

TOWN OF CASTLETON SELECT BOARD MINUTES
Monday, February 14, 2022 7:00 p.m.
Castleton Fire Station Community Room 273 Route 30N, Bomoseen
In-Person & Zoom Virtual Public Meeting

Zoom Meeting Recording Link:
<https://us02web.zoom.us/rec/share/qfoNOB3Tpi9pOKl8lR6nWv7cCx1exxloHeuTjdYKJ-5e2YMQJyY9ggPOf6NN30Ld.rMOaFTOlCnJ3qE-y>

PRESENT: Jim Leamy, Chair; Joseph Mark, Parliamentarian and Secretary; Michael Holden, Robert Spaulding, Richard Combs, Vice Chair, Jane Nicklaw
Attending via Zoom: Chris Fouracre, Allison Harvey, Recording Secretary, Joseph Mark, Parliamentarian and Secretary, Peter Mantello

CALL MEETING TO ORDER

The meeting was called to order by Select Board Chair, Jim Leamy at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Leamy.

APPROVAL OF AGENDA

Mr. Holden made motion to approve the agenda. Mr. Mark seconded the motion. All were in favor. Motion carried 4-0.

Mr. Leamy questioned if they should add the town road mileage certification to the agenda. **Mr. Mark made a motion to add the town road mileage certification form to the agenda. Mr. Holden seconded. All were in favor. Motion carried 5-0**

APPROVAL OF MINUTES

Mr. Holden made a motion to approve the minutes of January 10, 2022 as presented. Mr. Spaulding seconded. Page 1 – Present: Zak Holzworth should be removed, he was not in attendance. Page 3-3rd paragraph: he should be replaced with Jonas Rosenthal. **All were in favor with noted changes. Motion carried 5-0.**

CITIZENS COMMENTS & CONCERNS - ITEMS NOT ON THE AGENDA:

Jane Nicklaw stated the board is aware of the problems with her neighbor and their dog. It is supposed to be muzzled as of the end of January. Last Friday, she went out with her dog, her neighbor's dog came over not muzzled, barking insanely. The neighbors came out, but she let it go and took no action but stated that if she goes out on north side of her how, the neighbor's dog goes crazy. The dog warden recently came to her house and issued her a ticket for her dog barking. She is prepared to go and fight it again, dog is out maybe 20 minutes at a time. She has had it with the neighbor's dog, but she gets issued a ticket for her dog barking. Her dogs are working dogs, which has been proven. She doesn't leave her dogs out unless she is outside. She wants this issue addressed.

M. Jones stated he heard about this issue from Chief Mantello and Chris Forrest, animal control officer, and he has been working with police chief who is helping animal control with issuing municipal tickets, etc. Mrs. Nicklaw presented a letter addressing this issue that she had gotten from the board. It is supposed to be muzzled, yet the neighbors walk it along her property line, not muzzled. Mr. Leamy stated the board will discuss and follow up on it.

PRESENTATION OF PUBLIC WORKS ASSET MANAGEMENT PLAN TO THE SELECTBOARD BY THE DPW DIRECTOR

Chris Fouracre stated the board has his presentation in their packets. He is proposing an asset management plan of equipment, which to start includes the prime movers. The goal is to focus their efforts on gaining a shared understanding and vision with everyone as to what the public works department is as a whole, knowing who and what capabilities are, and

if they are lacking anywhere. It will include what they have, what condition it is in and where they see it 5-10 yrs from now. It is a strategic approach to looking at those questions and coming back with a shared understanding of how to get there and how to achieve those milestones. He started with equipment, a small part of a strategic management asset plan in a perfect world would cover the entire town, Police Department, Recreation, buildings, etc. It is a way to start a conversation, where they are at and where they want to be. It will make them better able to plan, resource things effectively and rationally. He is asking to use as a starting point, to put it into a committee to gain understanding and move forward as they see fit.

Mr. Spaulding questioned if the grader work listed would be done in house? Mr. Fouracre stated it is for context only, he took a quick snapshot of each major piece of equipment, describing its age, where it's at, the condition and average life span. Mr. Spaulding questioned the need to keep up on preventative maintenance. Mr. Fouracre stated he would be highlighting preventative maintenance, as he could not give an outline of what has been done, and that topic is included for that reason, to better document what's been done and the status.

