

TOWN OF CASTLETON SELECT BOARD MINUTES

**Monday, January 9, 2023 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/WM5-biYBoCvyD1B64usShEG9ngEMQiPFhU9kRm4s1libRitLu6pCv6pChzyHu2kP.F8y75CbFpb72GUBS>

PRESENT: Jim Leamy, Chair; Richard Combs, Vice Chair; Mary Lee Harris, Joseph Mark, Parliamentarian, Michael Jones, Town Manager, See Attached List

PRESENT VIA ZOOM: Robert Spaulding, Rick Pontillo, Tax Department, Melanie Combs, Zak Hale, Nancy Mark, Nedra Boutwell, Jim Thomas, Allison Harvey, Recording Secretary

CALL MEETING TO ORDER

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by J. Leamy.

APPROVAL OF AGENDA

R. Combs made a motion to approve the agenda as presented. J. Mark seconded. ML Harris made a motion to remove the 7:50pm Budget discussion from the agenda and that they hold a special meeting sometime this week to discuss. Motion failed for lack of a second. All voted in favor of the motion to approve the agenda as presented. Motion carried 4-0.

APPROVAL OF MINUTES – December 28, 2022

R. Combs made a motion to approve the minutes of December 28, 2022 as presented. ML Harris seconded.

Page 1 – Present – *Joseph Mark* should be added as being in attendance.

Page 1 – Meeting was called to order at 7:00pm not 6:31pm.

Page 1 – Approval of Minutes, ML Harris suggested a change from the six to five for the voting numbers on Page 2, however the recording secretary stated that she listened to the recording and the minutes reflect what was said, which should she believes should not be changed. J. Mark suggested possibly a parenthetical notation be added to the minutes that there are only five members on the Development Review Board rather than 6.

Page 2 – Ninth line from the bottom, *Lemay* should be changed to *Leamy*.

Page 3 – second paragraph, sixth line (*listen 1hr 05 minutes in*) should be deleted.

All voted in favor. Motion carried 4-0.

CITIZENS COMMENTS & CONCERNS - ITEMS NOT ON THE AGENDA:

R. Pontillo stated the first back up from the sewer was in September into his home and it was significant. They had to demo and reconstruct and had to have their lawn torn up to put in a back flow valve. The cost was almost \$23,000 to him, which VLCT paid \$10,000 toward, and his insurance paid \$5,000, leaving about \$7,000 for him out of pocket. He would like to see them get the system so it can be depended upon. They also had a backup the Friday before Christmas, there was no backup generator at the sucker brook pump and it didn't make for a good holiday, his family was distraught. M. Jones stated they need a back up to better handle this situation. J. Leamy stated D. Fabricious and B. Clark had given the board an update at the Sewer Commission meeting they just had before this one, they have a temporary solution, and will be bringing a presentation to the board at their next meeting. R. Pontillo feels they need to get a permanent generator there and immediately available. There is also an issue with this pump station tank with infiltration. It was stated that it usually takes

about 8 hours of normal usage for that station to fill up, but with infiltration it is more like 3 hours. Mr. Pontillo stated he is asking for reimbursement for the out of pocket from the September back up. Mr. Pontillo also shouted out to Jeff Jordan and Russ Hallett who spent many many hours at the pump station, as well as the Fire Department members who helped coordinate the efforts from the sewer back up in September.

TOWN REPORT COVER PHOTOS: FIREWORKS

M. Jones presented the fireworks photo over Crystal Beach, and also stated they have a photo of the lighted holiday parade, and they could try to use both, and after brief discussion the Board had not opposition to the photos being used and left it up to M. Jones.

TIM GILBERT: RCSWD UPDATE:

T. Gilbert stated the tipping fees are going up a dollar, a 5% increase. The cost has gone up considerably to get rid of trash. The budget is up about 10% due to wages and a decrease in revenue. There are a few major expenses, water run off issues being controlled by the State at the recycling center and a price tag of \$500,000 to fix permanently. They will also have to replace doors at the Gleason Road recycling center with metal as carpenter bees are an issue. Had an over \$200,000 budget surplus for 20/21. They have not budgeted for equipment replacement, box truck, forklift and excavator were replaced and have some funds left in the reserve funds. They have developed a fund for grant program through the district for recycling projects or maybe an assistance for recycling bins for participating towns. Explanation of some ideas that the grant program could be used for. Budget for next year is balanced, have a capital improvements plan in place as well. Tipping fees are among lowest in the state. T. Gilbert stated he had been asked by R. Spaulding if they could get a deal on roll off containers, T. Gilbert stated he was not certain, but would check into, he does know they paid just over \$13,000 recently. M. Jones stated he got a price down to \$7900. J. Mark asked if revenues went down. T. Gilbert anticipate trash will go down next year, but cannot be guaranteed.

