

**Middletown Springs Selectboard  
Approved Minutes  
Regular Meeting • August 24, 2023  
Start time 7pm**

**BOARD PRESENT:** At the town office: Patty Kenyon, Terry Redfield, Peter Stevenson, Robin Chesnut-Tangerman, Herb Childress. Via Zoom: none.

**TOWN OFFICERS PRESENT:** At the town office: Bill Reed - Road Commissioner/Road Foreman. Via Zoom: Kristal Hier- Library Board, Sarah Grimm - Auditor.

**PUBLIC PRESENT:** At the town office: None. Via Zoom: None.

**CALL TO ORDER:** Herb called the meeting to order at 7:00pm

Herb mentioned that he left the minutes of the August 9 meeting off the agenda, he would entertain a motion to amend the agenda to include those minutes for approval.

Robin moved to revise the agenda to include the approval of the August 9 Special Meeting, Peter 2<sup>nd</sup>. All in favor, motion carried.

**APPROVAL OF MINUTES:**

- a) Regular Meeting August 10, 2023; amended to include Special Meeting August 9, 2023

Robin moved to approve the minutes of August 9 Special meeting and August 10, 2023 Regular meeting as presented, Peter 2<sup>nd</sup>. All in favor, motion carried.

**PUBLIC COMMENTS / GUESTS:** None.

**TOWN OFFICERS REPORTS –Treasurer | DTC | Town Clerk | Listers | EMD | Traffic & Pedestrian Safety Task Force| Auditors | Library (see also Town Lands) | Planning Commission | Trustees of Funds | Health Office | Other**

**Town Clerk –** Working on preparing to move.

**EMD –** Herb reported that he attended an EMD meeting at RRPC this week, Chris Baird also attended as part of his day job. He is willing to take over as our town's Emergency Management Director sometime this fall. Herb will continue to work with him on the transition through the adoption of the LEMP in the spring. The board is excited to welcome him aboard.

**Library –** Kristal and Herb reported on the last work session meet up for Library building planning. At that meeting the group generated and subsequently disseminated questions to the town treasurer and the town's attorney, Gary Kupferer.

The question for the treasurer was to clarify the procedures the library board needs to follow to access the Library Reserve Fund. The treasurer indicated she only needed a warrant from the library board, Selectboard only needs to know that the funds are being used for facilities as intended. Selectboard does not need to give separate approval.

**Revision subsequent to the meeting:** *Herb's statement above was an inaccurate portrayal of the Treasurer's advice, which was "Signing/Approving Board Orders to use town \$ is what the select board does. But, perhaps prior to signing any orders for the Library, the SB should have the library complete their own board order and sign it, and then present that plus the invoices to the SB for final signature." Herb apologizes for the misinterpretation.*

The questions for the Town's attorney included does the town need to vote on the purchase of real property? and gaining his advice about the purchase options, town purchase, or purchase by the Friends of the Library group and gifted to the town.

Gary advised that if the town is purchasing property with money already duly allocated for library facilities, there does not need to be a vote. He also advised that in his opinion it is best if the town owns the building from day one instead of the Friends buying it and then gifting it to the town.

Additionally, the Library has learned that for a municipal library, the grant they are seeking for capital improvements must be applied for by the town. Therefore, the library would like to proceed on the premise that if this building is purchased it should be a town building from the start.

The library board has put in an offer on the property and has received a counteroffer from the church and are now in midst of the negotiation process. At this point, the library will include the town's attorney in those negotiations so that he can lead that negotiation process for the town. There was a brief discussion on the points and details to include in the negotiations.

Additionally, Geoff Metcalfe of Keefe & Wesner Architects has finished a preliminary design on the building so that an estimate can be done, and the grant application can be completed.

Things are moving along quickly; the working group will keep the Selectboard apprised of their progress as it unfolds.

**Trustees of Public Monies** – Herb reported that the Selectboard Chair will be meeting with the Trustees of Public Monies next week to discuss the distribution of the Henderson Scholarship Fund awards.

## **TOWN HIGHWAYS**

- **Road Commissioner Report** – Bill reported
  - Dubois & King received our contract, we are on their scope of work but don't have a definite schedule yet.
  - Grader oil leak repair – hoping to do that early winter.
  - Backhoe brake work done, needs other extensive work to keep it in shape. Things to be thinking about for future planning.
  - Route 140 is on the schedule for line striping by the state, they are behind on all work so there's no definitive timetable on that yet.
  - He has been having issues with fresh grading being torn up immediately after it's complete, he is thinking about putting up a camera to try to see if he can see who is doing this damage, as it appears purposeful.