Mr. Mark stated he felt it was a great proposal and would be an excellent tool for the town to be able to make decisions regarding their intention or emerging needs, and he thought it ought to be disseminated across other departments of the town as well. He applauds and urges the Town Manager and other department to take similar approaches. Mr. Jones stated he spoke with Police Chief and has asked Mr. Fouracre to assist in that department, which he is willing to do. Mr. Jones also stated they would do the same for roads, buildings, etc. Mr. Fouracre stated it is a big project, they are taking baby steps toward a strategic plan, and it is going to take a while as it is time consuming to gather information and compile to present a document.

QUOTE FOR FIREWORKS – T OWN MANAGER SUBMITS QUOTE FOR 2022 FIREWORKS FOR SELECTBOARD REVIEW/DECISION

Mr. Jones stated the board had in their packets a shot of how Northstar fireworks is doing business. If they schedule fireworks a week before or after a major holiday, their policy is a minimum purchase of \$10,000. They haven't had to do that in the past. Because of covid last year, the item was taken out of the budget, this year it is back in, but budgeted \$7,500, not the \$10,000. If they do the early bird, they get 10% additional product, but they come from China, having problems getting them so far. If outside of week before or after July 4, can do \$7,500, but if within, is \$10,000 minimum. It had been mentioned to do fireworks in the winter after the winter parade, so that could be considered. Mr. Jones also stated he could probably find the extra \$2,500 if the board wanted to go with the minimum order to stay with July 4 date. **Mr. Mark made a motion to authorize the Town Manager to present the issue to the LBA to request a donation of \$2,500 to hold fireworks on 7/4/22, with the understanding that if not, they will be held a different time of year, presumably in the winter. Mr. Combs seconded.** R. Spaulding asked if they come and set off, Mr. Jones answered that was correct. Brief discussion on minimum order of \$5,000 or \$10,000, was replied that depends on if whether within the week before or week after time frame what minimum order is. **All voted in favor of the motion. Motion carried 5-0**

LIQUOR LICENSE APPROVAL: BEEJJ, Inc. d/b/a Castleton Corners Deli, Robos' Creemees & General Store LLC, Second Class Licenses; Legion Crippen Fellows Post #50, Lake Bomoseen Lodge LLC, 1st Class, 3rd, Class & Outside Consumption Licenses Mr. Leamy stated the Police Chief has checked on all four establishments, there have been no problems reported with any. **Mr. Holden made a motion to approve BEEJJ, Inc. d/b/a Castleton Corners Deli and Robos' Creemees & General Store LLC, for Second Class License renewal; Legion Crippen Fellows Post #50 and Lake Bomoseen Lodge LLC, for 1st Class, 3rd, Class & Outside Consumption License renewals. Mr. Spaulding seconded. All voted in favor of the motion. Motion carried 5-0.**

ADDITION OF ATTORNEY TO APPROVED LIST: WOOLMINGTON, CAMPBELL, BENT AND STASNY, PC, MERRILL BENT

Mr. Jones explained in letter and stated could answer any questions at this time. Mr. Mark stated he supports idea of adding another attorney to list of approved attorney and he was included to recommend that Gary Kupferer be added, as he is local and based on experiences, seems to be responsive and competent. He further stated he has no objection to Merrill Bent being added, just stating that he is equally interested in supporting/adding Gary Kupferer. Mr. Spaulding stated he felt Mr. Kupferer should be asked before being put on the approved list. Mr. Combs asked what Attorney Kupferer's area of expertise is. Mr. Mark stated he has been involved in a variety of cases, not sure if correct to evaluate the question on the quarry property and uses, but for many of cases up before the board, he has competence to give professional advise. **Mr.**

Combs made a motion to add to approved attorney list Woolmington, Campbell, Bent and Stasny, PC, Merrill Bent. Mr. Spaulding seconded. All voted in favor of the motion. Motion carried 5-0. Mr. Combs stated he felt it would be appropriate to have the Town Manager ask Gary Kupferer if he would be interested in being added to the list.

