inventory; C. Haynes 2<sup>nd</sup> [*all in favor, motion carried*]

**TOWN LANDS:** H. Childress will begin the process of VTRANS grant reimbursement for the West Street study, now that the Otter Creek Engineering work has been completed.

The town is working with RRPC on a Phase One Environmental Study of the current town lot, looking specifically for evidence or history of chemical contamination.

**SOLID WASTE:** The new compactor is back at Hubbard for modification of the hydraulic system.

**CORRESPONDENCE:**

- US Census Bureau—validation request of the Boundary Validation of the town for conduct of the 2020 Census. H. Childress moved to accept the Census Bureau's boundaries for the Town of Middletown Springs as presented; T. Redfield 2<sup>nd</sup>; [*all in favor, motion carried*]
- VT AOT re: obligations about special weight limits for highways and bridges.
- Overweight permit Carroll Concrete/Newport Sand & Gravel, with \$10 application check. H. Childress moved to accept the application for a fleet overweight permit for Carroll Concrete; T. Redfield 2<sup>nd</sup>; [*all in favor, motion carried*].
- VT Department of Taxes—corrected equalization results: CLA 99.54% COD 8.21%
- VTEL security update.

**BOARD ORDERS:** H. Childress moved to accept the board orders as accepted; P. Kenyon 2<sup>nd</sup>; [*all in favor, motion carried*]

**OTHER BUSINESS:** The Fair Haven Animal Clinic is willing to conduct the Spring 2020 rabies clinic.

P. Kenyon moved to approve the 2020 Town Meeting Warning as presented; T. Redfield 2<sup>nd</sup>; [*all in favor, motion carried*]

**ADJOURN:** H. Childress moved to adjourn; T. Redfield 2<sup>nd</sup>; [*all in favor, motion carried*]. Meeting adjourned at 10:26 PM.

Respectfully submitted,  
Herb Childress, Selectboard Clerk