

Middletown Springs Selectboard • Approved Minutes Regular Meeting • July 9, 2020

BOARD PRESENT: Patty Kenyon via Zoom. At the town office, Terry Redfield, Neil Russell, Carl Haynes. Heather Grier absent due to internet issues.

TOWN OFFICERS PRESENT: via Zoom - Sarah Grimm - Auditor, Jenny Talke Munyak - Treasurer. At the town office; Bill Reed - Road Commissioner/Road Foreman, Laura Castle - Town Clerk

PUBLIC PRESENT: via Zoom - Peter and Aileen Stevenson, Kevin Eaton - MSFR

CALL TO ORDER: Terry Redfield called the meeting to order at 7:12pm

APPROVAL OF MINUTES: 6/25/2020 Regular; 6/29/2020 Special @ Firehouse

Patty moved to approve the minutes of 6/25/2020 regular meeting as presented, Neil 2nd. All in favor, motion carried.

Neil moved to approve the minutes of 6/29/2020 special meeting as presented, Carl 2nd. Ayes, Carl, Neil, Terry. Abstain, Patty

Regarding the 6/29/20 meeting, the point was raised that this meeting would have included the public and more board members if it had been held in a place that had internet access and the connections had been set up and that there were board members online waiting for the in-person folks to sign on and include them. It was recommended that any future special or emergency meetings be held in a location where board members and the public can join via zoom meeting.

EMERGENCY MANAGEMENT UPDATE: none

PUBLIC COMMENTS & GUESTS: none

TOWN OFFICERS: Jenny reported that she has been working on final YE numbers. She has received a few late tax checks but not enough to get us back in the black. She does anticipate the closing on the South Street property next week that will clear up a large delinquent tax liability and if/when that happens the board can vote to adjust that payment into the 2020 fiscal year to alleviate a bit more of the projected deficit.

Jenny also reported that she has received the education tax rate from the State and it represents a 12.5% increase over last year's rate. Combined with the shortfall in general government revenues, this year's tax rate will be noticeably higher.

Jenny would like to set the town tax rate at our next meeting and asked to have that item added to the agenda.

Election Update - BCA met prior to this meeting and has formulated a plan for the primary election.

Fiscal Year Salary Adjustments - tabled until next meeting

TOWN HIGHWAY:

Road Commissioner Report:

- Bill gave an update on the F350 one-ton he has been looking at at Autosaver Ford - MSRP is \$54,615, quote of \$14,500 for a trade on our GMC - net cost \$41,584. Their financing options are a 1% residual APR with Ford Credit - with either a 4 or 5 year financing option.

After some discussion the board agreed that buying the truck outright using the equipment fund is the best option. We have the money in the fund to purchase the vehicle and outfit it for our needs.

Patty moved to authorize Road Foreman, Bill Reed to secure the purchase of the quoted F350 at Autosaver Ford in Comstock NY for the price of \$41,584 after trade in of our GMC one ton, Neil 2nd. All in favor, motion carried.

Carl moved to authorize Terry, Board Chair, to sign the board order for release of the payment for the F350 truck, 2nd Neil. All in favor, motion carried.

- Bill gave Terry personnel evaluations for his workers that we'll talk about later in Executive Session.
- There was discussion about the options for outfitting the new truck with a plow and sander.
- Spruce Knob project - Bill is working on getting culvert pricing, once we have that we can place the order and put that project into the summer work schedule.
- Roadside mower will be here late tomorrow afternoon, will be serviced on Monday then we can begin to use it.
- Bill purchased the sickle bar mower and has been using it with his tractor. He will bill the town the same rate as we were quoted last meeting from Capitol Tractor - \$700 for 40 hours of rental. Currently the town is covered under Bill's tractor insurance. If we do this again we will secure coverage under the town's insurance for the rental.
- Bill talked about a couple of issues with catch basins that he has been working to address. One near the Post Office and one at the bottom of Dudley hill.

Other Highway:

- Terry reported that the speed cart is in town on South Street and working.
- Bill reported that the Fuel tank in the town garage has been red tagged... so we can't get any more deliveries until there is a new tank. Terry will check with Dan McKeen to see if he owns the tank or if we do, once we know we can address it.