SIGNING OF LOAN PAPERWORK FOR LOADER

Board reviewed paperwork for the loan for loader purchase for \$153,000 that was approved at last meeting at 2.35% interest rate. **Mr. Spaulding made a motion to approve the Resolution for Capital Equipment Borrowing, Tax Certificate, and Capital Equipment Note presented for signature. Mr. Holden seconded. All voted in favor of the motion. Motion carried 5-0.**

APPROVAL OF QUOTE TO PURCHASE OF VIRTUAL MEETING EQUIPMENT INCLUDES INSTALLATION AND LABOR

Mr. Jones stated to clarify the equipment is for the Fire Department community room. **Mr. Combs made a motion to approve the purchase of virtual meeting equipment to include installation and labor for Conferencing Solution not to exceed \$6,493.00 from Vermont Digital. Mr. Holden seconded.** Mr. Mark stated 1. He recalls when together in the room end up having to look back behind themselves to see the image of the audience, he feels it would be preferable to have the Board of Selectmen looking out at physically present as well as virtual audience. His other comment was that the podium obscures two people sitting at the table, it should be off center so everyone can be seen as well as whomever is at podium to address the board. Mr. Combs felt it may require two projectors if that's the case. Mr. Jones stated it had been discussed at a previous meeting to use ARPA funding, and it has not been addressed since. Mr. Combs amended the motion to use ARPA funds for the purchase, Mr. Holden seconded the amendment. Mr. Jones stated he believes it will come in less than the amount approved, he has found equipment for less already and VT Digital has approved of it. **All voted in favor of the motion and amendment. Motion carried 5-0.**

TAX MAP ANNUAL CONTRACT: CARTOGRAPHIC ASSOCIATES, INC.

Mr. Jones stated this is the normal renewal that has been budgeted for and does not include the extra mapping things that Jonas and Maryjo had discussed. **Mr. Spaulding made a motion to approve tax map maintenance proposal in amount of \$3,500 to Cartographic Associates, Inc. Mr. Holden seconded. All voted in favor of the motion. Motion carried 5-0.**

ASSIGNMENT OF WARNING ARTICLES TO SELECTBOARD MEMBERS FOR TOWN MEETING

Mr. Jones stated the assignments are in the packet, and he can be available to discuss with members before meeting if needed, requested any questions of board members on assignments.

HIGHWAY MILEAGE FORM

Mr. Mark stated he does not have a copy. It was stated it is the same number of miles as had last year. **Mr. Combs made a motion to approve and sign the Certificate of Highway Miles for 2/12/022 for 76.715 miles. Mr. Holden seconded. Mr. Combs amended the motion to include 4.88 miles of class four road. Mr. Mark abstained. All other voted in favor of the motion and amendment. Motion carried 4-0.**

MANAGER'S REPORT

Mr. Jones stated they have scheduled a meeting next week 2/21/22 at 6pm to discuss the pedestrian accessibility scoping study for the fire department building. The campaign is to go down Main Street, they are getting the word out to get participation. It is for a pedestrian grant awarded for small scale projects to go from Castleton Corners to the Parson Hill area. The next step is beginning to look at easements and highway access. He will get approval in writing shortly, hopes to have before the board at the end of March, and able to put out to bid and get it done this year. \$92,000 already budgeted in sidewalk fund.

Grants and aid – they will meet on the 22nd with Chris Fouracre, they need to finish the Barker Hill culvert project, they have the culvert and need to be reimbursed for the \$5,600. They hope to get the road segments complete, then it is done.

Brief discussion on the covers over the bins at the transfer station, Chris Fouracre will be involved.

Household hazardous waste days have been posted on the website in April, will have 3 total.

Highway department Chris Fouracre is trying to complete project, he and Brett have talked with rivers and streams about use of concrete box culvert, metal squash culvert would be cheaper. Josh will come up with drawing and work through baffles, for aquatic purposes. Fema gave \$38,000 concrete culvert \$86,000. Money was for pre storm conditions, box culvert was not included. Have not reached out to railroad, 1917 built and all tied into trestle, need to be sure not damaging further. south street trestle. Left over from April of 2019. Mr. Jones asked if possible to use ARPA funds if can't finance any other way. Mr. Jones stated yes.

Highway garage – Mr. Jones stated this year PACIF is offering \$10,000 grants, town has to pay 5,000. This year are paying 100% not 50% to look at safety assessments and such to correct deficiencies. They have worked with Police Department, Fire Department and highway, all have safety violations and can be resolved through this process.

Dispatching – need is growing for towns, there is a meeting tomorrow he and Chief Mantello will participate in for trying to build regional dispatch centers and will be one in Rutland County. If built, it is 8 million to build, 3 million for operating costs, after that is on municipalities to pay operating costs, upwards of \$800,000, and county tax also in the discussion. Will know more after meeting tomorrow. Mr. Combs questioned Washington County NY for dispatching and Mr. Jones stated it has not been addressed.

