

TOWN OF CASTLETON SELECT BOARD MINUTES

**Monday, December 12, 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/q-Z5DIEL-3QltEPtdzB6KhjPSey5KWwhr4KVf-MeVIMBhQK0rFKEFQq4AckoeZHE.uHULMfYA2sUD3MIV>

PRESENT: Jim Leamy, Chair; Richard Combs, Vice Chair; Mary Lee Harris, Robert Spaulding, Michael Jones, Town Manager
PRESENT VIA ZOOM: Wenda Bird, Dave Fabricious, Theodore Day, Joseph Mark, Katie Culp, Keith Whitcomb, Jr., Martha Clifford, Zak Hale, 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. ML Harris seconded. All voted in favor. (J. Mark did not vote, as audio on the Zoom was not functioning properly) Motion carried 4-0.

APPROVAL OF MINUTES

R. Combs made a motion to approve the minutes of November 28, 2022 as presented. R. Spaulding seconded.

Page 3 – fifth paragraph, first line, *got feeling will* should be changed to *got the feeling that they will*

Page 3 – both motions to Exit Executive Session, *enter* should be changed to *exit*.

All voted in favor. Motion carried 5-0.

CITIZENS COMMENTS & CONCERNS - ITEMS NOT ON THE AGENDA:

M. Droege questioned the comment made at the last meeting about the Recreation Commission and other interested parties coming up with costs and plans for the Castleton Village School, and what the time frame would be to get that together. After a brief explanation and discussion, R. Combs stated he would be willing to help her group with that task, but suggested it be done outside of the meeting, this is not the forum to do that.

It was also questioned if there were any pending offers on the CVS building. It was also stated on the Town web site, it says any purchasers must consider leasing a portion of the building back to the Town. Discussion on whether that still was the stance of the board, as it was recalled from an earlier meeting that they did not want to lease a portion of it back. It was questioned if there was a problem with the wording on the web site and whether it is accurate. The minutes of the Ad Hoc committee meetings were reviewed as to what the motions were that were made regarding the sale.

W. Bird asked about a document that Zak Hale asked to be distributed to the board. It was stated it was on the table this evening prior to the meeting. She also asked about R. Combs stating at a previous meeting that he would get back to her about her letter she brought before the board, and she has not heard anything. J. Leamy stated he was the one that said that, and had informed her she would be made aware when a decision was made.

Zak Hale stated he wanted to present Addendum #2 that has been distributed to the board, to extend the due diligence period

another 6 months to allow for the Environmental Court making a decision on their appeal as to the memory care and kitchens being in their proposal. This is a sixth addendum period considering Act 250 permitting and local permits. M. Jones stated he forwarded the document to the Town Attorney and has not heard back from them yet as to their recommendation. Z. Hale stated he would like to get this resolved as soon as possible. M. Jones stated there won't be another meeting until after the first of the year due to the holidays. Z. Hale stated they had until November 13, 2022 for local permitting and it has passed, and they are now in due diligence #5 which is only for act 250. He now has a project he cannot move forward with and has a contract that he has to pay \$9,000 on. **R. Combs made a motion to have this on the agenda for the next meeting after it is reviewed. J. Mark seconded. ML Harris recused herself.** J. Mark stated it seems the next meeting will be January 9, 2023. W. Bird asked if there was going to be discussion before a vote, J. Leamy stated discussion is for the board. **All voted in favor. Motion carried 4-0.** W. Bird asked if they are actually not under contract because the November date has passed by. M. Jones stated he would reach out to the attorney in the morning.

POLICE UPDATE: Chief Mantello

Police Chief Mantello reviewed the department reports. He further stated that calls are up a bit but nothing major, accidents, a few arrests, Castleton University call numbers will be going down some due to cold weather and kids not being out as much. They had a missing person in November, had a successful search and did find her.

Because of the department vehicle situation, he has asked for some ARPA money for a vehicle. He has priced one through a company in Massachusetts. M. Jones explained they got behind on vehicle replacement, and this purchase will bring them back to the planned schedule. It seems they have not put enough into sinking funds the past two years for vehicle replacement.

R. Spaulding asked about the noise ordinance and incidents. Chief explained the fees and how it affects tenants when called for noise.

J. Mark stated he felt they should be addressing the funding if it is not enough at the current rate for the vehicle fund. Discussion held on the vehicles, their ages and mileage, as well as ARPA funds being used for the purchase. ML Harris asked how often vehicles are replaced. Chief Mantello stated he suggests every two years. The state bid fleet did not get ordered last year, which also happened with a truck order.

BRIDGE COMMITTEE UPDATE – Martha Molnar

M. Molnar stated they are in their 8th year now as a committee, and she wanted to update the board on their projects. Some of the past projects are a kiosk at the Village Store on Main Street, CDERAC is distributing welcome bags to new residents, they have contributed to those, and they have asked residents if they would be interested in events, cultural programs or what is going on at Castleton University, they will expand on any interests they see. The Bridge Initiative is a large group that they send emails out to regularly, they have an international group of students and families as well. They have a soundings event coming up, which is a part of the University as well, based on Town Meeting Day. Their committee is a group of 15 people, and they have recently organized benches down at the Castleton River for a river walk, benches were built by 47 Main Street residents, materials were contributed by CDERAC. There are discussions in the works with the Castleton University Hockey Team for skating opportunities for community members.

