

Middletown Springs Selectboard • Approved Minutes Regular Meeting • June 25, 2020

BOARD PRESENT: Patty Kenyon and Heather Grier via Zoom. At the town office, Terry Redfield, Neil Russell, Carl Haynes at 7:45pm

TOWN OFFICERS PRESENT: via Zoom - Nita Burch-Clay - Auditor, Sarah Grimm - Auditor, Jenny Talke Munyak - Treasurer, Deb House - Delinquent Tax Collector. At the town office; Bill Reed - Road Commissioner/Road Foreman, Laura Castle - Town Clerk

PUBLIC PRESENT: via Zoom - Peter and Aileen Stevenson

CALL TO ORDER: Terry Redfield called the meeting to order at 7:00pm

APPROVAL OF MINUTES: 6/11/2020 Regular; 6/18/2020 Corner Property Site Visit

Neil moved to approve the minutes of 6/11/2020 regular meeting and 6/18/2020 site visit meeting as presented, Terry 2nd. All in favor (Neil, Terry, Heather, Patty), motion carried.

EMERGENCY MANAGEMENT UPDATE: Herb was not able to attend. Report via email as follows:

I won't be with you this evening at your meeting, so here's my report in advance.

Locally, most people seem to have been doing pretty well with wearing masks where those are required or requested, and with continuing to limit the sizes and closeness of gatherings. The two cases we've had related to town hasn't changed for over a month.

Strawberry Festival has cancelled, as appropriate, so the next public gatherings we're likely to face are Fourth of July parties. I'll be on FPF to remind people that social occasions still require responsibility (and I'll ask James Reed to post something similar about fireworks).

And then... the primary election, Tuesday, August 11. A number of regular poll workers have already stated that they will not work the election if it's not a mask-mandatory environment for both the polls and the count. We might be able to rig up plexiglass barriers between public and check-in/check-out, but it'll be tougher at the collection and count of ballots. Gloves for poll workers, lots of hand sanitizer and/or disinfectant wipes (but NOT the Eskbiochem brand, which have been inappropriately using wood alcohol in their formulation, which is a health hazard. Check your supplies both personally and in Town work areas.)

The State has, as yet, issued no mandates about voters and masks. We'll see if that changes. Certainly, we should have masks available at check-in. We might be able to set up one or two outdoor voting stations for people who refuse to wear masks, but checking them in and giving them ballots and collecting those ballots will be complex. By law, Justices of the Peace are allowed to hand-deliver ballots to voters (preferably in cross-party pairs), so we may find that's the way to get them in and out to an outdoor

station. I'm intrigued by the idea of a drive-thru, which is a specific version of an outdoor station. We could do the whole thing by delivering ballots to and from people's cars as they pull in and park, like an A&W, but we'd need to set up a pretty careful protocol about who gets to handle ballots and how.

And then the voting stations themselves... The Historical Society dining room, when measured at its most generous (including where tables and chairs are stored) is just under 600 square feet. By current recommendations, that gives us a maximum occupancy of six. I'd advise relocating to the firehouse, which (if we exclude the two front-facing truck bays, the kitchen and storage, and the stage area) gives us something closer to 3000-4000 square feet, or about 30-40 people.

I'd also consider rethinking the voting stations. The folding-fours that we've used the last few years bring people together into pretty close respiratory adjacency; if we go back to the firehouse, we should probably use the old side-by-side booths of years gone by, so that a) there's hard barriers on three sides and a drape on the fourth, and b) everybody's facing forward rather than toward someone else. We could also do privacy through distance, and set up small tables at large distances from one another, so that no one could see over anyone's shoulder as they vote.

Finally, the Secretary of State will be encouraging much more extensive absentee/vote-by-mail participation, to try to keep in-person contact to a minimum. So we need to be prepared to handle LOTS of mailed or pre-returned ballots efficiently on election day. It seems like a more heavily staffed election is probably in order, and some degree of rehearsal or training to clarify procedures that will be new for all of us.

PUBLIC COMMENTS & GUESTS: none

TOWN OFFICERS: Jenny reported that our COVID expenses so far are just shy of \$2000. She is continuing to work on April 2019 FEMA event reimbursement. The reimbursement estimate looks to be \$35K from the Feds and potentially another \$6K from the state. Which we have accounted for in our current budget, so if it comes in after June 30, we'll need to make an adjustment to FY2020.

Additionally, she is projecting a shortfall of approximately \$100K on the FY2020 year end, mainly because of uncollected current taxes. So right now, it looks like we'll need to use the remaining highway surplus of about \$28K and try to come up with some other ways to try to reduce the anticipated shortfall in the general budget.

