

TOWN OF CASTLETON SELECT BOARD MINUTES
Monday, March 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/EabnoXbUGpSuWX9PjQqBjEUfJ1Kn2M5OvOiBiP02rUEvWg4CbHxfUVv0ddqFTEYo.COuAhuw1R7X8tX-L>

PRESENT: Jim Leamy, Chair, Robert Spaulding, Richard Combs, Vice Chair, Mary Lee Harris, Joseph Mark, Parliamentarian, Jonas Rosenthal, Allison Harvey, Recording Secretary, Michael Jones, Town Manager, Scott Welch, Tree Warden, Mary Jo Teeter, Town Assessor, Tim Gilbert, See Attached List

Attending via Zoom: JoAnn Riley, Ann Niklasson, Matt Ryan, Chris, Stephanie Mestyan, Marley, Keith Whitcomb, Mary Droege, Pat & Jeff Schroeder, Tim Munks, George Bourque, Julius Riemersma

CALL MEETING TO ORDER

The meeting was called to order by Town Manager M. Jones at 7:01 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by M. Jones.

ORGANIZATION OF SELECTBOARD MEMBERS

R. Spaulding made a motion to nominate J. Leamy as Chair of the Board. R. Combs seconded. No other nominations. J. Leamy abstained, All others were in favor. Motion carried 4-0.

J. Leamy took over the meeting as Chair at this time.

J. Mark made a motion to nominate R. Combs as Vice Chair of the Board. ML. Harris seconded. No other nominations. R. Combs abstained. R. Spaulding voted no. All others were in favor. Motion carried 3-1.

ML. Harris made a motion to nominate R. Spaulding as Clerk of the Board. J. Mark seconded. No other nominations. R. Spaulding abstained. All other were in favor. Motion carried 4-0.

R. Combs made a motion to nominate J. Mark as Parliamentarian. R. Spaulding seconded. No other nominations. J. Mark abstained. All others were in favor. Motion carried 4-0.

J. Leamy welcomed Mary Lee Harris to the board.

ADOPT RESOLUTION OF DAY & TIME FOR MEETINGS

R. Combs made a motion to adopt the second and fourth Monday of each month, at 7:00pm as the regular meeting schedule to be held at the Fire Department Community Room unless otherwise posted. J. Mark seconded. All were in favor. Motion carried 5-0.

ADOPT RULES OF PROCEDURE

J. Mark made a motion to adopt the Rules of Procedure as presented. R. Spaulding seconded. All were in favor. Motion carried 5-0.

REVIEW CONFLICT OF INTEREST POLICY

R. Combs made a motion to adopt the Conflict of Interest Policy as presented to the board, which was originally adopted 7/8/19. J. Mark seconded. All were in favor. Motion carried 5-0.

APPROVAL OF AGENDA

R. Spaulding made motion to approve the agenda. R. Combs seconded the motion. All were in favor. Motion carried -5-0.

APPROVAL OF MINUTES

R. Combs made a motion to approve the minutes of February 21, 2022 as presented. R, Spaulding seconded. All were in favor. J. Mark and ML. Harris abstained (not present at meeting), Motion carried 3-0.

CITIZENS COMMENTS & CONCERNS - ITEMS NOT ON THE AGENDA:

Bob Stannard – from Manchester, owns camp on lake and has served on the Planning Commission and Board of Selectmen in Manchester, wrote letter for the record regarding the information that was disclosed by LBA as to herbicide application in the lake. Also read a letter by Bill Wood, who along with Terry Moran, spent many hours surveying the coverage of milfoil on the lake. See attachments.

J. Leamy stated the board is still gathering scientific information and are not prepared to make any decisions on anything this evening. They need more information and is no indication of the Board being on one side or the other. They are agreeable to hold a public meeting, have available dates of March 23rd and 30th at the Jeffords Science Building. At that time the interested parties will have half an hour to present their arguments/comments. A hearing can also be requested at DEC after first draft is completed by the agency. Mr. Leamy stated the towns of Castleton and Hubbardton, various groups and property owners around the lake do not own the lake. Fish and Wildlife, DEC and Forest and Parks, all have an interest and manage it for the public good. J. Mark stated the individual leading the permit review process will accept input at any point, and a public hearing is not until after preliminary draft is completed. R. Combs asked when draft might be expected to be issued. J. Mark stated he believes the overall permit process typically takes 6 months and he would assume a few months to produce a preliminary draft and weeks or months for public input and final draft. R Spaulding asked when the clock started ticking, J. Leamy stated from the date of permit submission, which was late January, 2022.