RECREATION COMMISSION: PETITIONS SUBMITTED REGARDING CVS

J. Leamy read the petition as presented for the record, which is asking the Board to reverse their decision to sell the Castleton Village School. J. Mark asked if a similar petition has been filed in the Town of Hubbardton. It was stated not yet. R. Combs asked if they make a motion to include this on the ballot how to word it as he wants to be sure they get the wording correct on the ballot. J. Mark stated he felt they would need to address that with the Town Attorney. ML Harris asked they if could put something on to cover the 3 years that has been requested. Nedra Boutwell, Town Clerk stated it has to be on the ballot as the petition reads. J. Leamy questioned the Town of Hubbardton, and if it would also need to be addressed there. M. Clifford asked if there was any more discussion on the buyout of Hubbardton, which it was stated there has not been. M. Jones pointed out that if the Ad Hoc committee in conjunction with Town of Hubbardton and the mutual agreement between the towns dictates that decisions on the building need to be made jointly. Discussion held on whether this board can address this petition without the Town of Hubbardton involvement. Also, discussion held on petitions that have been presented that do not involve funding of any kind but a decision such as this. R. Combs asked the Town Clerk when she needed the wording by to get it on the ballot. N. Boutwell stated what is on the petition is what goes on the ballot, and she would need it by the morning of the 24th of January at the very latest. N. Boutwell further stated the warning needs to be posted by the 26th of January. M. Jones stated it also has to go to the Town Report, which is also another timeline to consider. The last meeting of the month is the 23rd, they would have to have the final copy to the printer by then. It was decided they will probably need a special meeting to approve the petition and get it on the ballot.

R. Combs read a letter addressed to the board from Ember Bentley regarding playing basketball and practices at the Village School, hoping it will be continued.

R. Spaulding came into the meeting via Zoom at this time.

PLANNING COMMISSION ENDORSEMENT OF MICHAEL JONES APPOINTMENT AS INTERNIM ZONING ADMINISTRATOR

R. Combs made a motion that the board appreciates this recommendation and agrees and reaffirms the appointment of

M. Jones as Interim Zoning Administrator. J. Mark seconded. All voted in favor. Motion carried 4-0.

TOLTEC, INC./BEVERAGE KING: Second class liquor license for approval. Tobacco license approval.

J. Mark made a motion to approve the application for the second-class liquor license for Joe Sessock for Beverage King. R. Combs seconded. N. Boutwell stated she has not heard back from the police chief, but she doesn't believe there is anything outstanding or of concern. These applications are all electronic now, so there is nothing for the Board to sign. All voted in favor. Motion carried 5-0.

J. Mark made a motion to approve the application for the tobacco license at Beverage King. R. Combs seconded. All voted in favor. Motion carried 4-0.

RRPC REGULAR COMMISSIONER APPOINTMENT: Liz Mackay, Alternate Commission: Frank Johnson

R. Combs made a motion to appoint Liz MacKay as the regular RRPC Commission member and Frank Johnson as the alternate RRPC Commission member for one year, both to expire 6/30/23. J. Mark seconded. All voted in favor. Motion carried 4-0.

HIGHWAY MILEAGE CERTIFICATE

R. Combs made a motion to approve the highway mileage certificate year ending 2/10/23 as presented. J. Mark seconded. M. Jones stated nothing changed from last year's certificate. All voted in favor. Motion carried 4-0.

HALE RESOURCES EXTENTION REQUEST

J. Leamy stated Attorney T. Parisi has reviewed this request and suggested a few changes and Z. Hale has agreed to those changes. J. Mark made a motion to approve the Addendum #2 to the Purchase and Sale Agreement with Hale and Hale for the property on Sand Hill Road. R. Combs seconded. ML Harris asked what the changes were that were made, J. Leamy stated she has recused herself from this topic and her question would not be answered. J. Mark asked about the term in 1A of the agreement and that at the time it was executed they entered into a term sheet. Z. Hale stated it was just an agreement should the deal come to fruition. All voted in favor. ML Harris recused herself from the vote. Motion carried 4-0.

SELECTBOARD BUDGET DISCUSSION FOR APPROVAL

M. Jones stated the budget has been updated in conjunction with the 5% or less increase request from the Board at the last meeting, for a budget total of \$3,701,657. That is \$168,059.00 in increases over the previous year which is a 4.8% increase. M. Jones explained the previous and current versions and the inclusion of ARPA and highway carryover funds and where the numbers were moved to and from. Also explained the highway budget and what was being proposed and what was changed, including crushing, paving and unassigned funds and what was approved last year to be used from the carryover. M. Jones further reviewed the highway/transfer station numbers and what has been changed. It was stated all mowing was moved to town lands out of other purchased services. Discussion also held on Dewey Field and Hydeville Field and what needs to be cleaned up and fixed, M. Jones felt a lot could be community involvement at those fields. M. Jones explained the projected unassigned carryover and what may be reclassified due to FEMA funds received and the audit process. M. Droege requested the budget documents be included in the minutes for public review. M. Jones stated they will be made public. Also discussion on the potential uses of the ARPA funds that have been provided, and what the bottom line would be less those projects, sewer lines to Crystal Heights, Depot Terrace and possibly Creek Road. J. Leamy reviewed other towns in the area, how much their budgets have increased and the fact only one used ARPA funds within their budgets. M. Jones stated he is aware that most of those other towns have gutted their budgets, which would mean the budgets will have to spike at another year down the road. Further discussion on the CVS proposal, and that it would have to be added into the calculations for the tax rate after the vote if it is approved. Sewer line extensions were further discussed, and whether the plans had been found for the Creek Road that had been done in the past.