Deb House, Delinquent Tax Collector gave the board an update on the South Street property that we've been anticipating the closing on since last November. She is continuing to connect with the bank and the estate's lawyer and hopes that this will in fact close before the end of July. If that happens we could reduce our current year deficit by accounting for this anticipated revenue in the FY2020 budget year, this is anticipated to be between \$50 and \$60K.

Deb also updated us about plans for moving ahead with tax sales in the near future. She is working on a new Delinquent Tax policy and will bring us paperwork and recommendations to get this process moving forward so we can begin to get these

cleaned up. Total delinquent taxes due are approximately \$185K

Sarah asked if the auditors could use the third computer in the town office. That is the Listers computer, but the board suggested they could use the laptop in the town office that we are currently using to stream zoom meetings as otherwise it is not currently being used.

At this time, we moved to Legal - Rescue Squad item further down on the agenda to accommodate another meeting the Treasurer had to attend. Once that discussion was complete, we moved back to Town Officers reports.

Upcoming Elections - Laura has the August primary ballots. The Secretary of State will be sending out a postcard to all registered voters encouraging them to request absentee ballots for the primary election. Laura also reported that currently she is anticipating that all in person voting will be conducted as drive-through operations, although full mail in only is still an option. In order for us to accommodate a fully drive through voting process we'll need to do some careful planning and brainstorming about the best available town location for this.

With this in mind the board suggested calling a BCA meeting to work through the necessary details. The meeting was proposed for Thursday, July 2 at 7pm via Zoom with a small cadre (less than 6 people) able to meet at the Town Office Annex. Laura will send out postcards, Patty will email Zoom meeting info to BCA members. Terry will provide the list of BCA members to Patty.

TOWN HIGHWAY:

Road Commissioner Report:

- Still waiting on paperwork from Jim Hathaway to begin roadside mowing. At this point, Bill believes there is an issue and doesn't anticipate the paperwork will be forthcoming. As an alternative he has found a sickle-bar mower deck at Winmill that we could purchase for \$1500, we'd then need to rent a tractor for a week \$600 and could get the mowing done ourselves. The upside is that in the future we would have the flexibility we need to get the roadside mowing done on our timeline and for the cost of renting a tractor.
 - Terry moved to have Bill investigate and purchase, if feasible, the 7' sickle bar mower from Winmill to be paid in FY2021 (after July 1) and, if that goes through, to set up rental of a tractor for \$600 per week from Capital Tractor to complete the roadside mowing on 140. 2nd Heather. All in favor, motion carried.
- Bill got pricing on one-tons at Fort Ann Auto Saver - Model year 2020 Ford F350 and F550. Bill likes the set up of the F350 better than the F550. He still needs to get pricing on sander and plow to complete the set up but needs to know which vehicle we would like in order to do that. The rough pricing is \$54,615 for the F350 and for the F550, \$65K and change. A rough estimate for sander and plow is around \$12K to \$14K

Bill likes the F350 best - the board asked him to move to the next step and see what they will give us for a trade-in on our current vehicle and to get information on their current financing options.

- Bill is working with Josh Carvahal on the Spruce Knob Project. He would like to rent a chipper for a week to use during the project.
- He also reported that he had been getting calls on dust and has been putting out calcium. Next week will have the next batch of money for calcium if we need it again this summer.
- Short discussion about the filled in ditch on North Street and the plan of action to address the issue.
- Short discussion on the South Street speeding issue, Bill met with the state highway rep and he reported that the signage is all in place and correct so there's not anything that we can do except to get the speed cart - which we have scheduled to come here within the next two weeks.
- Lastly, Bill and Brent have been grading when they can and doing regular summer maintenance.

Other Highway:

- **Class IV Highway Improvements - "Permission to Work"** - Terry reported that there is a potential to have a request for permission to work in the highway right of way on the Class III part of North Street. There is a potential sale of the northern most property and if that goes through the new owner would like to do some improvements on the roadway to gain access in the winter to the property. Terry wanted us to have this item on our radar for the future.

TOWN LANDS: Facilities: Peter reported that he had talked with Frank Parent regarding positioning of the leach field as well as the reduced size of the building. Frank will take a look at each of these scenarios to see what impact these new ideas might have on the overall septic design and the usable space on the lot.

Peter has also been continuing to investigate the water treatment needs. He has reached out to a vendor who can provide all the components and will let the board know what his research turns up.

Heather reported that she talked to the town of Pawlet to glean usage and pricing for their pump system. Annually they pump about 14000 gallons (they have a library and town office on their system) and the cost is basically about \$1000 per quarter to have the tanks emptied.

Next facilities meeting will not take place in deference to the previously scheduled BCA meeting.

Town Cemetery - Terry brought to the board that Bobby Parker is unable to do the maintenance in the old cemetery for the next few weeks. In light of that news, Terry asked Jordan Martelle if he could step in and take on the upkeep during Bobby's absence. Jordan is available and willing to step in and help us out.