- Grant project on Fitzgerald Road is almost done.
  - Terry reported that the Roadside mower is offline, needs repair, so won't be available until Wednesday of next week. We will have a full week as intended once it's back in working order.
  - Bill continues to plan for the Dudley Road project, once mowing is done, that's the next project. Will need to rent an excavator.
  - He's also working to get Tom Fuller here to fix up a couple of spots before winter.
  - Bill is in the process of getting pricing from Casella for winter sand. We have the option of storing our salt at their site and having them create the mixture for us, we would haul from their pit to our stockpile.
- **Other Summer Work** – See above.
  - **Other Highway Information and Concerns** – Bill reported that at this time he is not planning to seek the position of Road Commissioner for the next 3-year term (March 2024).

Herb reported that we did not qualify for the Transportation grant we hoped to apply for.

**TOWN LANDS - Town Office Construction Update:** Peter reviewed a cost sheet with the board on what's left to do in terms of extras, those estimates as compared to the dollars we currently have allocated. We are in okay shape so far, but the cushion is smaller than we'd like. Peter's calculations were based on the fund tracking worksheet Patty sent out earlier in the week, Patty will work on updating her sheet to reflect the most recent changes and needs outlined on Peter's sheet.

Naylor & Breen submitted their latest requisition (# 8) this afternoon. The total due is \$257,604.93.

Terry moved to approve the Naylor & Breen Req #8 in the amount of \$257,604.93 to be paid from our building loan from National Bank of Middlebury, Herb 2<sup>nd</sup>. All in favor, motion carried.

Patty will send Req #8 to Chris at the bank for payment.

Peter reviewed some finetuning that needs to happen regarding the upcoming site work. Fabian is coming on Monday and plans to set the holding tank on Tuesday. Naylor & Breen plan to be finished with interior trim and woodwork this week.

Peter also reported that paperwork has been submitted to Green Mountain Power for an \$1800 incentive payment, tied to the HVAC system.

**Town Office physical move update:** Herb updated the board of the current plan for the move. The town can use the Historical Society dining room for staging after their Annual Meeting on September 16. Herb has ordered some supplies for organizing the move. Movers are scheduled for September 29 (Friday).

**Determination and approval of furnishings budget:** Herb reviewed the list of furnishings we might need to outfit the two meeting rooms. Overall, the projected furniture budget looks to be

somewhere around \$10,000. We will need to be prepared to make a decision about buying furniture and setting a firm budget in the next few weeks.

Herb also reported that he is working with Nic Stark at RRPC for a large-scale town map for a wall in the meeting room; the intent is to be able to use the map as an interactive tool for planning and information.

**First review of Access & Use Policy:** The board reviewed the first draft of an Access & Use Policy for the new building. There was a lengthy discussion about intent, outside use, parking, official building capacity, etc. Herb will take the information received to rework this draft for further review and discussion.

**Update on Library Planning:** See above

**Other Town Lands and Facilities:** Nothing.

**SOLID WASTE:** Terry reminded us that Large Dumpster day is coming up on October 7. As previously discussed, the hours will be 7am to noon instead of 6am to Noon. Patty will rework the poster for distribution.

**CORRESPONDENCE:**

- **M&T Bank Letter** – Notification of cybersecurity incident
- **Bank of Middlebury** – Interest Rate Schedule for deposit accounts
- **Overweight Permit** – Duquette Forestry Transportation Inc w/\$ and COI

Terry moved to approve the Overweight permit for Duquette Forestry Transportation, Herb 2<sup>nd</sup>. All in favor, motion carried.

**FINANCIAL APPROVALS**

**a) Board Orders**

Terry moved to approve board orders as presented, Robin 2<sup>nd</sup>. All in favor, motion carried.

**LEGAL: Further conversation about credit card use/policy** – Tabled.

**OTHER BUSINESS:** No other business.

**EXECUTIVE SESSION for Personnel reviews:** Herb moved to enter into Executive Session to discuss personnel reviews and highway succession planning at 9:44pm, Terry 2<sup>nd</sup>. All in favor, motion carried.

Herb moved to exit Executive Session at 10:45pm, Peter 2<sup>nd</sup>. All in favor, motion carried.

Action Item: Herb will write a job description for the board to review.

**ADJOURN:** Herb moved to adjourn at 10:45pm, Peter 2<sup>nd</sup>. The meeting adjourned at 10:45pm.

Respectfully Submitted

Patty Kenyon, Clerk

**Next Regular Meeting – 7PM Thursday, September 14, 2023**