MOWING BID AWARDS: Bid 1 & Bid 2

M. Jones stated these are the same two contractors as last year and the prices went up. There is a total of a \$12,000 increase. Mowing has been coming out of the summer maintenance in the highway budget, except for Dewey Field and the Hydeville field, which comes out of Town Lands. He suggests changing the way the funds are used within the budget for transparency. It comes out of summer maintenance and put into town lands. M. Jones explained he has looked into hiring temporary summer help to do mowing using the town equipment and would be a cost savings, but he does not feel they will be able to find someone to fill the position. R. Combs questioned the Recreation Director job description indicating that the position will mow 1 day a week. He does not feel that would be a good idea. R. Spaulding asked if the town has all of the equipment necessary to hire someone to do it in house. It was stated they do have the equipment, trailers, etc. to do the job, but they are all concerned with finding someone to do the job. It is 2 ½ days to mow all town properties. J. Mark

questioned the bids and what figures were correct. M. Jones \$16,322 is the accurate number for bid #1 and bid #2, \$5,995 for this bid. **R. Combs made a motion to award Bid #1 for two years to Cutting It Sweet for \$32,644 and Bid #2 for two years to White Knight for \$11,990 R. Spaulding seconded. All voted in favor. Motion carried 5-0.**

REQUEST FOR RETAIL CANNIBIS IN CASTLETON TO BE PUT ON THE MARCH BALLOT WITHOUT THE NEED FOR AN ADDITIONAL PETITION: Janet Currie

J. Currie stated she is asking the board to put an item on the ballot so she would not have to go get signatures a third time with a petition. Discussion held on whether the legislative body has the authority to put this on the ballot without a petition. It was stated this was defeated the first time by 45 votes, the second time by 15 votes. J. Currie stated she will be getting a wholesale manufacturing and processing license very quickly, and she would like to have this step done. J. Leamy asked if they are required to put something on the agenda if a legal petition is presented. J. Currie felt they were. **R. Combs made a motion to put the article for retail cannabis on the ballot again this year without the need for a petition. R. Spaulding seconded.** J. Mark felt this puts the board in a prejudicial position unilaterally to put this on the ballot. It has been defeated twice already. J. Leamy asked if there were any past issues put on the ballot without a petition. R. Spaulding stated a past board has done it regarding a Rutland County Solid Waste issue, the first time it was voted on. J. Leamy felt it set a precedent to allow anyone to come in and ask for anything to be put on the agenda if they approve this and stated to J. Currie that if she feels that sincerely about it, she should get signatures and it goes on the ballot. J. Currie asked about the Rutland County Solid Waste, how many times it was voted on and put on the ballot. R. Spaulding stated the first time there was no petition, but the three votes after that it was with a petition each time. ML Harris stated she felt the same as J. Leamy. R. Combs stated if it had not been voted on already, he would not have made his motion. R. Combs and R. Spaulding voted in favor. ML Harris, J. Mark and J. Leamy voted no. Motion failed 2-3.

MUNICIPAL ROADS GENERAL PERMIT (MRGP): Coverage Requirement & Application Submission

D. Fabricious stated they have two applications, one for the Class C West Castleton Road for drainage and guard rails. The second is larger, Class D for a large drainage project on Belgo Road. This is part of the VT Better Roads Program. M. Jones explained the funding and category D being a larger culvert. This is a \$60,000 grant and a very large culvert project with a \$20,000 in kind match from the town, D. Fabricious and Brent both feel it can be done in house. Discussion held on projects and how the in-kind match works. **R. Spaulding made a motion to allow the town crew/town manager to apply for two grants for the West Castleton Road and Belgo Road, category C and D grants. ML Harris seconded. All voted in favor. Motion carried 5-0.**

Bo Elliott Ramos, new Park and Recreation Director introduced to board by M. Jones. She has been at the CVS building helping to get up to speed and is jumping right in to getting acclimated to the Town.

MANAGER'S REPORT

M. Jones requested he be authorized to do an application for the salt and sand shed grant, which will be submitted tomorrow if the board approves. He explained the past discussions and where funds will come from, the in kind and materials the town can provide and the cost. They may need to request additional funding for the project, but they won't know that until a later time. The stormwater mitigation, scoping study and earth work that needs to be considered is included and it probably will not even be started until 2024. **R. Spaulding made a motion to allow the Town Manager to apply for the VTrans Tap Grant for \$375,000 for the salt and sand shed project. R. Combs seconded. All voted in favor. Motion carried 5-0.**

M. Jones explained the deficiencies at the transfer station with the ballers. They have been trying to get them corrected, have been trying to do it with a hand auger and they have decided they need the skid steer to finish with the holes. There is a \$75,000 with no match grant available to apply for in January which he plans to propose at that time.