SOLID WASTE:

- **Big Dumpster Day - Casella opportunities** - Terry contacted Pam Clapp (SWAC) and she was not aware of any contract obligations that would prevent us from switching to Casella for trash pick-up and/or large trash days. Subsequently

Terry reached out to Casella about pricing and availability for big dump day in the fall. They are available and gave us a quote of approximately \$1000 for 4 average weight dumpsters. Terry will connect with them in the early fall to confirm pricing and to reserve dumpsters.

CORRESPONDENCE:

- Thank You note to the Town from Tasha Turan
- Letters of intro to individual board members from Joshua Terrenzini - candidate for Rutland County Senate
- Invoice from Casella Recycling - Needs to go to Jenny
- Flyer - Champlain Valley Equipment
- Postcard - Green Lantern Solar
- Rutland County Sheriff FY20/21 service contract for signature and appointing a liaison from the board. Heather volunteers to be the town's liaison with the Sheriff's department.
 - Patty moved to approve the Rutland Country Sheriff's contract naming Heather Grier as the town's liaison. Carl 2nd. All in favor, motion carried.

BOARD ORDERS: Neil moved to approve the board orders as presented. Carl 2nd. Ayes - Carl, Terry, Neil; abstain - Patty, Heather (both reviewed orders but were not present to sign), motion carried.

LEGAL: Middletown First Response/Poultney Rescue Status - Carl reported on his conversation with the town's attorney. Gary feels that the town can move ahead using their discretion. Gary did have a question about what to do with the First Response money if they became an entity of the town.

Patty and Jenny reported on the research that they did on this issue Patty with VLCT and Jenny with the Department of Health Emergency Management Services.

VLCT advised that the town could not share their Tax Id# with an outside agency.

Ray Walker, EMS Programs Administrator for the Vermont Department of Health advised that First Response has the following three options moving forward.

1. Apply for an EIN number to operate as an independent agency that will enable them to obtain insurance; they don't need an ambulance, they can use an ambulance service; run their organization independently from the town and keep their current VT license, or
2. They can become a town department, that is financed (but not necessarily financially managed) by the town, still with their own EIN. In order to do this, the Town must vote on creation of this AND MTSFS would need to apply for a new license (because if the configuration of the organization is changed a new license needs to be obtained,) or
3. They can become part of "phantom" agencies that belong to a neighboring ambulance service. For example, they could become members of the Poultney Squad; the benefit would be that they live in MTS for quick response; they would not need a license, ein, insurance, etc since their members would be members of Poultney.

There was an in-depth discussion on the seemingly conflicting opinions, the town's attorney's interpretation of the situation vs the advice/opinions of VLCT and the dept of health EMS division. There is some question as to whether a town vote is necessary or if a vote of the Selectboard is sufficient to enact option 2.

Terry will connect with the town's attorney and ask him to review the information we've received from VLCT and the dept of health and then advise us as to whether or not the Selectboard can take action on this or if this needs to be brought before the town for a vote. The board would also like advice surrounding what is involved contractually and practically if the town did opt to create a town First Response entity.

There was also a suggestion that First Response might look to join in with the Fire Department in some way. The board asked for Terry to advise on this idea with the town's attorney as well. The board requests these opinions come in written form, either by letter or email so that we have a written record.

Carl as the President of First Response is concerned about the June 30 end date for insurance coverage from Poultney Rescue. The board suggested Carl connect with Poultney Rescue to get a brief extension while these details are worked out. If that is not possible, the First Response vehicle will need to be taken out of service as of June 30. Local coverage can continue through Poultney Rescue as all First Response members are also members of Poultney Rescue. It's not ideal, but it may be necessary so that we can make sure we are in compliance with state regs and the law.

OTHER BUSINESS: MSHS COVID 19 Cleaning - David Wright on behalf of the MSHS informed the Selectboard that they will not be doing regular maintenance of the bathroom facilities. The historical society is not having meetings or events and wanted to be sure we were aware of that situation. The board will make cleaning wipes and disinfectant available for individuals using the facilities to perform their own cleaning protocols prior to use.

Neil moved to purchase disinfectant wipes and spray to have available for cleaning the bathrooms. Carl 2nd. All in favor, motion carried.

EXECUTIVE SESSION: Personnel Evaluations - Terry handed out personnel evaluation forms to board members that he requests members being to work on between meetings. We will discuss questions and/or completed evaluations at the next meeting. Patty & Heather will pick up their copies at the town office. The Selectboard performs yearly evaluations on Glen and Bill while Bill, as Road Foremen, evaluates Bobby and Brent.

ADJOURN: Neil moved to adjourn at 10:47pm, Carl 2nd. Meeting adjourned at 10:47pm

Respectfully submitted,
Patty Kenyon, Clerk