Chief Mantello will be hosting a meeting concerning Camara's blasting zone, 2/17 at 6pm in Fire Department meeting room to address being able to comply with regulations and recommendations of warning system for blasting. Jonas has letter of violation drafted for quarry, \$200 fine. Jane Nicklaw commented on things that have occurred with regard to the quarry and their blasting and she believes it needs to be addressed, hasn't been since 2003.

Mr. Jones stated there was a structure fire up on Belgo road. Some equipment got stuck, no one injured, some department members assisted in clearing to get apparatus into fire scene. Engine 2 is out of service, Chief Goyette got initial repair quote of \$25-35,000 to fix, most likely closer to higher end, not sure vehicle is worth the cost. Chief did follow up as asked, Mr. Jones will follow up with him. It is for frame repair, need to make assessment and bring to board when documented.

There has been no response from NEPBA rep, has talked to Chief Mantello and Justin, Justin will reach out and waiting for response. They are going to solicit a few dates to get negotiations started with the Police Department.

Jane Nicklaw stated to the board that she hoped they would review the letter of decision made on the dog issue, hope to take into consideration and let her know what she needs to do further. She will supply any information needed.

Green Mountain Power – Mr. Jones stated he is reaching out to medial center to share cost of installing lite pole still waiting for response from them. Castleton meadows has been done.

PURCHASE ORDERS FOR APPROVAL

Mr. Holden made a motion to approve Aquatec Environmental Inc. on PO #048031 dated February 2, 2022 for \$2,775.00.

Mr. Spaulding seconded. All voted in favor of the motion. Motion carried 5-0

WARRANTS FOR APPROVAL

Mr. Combs made a motion to approve check warrant #0214R in the amount of \$650.00, check warrant #0214 in the amount of \$82,550.88, check warrant #0210 in the amount of \$5,701.33, check warrant #0203 in the amount of \$23,530.52, check warrant #0127 in the amount of \$10,592.65 and check warrant #0210P in the amount of \$16,132.21 and check warrant #0203P in the amount of \$16,688.54 and check warrant #0127P in the amount of \$18,066.29. Mr. Holden seconded the motion. All were in favor. Motion passed 5-0.

Mr. Holden made a motion to approve check warrant #0211P in the amount \$634.29 and check warrant #0204P in the amount of \$634.28 and check warrant #0128P in the amount of \$634.28. Mr. Mark seconded the motion. Mr. Combs recused himself. All remaining members voted in favor. Motion carried 4-0.

SELECT BOARD COMMENTS & CONCERNS:

Mr. Spaulding stated he wanted to correct a statement from 1/10/22 regarding the Solid Waste District surcharge. He believes the \$667 was just Castleton. He also stated that it was not \$1,050 but was up to \$1,150 for the district. He wants to clarify and check with the district representative at the next meeting for the reason of district surcharge increase.

BRIEF RECAP & ITEMS FOR FOLLOW UP:

Mr. Spaulding asked if there was any progress on the park and ride. Mr. Jones stated the company is sending a controller and they will test it and figure out if it is the controller or batteries.

Mr. Spaulding asked about guard rails on Drake Road. Mr. Jones stated he had talked with Chris, they are on schedule to get Lafayette back to address.

Mr. Spaulding asked about downed trees on roadside on Staso Road. Mr. Jones stated they are to remove old and Bob Ward went and looked at it.

8:30pm ENTER EXECUTIVE SESSION:

Mr. Combs made a motion to enter executive session to discuss Labor Relations/Contracts to include the Town Manager and Police Chief Mantello. Mr. Holden seconded. All were in favor. Motion carried 5-0.

8:47pm EXIT EXECUTIVE SESSION

Mr. Combs made a motion to exit executive session with no action taken. Mr. Holden seconded the motion. All were in favor. Motion carried 5-0.

8:48pm ENTER EXECUTIVE SESSION:

Mr. Combs made a motion to enter executive session to discuss Personnel to include the Town Manager. Mr. Spaulding seconded. All were in favor. Motion carried 5-0.

9:07pm EXIT EXECUTIVE SESSION

Mr. Combs made a motion to exit executive session with no action taken. Mr. Holden seconded the motion. All were in favor. Motion carried 5-0.

9:08pm-ADJOURN

Mr. Holden made a motion to adjourn at p.m. Mr. Spaulding seconded the motion. All were in favor. Motion carried 5-0. Meeting adjourned.

Respectfully Submitted

Allison Harvey
Recording Secretary