TOWN LANDS: Facilities: Peter emailed a new drawing from Long Trail Engineering re: moving of the septic system... this new drawing is for a system designed for 5 employees and 30 people conference room. If we go with a holding tank system we will

need one 3000 gallon tank and if we can do a mound system, the size has shrunk and the system is able to move over toward the east property line. This would allow for 13 parking spaces in the lower lot and frees up the upper portion for building siting and size.

Peter also provided an updated estimate for water treatment. The range for an installed system is between \$5 and \$10 thousand installed. There was discussion about the water usage on this system for backflushing as that directly impacts the size specifications of the septic system.

The next facilities meeting was set for Thursday, July 16 at 7pm.

SOLID WASTE: Terry reported that there was a minor incident at Big Dump Day where our equipment damaged a resident's vehicle. We have an estimate for repairs of \$1361.27 and he is investigating the options of coverage under our insurance or paying out of pocket.

Terry is recommending that the board enact a disclaimer on personal property damage for Big Dump Days going forward in order to avoid this type of unexpected additional cost in the future.

There was a brief discussion about holding a tire day this year. The board agreed that we would not hold a tire day this year but would consider it again next year.

CORRESPONDENCE:

- Completed Financial Management Questionnaire from the Town Treasurer - signed as received and reviewed by the Selectboard members present.
- Copy of RC Sheriff's contract for our records
- Airgas Automatic Lease Renewal
- Green-up Day 2020 invoice

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

There was a request that to have contractors include their hourly rate on invoices for maintenance work on town property.

LEGAL: Middletown First Response/Poultney Rescue Status - We have a two week reprieve from the Poultney Rescue squad in terms of them dropping the insurance for the First Response vehicle.

It remains the opinion of the majority of board members, the town treasurer and town auditors that the First Response needs to obtain their own EIN before the town can consider adopting them as a town agency.

Carl moved that the Middletown Springs First Response no longer pursue an association with the town of Middletown Springs. No second, motion lost.

Carl is opposed to applying for a separate EIN, while the town maintains that it is not able to lend out their EIN to an arm's length entity. The documentation we have suggests it's not advisable or legal for the town to do that.

Statement from Garret Baxter of VLCT follows:

Furthermore, there seems to be some confusion over the use of the Town's tax identification number. A federal tax I.D. number (also know as an employer identification number or EIN), is a number assigned solely to the Town by the IRS. This tax I.D. number is analogous to a person's social security number and the Town cannot allow any organization other than the Town and its departments to use it.

We reviewed the three options Jenny researched and presented at the last meeting:

- 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 MTSFR would need to apply for a new license (because if the configuration of the organization is changed a new VT 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 /remain 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.*

The board feels that option 2 is most easily achievable. If the First Response can get an EIN, the Selectboard can vote on making the First Response a town agency. Kevin will look into getting an EIN for the First Response.

Additionally, VLCT is investigating the insurance coverage and what needs to happen for us to obtain coverage for the First Response under town policies.

We will be able to move to address this once we have more information from VLCT and a determination from the First Response as to their willingness to obtain their own EIN.

OTHER BUSINESS: Terry would like board members to research the next recipient for the gold-headed cane.

EXECUTIVE SESSION: Personnel Evaluations -

Terry moved to enter Executive Session at 9:42pm to discuss personnel and personnel evaluations, inviting Bill (Road Foreman) to join, 2nd Patty. All in favor, motion carried.

Carl moved to exit Executive Session at 10:10pm, 2nd Neil. All in favor, motion carried.

Carl moved to limit Robert Parker's hours to 10 hours per week at the present time, 2nd Neil. All in favor, motion carried.

Terry moved the Selectboard sign and approve personnel evaluations for Robert Parker and Brent Clark, 2nd Neil. All in favor, motion carried.

ADJOURN: Carl moved to adjourn at 10:25pm, Neil 2nd. Meeting adjourned at 10:25pm

Respectfully submitted,
Patty Kenyon, Clerk