When questioned when the meeting would be, M. Jones stated Castleton University is waiting for a date from him. R. Spaulding stated he preferred the 30th, J. Rosenthal stated that there is a public utility commission public hearing and site visit of the Stone Mill Solar project on March 30th, with a walk through during the afternoon and meeting in the evening. J. Bruno asked if possible to move that date into April since there are people that would like to attend that can't until April. M. Jones will check with Castleton University to get available dates for April. Wenda Bird stated while she is not on the LBA board, but is a member of the LBA, she had chemotherapy 30 years ago and she still have affects from the chemicals, she doesn't think the lake needs chemo, it needs a haircut twice a year.

J. Mark stated as a point of order, they have decided to set a meeting, but he was hoping to talk about the plan for that meeting. J. Leamy stated he would suggest a half hour for applicants and half hour for opposition and they arrange their speakers to simplify the process. If they want to bring science or technology, they have every right to do that. J. Mark stated he has spoken to Cynthia Moulton, a scientist, who would like to attend, and asked if she would be given a half hour to speak. He also feels the speakers should be restricted to town of Castleton voters, given that it is the Town of Castleton selectboard addressing the issue. Board held discussion on speakers, whether should be open to anyone, voters or landowners. ML Harris felt should be open to anyone, R. Spaulding felt property owners, R. Combs asked Mr. Steele about a representative to speak for his group, Mr. Steele stated it is a huge issue and felt a half hour would not be enough. Further discussion on public hearing and procedure. ML Harris doesn't feel a half hour is enough for either side. The board decided they would be given up to an hour and the board should be able to have time as well. ML Harris feels there shouldn't be a limit on who speaks. J. Bruno suggested the Wednesday after the first selectboard meeting, which would be April 13. M. Jones stated he will check with Castleton University to see if space is available.

GIS INTERNET SERVICES PROPOSAL: MAPPING TECHNOLOGY

MaryJo Teetor, Assessor and J. Rosenthal presented the proposal and stated that on page two of presentation is the map of the platform. This can be accessed by other departments if they needed or wanted to as they can set up log ins for each department to add information and it can be accessed online. It is a large proposal, in addition to current mapping there are add ons and a lot to it. The cost is one \$3,000 to set up, \$3,000 annual fee, and if they do a staff site it is \$475 if done during set up, more if done after set up. It is a public site and is in real time. J. Rosenthal stated they had talked of ARPA funds being used to build the layers of the maps. There are many uses, water, sewer lines, fire department, etc. and can be used for permitting and sending notifications to neighbors for pending applications, etc. Board asked various questions of MJ Teetor about the program and access, as well as whether it would be an invasion of privacy, MJ Teetor stated it is all public information. It was stated the listing budget will be able to cover the annual fee. They are asking for \$3,475 from ARPA funds.

RCSWD REPRESENTATIVE APPOINTMENT AND ALTERNATE APPOINTMENT

R. Combs made a motion to appoint J. Leamy as the RCSWD Representative. J. Mark seconded. R. Spaulding asked J. Leamy if he will attend the meetings, unlike the past representative. J. Leamy stated he will do the best he can to attend as many as possible. **J. Leamy abstained, all other voted in favor. Motion carried 4-0. R. Combs made a motion to appoint Tim Gilbert as RCSWD Alternate Representative. J. Mark seconded.** R. Spaulding asked Mr. Gilbert if he had a family member was still employed by Casella Construction. Mr. Gilbert stated he does not, his daughter who used to now lives in Vail, Colorado. **R. Spaulding voted no, all others voted in favor. Motion carried 4-0.**

BOARD APPOINTMENTS

R. Combs made a motion to appoint Matthew Ryan to the Recreation Commission for 3 years. J. Mark seconded. All were in favor of the motion. Motion carried 5-0.

R. Combs made a motion to appoint Marley Rosario to the Recreation Commission for 3 years. ML Harris seconded. All were in favor of the motion. Motion carried 5-0.

