

Middletown Springs Selectboard • Approved Minutes Special MSFR/Facilities Meeting • September 15, 2020

BOARD PRESENT: via Zoom: Heather Grier, Patty Kenyon. At the Town Office: Terry Redfield, Carl Haynes, Neil Russell at 6:10pm

TOWN OFFICERS PRESENT: Sarah Grimm - Auditor 6pm, Jenny Talke Munyak - Treasurer at 6:33pm. At the town office: Laura Castle - Town Clerk 6pm

COMMITTEE MEMBERS PRESENT: via Zoom: Peter Stevenson 7pm, Michael Beattie 7pm. At the Town Office: Ron Masleh 7pm.

PUBLIC PRESENT: via Zoom: Aileen Stevenson 7pm, Pat Hemenway 7pm. At the town office: James Reed - MSFR 6pm, Art Castle - MSFA 6pm, Gary Kupferer - Attorney 6pm, Kevin Eaton MSFR 6pm

CALL TO ORDER: T Redfield called the meeting to order at 6:03pm

MIDDLETOWN SPRINGS FIRST RESPONSE:

Middletown Springs First Response Status - Terry reviewed history and status for Gary.

Discussion with Town Attorney Gary Kupferer - Gary advised the board that if the MSFR can continue to operate, the main question is - How to structure the entity. There are basically three options.

- 1) MSFR creates a separate entity - completely self-governed and self-managed.
- 2) The town creates a First Response Agency within the town governmental structure - analogous to the highway department. All liabilities and financial control are the responsibility of the town.
- 3) MSFR joins in with the Fire Association/Fire Department as a subsidiary of that organization.

Discussion around option 1) was that the new organization could be a non-profit through the State of Vermont only - eliminating the paperwork and rigamarole of getting a federal 501(c)3 status. Limitations on that is that contributions would not be tax deductible. The indication from the MSFR members is that they are reluctant to go the way of a stand-alone organization.

Discussion around option 2) centered on the added responsibilities to the Selectboard in terms of administrative obligations and in terms of creating and establishing the new department internally. Beyond the initial work of setting up a new town entity, if the town established a first response service as part of town government, the Selectboard would take on a number of new liabilities and responsibilities, such as;

- Oversight of and responsibility for first response finances, approving and paying for expenditures, managing savings, etc.
- Insurances, vehicle, general liability, medical liability.
- Assuring members are up to date on certifications.
- Maintaining State required licenses.
- Maintaining relationship with local dispatch agency.
- Ensuring all local mutual aid agreements are up to date and working.
- General oversight of first response volunteers.

Discussion on option 3) centered around whether or not the MSFR members were willing to have a discussion with the Fire Association about partnering with their organization. Logically that option seems like it could be the best fit. But members of each organization would need to agree. Benefits of this arrangement were discussed as follows:

- No need to set up a new organization or a new town entity. Initial workload would be much less intensive.
- Fire Department already has dispatch, mutual aid, insurance, training and a governance structure.
- Finances and structuring the memberships would need to be discussed and agreed upon.

General advice/opinions from the attorney included these points;

- If town vs stand-alone organization - the parties should do a cost analysis in terms of insurance quotes and other new potential expenses.
- If town vs stand-alone organization - the parties should look into the need for and cost of malpractice insurance in addition to general liability.
- Aligning with the Fire Association/Fire Department on the surface seems like the most logical and least labor-intensive option.
- For the MSFR, the second least intensive option is to become a town entity, as all the administrative and financial responsibilities would be shifted to town governance.
- For the Town, the most intensive and greatest risk option is to create a new town entity. Taking on all the intricacies and management responsibilities that would entail.
- Cost wise, all options are sure to cost the townspeople more money in the budget, because the organization over the last 40 years has not had to bear the cost of dispatching, insurance, etc. How much extra will be determined by which option is pursued.

There was a lot of discussion around all these options. The Selectboard continues to be deeply concerned about the impacts to town government in taking on the management responsibility and the liability that creating a new town agency would incur. Ultimately the parties agreed to the following course of action.

- MSFR members will get insurance quotes for the full insurance package needed to operate as a stand-alone organization. Carl will connect with VLCT

to get insurance quotes on the same type of package if the town created a town first response department. Both quotes should be sent to board members in writing for review.

- Additionally, the Selectboard requests that the membership of the MSFR and the Fire Association meet to discuss a potential partnership.

BUILDING PROJECTS DISCUSSION: began at 7:25pm

A. Current consensus – status 2300 +/- sq.ft, separate (walled) office space, multipurpose conference and Meeting Room

Both Aileen and Peter and Michael submitted new plans to the group. There was discussion about each of the plans and some review of each of the plans and options. Since the board and other committee members had not had a lot of time to review the documents prior to the meeting, everyone will do that before the next meeting and come prepared to make a determination as to which design they think we should move forward with. Once we have determined that important piece, we can begin to work on the next steps - estimates, engineering, state review, etc.

Pat Hemenway presented the board with an invitation from the Historical Society board of trustees. They would like to have a discussion with the Selectboard about the possibility of opening up the downstairs of the HS building to the town, keeping the dining room, bathrooms, and kitchen as shared spaces.

The committee members and the board were interested in discussing the possibilities and invited the Historical Society to their next meeting on September 24 starting early at 6pm for this specific discussion.

OTHER LAWFUL BUSINESS: none

EXECUTIVE SESSION (if any): none

ADJOURN: Motion to adjourn by Patty at 8:40pm, Heather 2nd. Meeting adjourned at 8:40pm.

Respectfully submitted,

Patty Kenyon, Clerk