M. Droege addressed the discussion at the last meeting regarding the group that was supporting the CVS building, and whether the group is still active. Depending on the outcome of the vote, she would request that the board give the group an

official mandate to do something with regard to a proposal for the CVS building. The group needs to be given some authority to generate some revenue. There was a large group of people that were involved in the work that has been put forth to this point. M. Droege further reminded the board that they have put in 5-6 months of work, the ad hoc committee voted to keep the school for two years, then this board voted to sell it. M. McIntyre addressed the lack of a decision by the Board as to recreation and the what ifs for the Town Recreation programs. J. Leamy stated he did not feel this board has ever not supported Recreation or having a reasonable recreation program for the Town. J. Mark made a point of order that the agenda item is budget.

R. Spaulding asked about the budget approval including ARPA, and what is left if approved, and the fact that the salt and sand shed has not been addressed, and he was not in favor of the ARPA funds being designated until the salt and sand shed has been decided. He also stated that Preston Lane has not been included, and he has not heard anything of that, and that it should have priority over Creek Road and Depot Terrace. M. Jones has been waiting for the engineer to determine a cost on Preston Lane. R. Spaulding asked what would be left in ARPA funds and where would it be used. M. Jones stated there would be \$1,074,000 left which does not include taking out the sewer projects, Creek Road and Preston Lane, would add another \$400,000 or more, there would be \$800-900,000 in sewer expansions alone. J. Leamy recalls extensions on sewer being paid for by the users, not the entire tax base. He supports expansions but feels there should be some financial inclusion by the users. M. Jones asked if there are things in the budget that the board can live with, so he can narrow down what else needs to be looked at and changed. If another special meeting were scheduled, what would be done for changes before then. J. Leamy felt to finalize the budget they would need another meeting. R. Combs suggested specific goals be given to the town manager. R. Combs and J. Mark stated they are prepared to support the budget as proposed. **R. Combs made a motion to approve the budget presented by the Town Manager, last revision updated 1/9/23 and dated 1/10/23 for a budget of \$3,701,657 with an increase of \$168,059 for a 4.8% increase with allocated ARPA funds of \$143,200. J. Mark seconded.** R. Spaulding asked what the \$143,200 would increase percentage to. 4.8% of the increase is to be paid for by taxes, overall total of budget increase would be 8.4% including the CVS budgeted amount and the ARPA funds included. Discussion on the fire department and if could do an article to expand equipment reserve or to start a separate reserve account for tools replacement. Question on the date within the motion, and M. Jones stated he did it today, should be today's date. **R. Spaulding, J. Leamy and ML Harris voted no. J. Mark and R. Combs voted yes. Motion failed 2-3.** The Board will meet on Monday 1/16/23 at 6:30 to address budget only. Board members were asked to address to the Town Manager any requests or information as soon as possible before the meeting date. Nancy Mark asked what the process would be that board members will send some suggestions to the Town Manager, it was stated they would do it individually themselves to the Town Manager.

PURCHASE ORDERS FOR APPROVAL

None at this time.

WARRANTS FOR APPROVAL

R. Combs made a motion to approve check warrant #1229 in the amount of \$6515.14, check warrant #0105 in the amount of \$29,284.58, check warrant #0109 in the amount of \$177,331.53, check warrant #1229P in the amount of \$17,844.63, and check warrant #0105P in the amount of \$16,430.11. ML Harris seconded the motion. All voted in favor. Motion carried 5-0.

J. Mark made a motion to approve check warrant #0106P in the amount \$642.38 and check warrant #1230P in the amount of \$647.02. ML Harris seconded the motion. R. Combs recused himself. All remaining members voted in favor. Motion carried 4-0.

J Mark asked about year-to-date expenditures and if they could be explained at a short meeting next week. M. Jones stated if they could get questions to him, he will go over them with accountant M. Combs. M. Combs stated her door is always open if anyone wants to address those questions with her, they should feel free to stop in.

SELECTBOARD COMMENTS & CONCERNS:

R. Spaulding thanked M. Jones for the side-by-side comparison of the budget numbers from the previous year to proposed, he found it very helpful.

R. Spaulding stated he got an advertisement flyer in his mailbox at the Town Office and he does not approve of those types of items being in their box, he feels it is not appropriate. Was an advertisement for a particular businesses' services. M. Jones stated he would look into that.

BRIEF RECAP & ITEMS FOR FOLLOW UP:

None at this time.

EXECUTIVE SESSION

No Executive Session was needed at this time.

ADJOURN

R. Combs made a motion to adjourn at 9:14p.m. J. Mark seconded. All voted in favor. Motion carried 5-0.

Meeting adjourned.

Respectfully Submitted
Allison Harvey
Recording Secretary