R. Combs made a motion to appoint Scott Childs as the DRB Alternate. R. Spaulding seconded. J. Mark asked if all regular DRB positions are filled at this time. M. Jones stated he's been told they do, and they have received a letter of resignation from Sean Steves. **All were in favor of the motion. Motion carried 5-0.**

TREE WARDEN APPOINTMENT

R. Combs made a motion to appoint Scott Welch as Tree Warden. R. Spaulding seconded. S. Welch stated not sure if the time to present but would like to get more money in his budget for trouble trees that are around town. There are several large trees that are down, one is at the Hydeville baseball field that is hazardous. M. Jones stated he asked S. Welch to attend, as in the past year, there are 80 plus trees that are trouble or a nuisance and should be taken down. They could easily spend \$100,000 in town on trees but could possibly use ARPA money. The Board asked S. Welch to come back with a list and they'll decide which ones will be taken down. They are all to be hired out, too many risks for the tree warden to do, with power lines, etc. They should also consider an option the purchase of a stump grinder rather than rent one. **All were in favor of the motion. Motion carried 5-0.**

APPOINT FIRE DEPARTMENT OFFICERS

R. Spaulding made a motion to appoint the following officers for the Fire Department: Heath Goyette as Chief, Dan Ducharme as 1st Assistant Chief, John Alexander as 2nd Assistant Chief, Chris Fretta as Captain, Bob Pierie as Lieutenant. ML Harris seconded. All voted in favor. Motion carried 5-0.

LETTER FROM CDERAC ABOUT BROADBAND

Tim Munks gave an overview of the proposal for broadband, \$45,000 with a State match of \$281,000. Dealing with Comcast and Otelco and are asking for proposals. J. Mark asked if it is just to purchase fiber and asked about the installation costs. T.Munks stated they will see when they get proposals, and added that CCI in past has taken responsibility for the last mile, to connect from the fiber to the premises. The town would own it and give them a 20 year lease of the fiber. J. Mark stated he feels they need a better understanding of whole package, not just fiber but the installation and who pays for what. R. Combs

questioned what the 4 plus million dollar number was for, T. Munks stated was for entire town. He will put together a detailed proposal and come back before the board.

J. Bruno stated there are no letters of interest for an open Planning Commission seat and asked if Mike Holden could be appointed, he is the alternate that has been attending meetings. If the board would appoint him to fill out the late Bob Franzoni's vacant seat it would be helpful. **J. Mark made a motion to appoint Mike Holden to the vacant seat on the Planning Commission. R. Spaulding seconded.** R. Combs asked if M. Holden is willing, J. Bruno stated yes he is. **All were in favor of the motion. Motion carried 5-0.** J. Bruno also suggested they still advertise for the alternate.

LIQUOR LICENSE APPROVAL: Dollar General Store, Prunier's Market, Castleton Village Store Second Class Licenses, Sodexo Vermont, Second & Third Class Renewal, Birdseye Diner and Castleton Pizza Place & Deli, First Class and Outside Consumption Renewal.

J. Leamy stated the Police Chief has checked on all establishments, there have been no problems reported with them. **R. Combs made a motion to approve Dollar General Store, Prunier's Market, Castleton Village Store Second Class Licenses, Sodexo Vermont, Second & Third Class Renewal, Birdseye Diner and Castleton Pizza Place & Deli, First Class and Outside Consumption Renewal. ML. Harris seconded. All were in favor of the motion. Motion carried 5-0.**

PREFERRED ALTERNATIVE FOR THE PEDESTRIAN SCOPING STUDY

J. Leamy stated the engineering firm would like a decision on the option chosen, so they can move forward with planning. Board members reviewed their choices, consensus was to go with: Alternative 3, a, b and c for sidewalk location. Alternative #3 Option 2 for Bicycle Accommodation, Option 2a for Crosswalk Location, Option 1 for Additional parking, Option 2 for Sidewalk Width, Option 1 for Sidewalk Material, Option 3 for Crosswalk Treatment, Option 1 for Street Lighting and Option 1 for Benches. **J. Mark made a motion to adopt the consensus position of the board as recorded by town manager. R. Spaulding seconded. R. Combs and R. Spaulding voted no, remaining members voted in favor. Motion carried 3-2.**