M. Jones stated he is still trying to find someone to camera the sewer line at the corners. He feels they are going to have to go outside of the area to find someone, it's a long stretch and no one local has the equipment to go the length they need to

go.

Photos were shared of the Little Rutland Road repairs, and M. Jones stated they are very appreciative of the work done by the Town crew. The project had a cost of \$14,600 from FEMA in 2019, and got it done at about \$17,000. The landowner is not totally happy yet, but they will work on the landscaping in the spring.

Sandblasting of the town trucks has been done by Green Mountain Mobile Blasting. They did a good job and B. Ward is working on painting them and they were undercoated as well.

M. Jones stated TSA reached out to the Castleton Police Department to put in a fingerprint terminal. They presented a contract which VLCT is reviewing. Wages and benefits for the operation, equipment, etc., is all covered by TSA. There is a lot of revenue available to be generated.

The Fire department did a stuff a truck, donations were down and not the same volume, probably due to rain. All donations go to Castleton Cares. They also participated in the lighted parade and cookies with Santa. The Castleton Legion made the cookies and brought to Fire Station for the event.

M. Jones explained the funds spent in the cemetery next to the Federated Church on Main Street. They had held funds for one year, then had enough for the project this year.

M. Jones stated he has presented a draft budget which is up \$489,000. He knows it won't survive the first review and that fuel, utilities, wages and benefits are most of the increases. One of the largest is paving in highway which is normally \$209,000. H. Goyette has indicated he would like to see an account set up for small tools and equipment, air pacs, extrication tools, etc., J. Mark does not feel this should be discussed at this time, this is a large item for citizens of the town and it is not on the agenda. J. Leamy agreed. Further discussion on the budget items and whether should continue to be discussed at this time. ML Harris was suggested a meeting be held the last week of December to address the budget and warrant before the end of the month. It was decided there would be a meeting on 12/29/ at 6:30

CASTLETON VILLAGE SCHOOL DISUCSSION: Response to Hubbardton Selectboard

J. Leamy stated he has communicated the position of this Board to the Town of Hubbardton on the sale and buy out of the Castleton Village School and they have politely rejected it. It was proposed to pay \$25,000 to buy them out and if the building sold for more than what their 11% was they would receive the difference. It was also noted that this Board does not have \$25,000 budgeted anywhere to pay the Town of Hubbardton so they would have to figure out where it was to come from. A value of \$227,000-\$228,000 is the number the \$25,000 came from. J. Mark referred to Mr. Gibbs letter and suggested they send a response that the Board understands and respects the Town of Hubbardton's decision to reject the offer, and will work with them as co-owners of the building but that they want to clarify some of the statements made in the letter so that there is no future confusion. J. Mark stated he feels they went into the decision in part because the joint town decision making was complicated and time consuming, but if the Town of Hubbardton doesn't want to accept it, then they should work together as co-owners and do their best to manage the property. J. Mark offered to draft a response in writing and the Board was in favor of that. R. Combs felt this board needed a detailed amount of expense from July 1, 2022 to date and submit an invoice to the Town of Hubbardton for 11% of that amount. Discussion held on the CVS building and its current state and use and on the wording of the motions made to sell the building, and what the intent was for the motions.

PURCHASE ORDERS FOR APPROVAL

R. Combs made a motion to approve Purchase Order #049460 to Bowker and Sons for cleaning of memorials in cemeteries in the amount of \$9,000. R. Spaulding seconded. All were in favor. Motion carried 5-0.

WARRANTS FOR APPROVAL

R. Combs made a motion to approve check warrant #1202 in the amount of \$9,766.97, check warrant #1208 in the amount of \$21,735.99, check warrant #1212 in the amount of \$99,995.73, check warrant #1201P in the amount of \$17,049.74, check warrant #1208P in the amount of \$15,960.00. R. Spaulding seconded the motion. All voted in favor. Motion carried 5-0.

R. Spaulding made a motion to approve check warrant #1202P in the amount \$647.02 and check warrant #1209P 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.

SELECTBOARD COMMENTS & CONCERNS:

None at this time.

BRIEF RECAP & ITEMS FOR FOLLOW UP:

None at this time.

ENTER EXECUTIVE SESSION

R. Spaulding made a motion to enter Executive Session at 9:04pm to include the Board and Town Manager for real estate. R. Combs seconded. All voted in favor. Motion carried 5-0.

EXIT EXECUTIVE SESSION

R. Combs made a motion to exit Executive Session at 9:08pm, no action taken. R. Spaulding seconded. All voted in favor. Motion carried 5-0.

ENTER EXECUTIVE SESSION

R. Combs made a motion to enter Executive Session at 9:08pm to include the board and the Town Manager for personnel. R. Spaulding seconded. All voted in favor. Motion carried 5-0.

EXIT EXECUTIVE SESSION

R. Combs made a motion to exit Executive Session at 9:22pm, no action taken. R. Spaulding seconded. All voted in favor. Motion carried 5-0.

ADJOURN

R. Combs made a motion to adjourn at 9:22p.m. R. Spaulding seconded. All voted in favor. Motion carried 5-0.

Meeting adjourned.

Respectfully Submitted
Allison Harvey
Recording Secretary