PROPOSE MEETING WITH HUBBARDTON TO DISCUSS ACQUISITION OF THE VILLAGE SCHOOL

J. Leamy stated J. Mark has done research on this and asked if board would appoint someone to meet with the Town of Hubbardton as soon as possible, as the information from Slate Valley is they will abandon the building on June 30. J. Mark will continue to work on it, and would like another board member to join him. M. Jones stated Janet Morey is point of contact for the Town of Hubbardton and she can meet during the day. ML Harris stated she would be willing work with J. Mark on it. J. Mark questioned if they are to come to a mutual agreement on the use of a building that has not yet been purchased. J. Leamy stated it will be a steering committee to discuss the possible use or disposition of the building. J. Mark stated they also need to address issue of purchase and sale. M. Jones stated they are waiting on an attorney for property line clarification. J. Mark felt it is the board intention to be including town people of both towns to have input. R. Spaulding asked to confirm that 89% of ownership would be Town of Castleton and 11% is Town of Hubbardton. J. Leamy stated there are no monies in the town budget for July 1, 2022 for operation of that building, nor is there in the Town of Hubbardton budget. J. Mark stated he heard Slate Valley had maintenance in their budget but there's still discussion to be had on monies for maintenance for the Towns. R Steele questioned the recent issue with the asbestos and questioned if the town would be responsible for further removal. Board felt that is yet to be determined.

MANAGER'S REPORT

Report highlighted in yellow, changes from last report. J. Mark asked if there were any further comments on the sewer plant annual loan payment surprise. M. Jones stated he has not updated the spreadsheet, will be doing that this week.

PURCHASE ORDERS FOR APPROVAL

R. Combs made to approve Purchase Order #045053 for points for Castleton 1st Responders in the amount of \$7,500. J. Mark seconded. R. Spaulding questioned how many on the first responders, no certain answer. All were in favor. Motion carried 5-0.

WARRANTS FOR APPROVAL

R. Combs made a motion to approve check warrant #0314R in the amount of \$6,422.30, check warrant #0314 in the amount of \$144,016.18, check warrant #0310 in the amount of \$7,056.13, check warrant #0308 in the amount of \$15,678.40, check warrant #0303 in the amount of \$5,514.91, check warrant #0224 in the amount of \$5,909.61, check warrant #0310P in the amount of \$16,965.55, check warrant #0303P in the amount of \$16,056.06 and check warrant #0224P in the amount of \$16,064.83. R. Spaulding seconded the motion. All were in favor. Motion passed 5-0.

R. Spaulding made a motion to approve check warrant #0311P in the amount \$665.95, check warrant #0304P in the amount \$634.28, check warrant #0225P in the amount \$634.28. ML Harris seconded the motion. R. Combs recused himself. All remaining members voted in favor. Motion carried 4-0.

R. Spaulding made a motion to approve check warrant #0309P in the amount \$1,939.34. ML Harris seconded the motion. R. Combs and J. Mark recused themselves. All remaining members voted in favor. Motion carried 3-0.

SELECT BOARD COMMENTS & CONCERNS:

R. Spaulding asked what class road Piontek Road. M. Jones stated is a Class 4. R. Spaulding asked what needs to be done to make it a Class 3. M. Jones stated it is not wide enough in spots, and they would have to contact property owners to upgrade the width, and the Town gets no funds from the State for that road because it is Class 4 and not 3. M. Jones stated that if the board wants to go through that process, they could get a few dollars for it, but a lot of work needs to be done first, ditches, culverts and would have to be upgraded. The Town does maintain it and he can look into costs and see if it would be feasible.

R. Spaulding asked if they had a dollar figure on Preston Lane and Crystal Heights for the sewer line. M. Jones stated Creek Road is on the list as well, to just past Woodard's. He will get those together.

R. Spaulding asked J. Mark about the \$450,000 figure he'd mentioned at town meeting for the salt/sand shed. M. Jones stated they had to go for second grant in Fair Haven for theirs, it went over \$500,000. Discussion on the increase in costs and what to expect for the shed.

R. Combs stated it was his understanding that Mr. Sanders has earmarked an appropriation in the Senate of \$125,000 to assist the Library and an ADA extension, bathroom and elevator. J. Mark stated that it helps, but not at the bid prices yet even with that. Bids came in 50% higher than would have been before pandemic and they are still working on it. J. Mark also stated that if Nancy Mark were on Zoom, he's sure she would say she has received a lot of assistance from Jonas Rosenthal and Karen Stewart on application for that earmark.

BRIEF RECAP & ITEMS FOR FOLLOW UP:

Nothing at this time.

8:10pm ENTER EXECUTIVE SESSION:

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

9:12pm EXIT EXECUTIVE SESSION

R. Combs made a motion to exit executive session. R. Spaulding seconded the motion. All were in favor. Motion carried 5-0. ML Harris made a motion to appoint R. Combs to the negotiating team for the police contract negotiations. R. Spaulding seconded. All were in favor. Motion carried 5-0.

9:13pm ENTER EXECUTIVE SESSION:

R. Combs made a motion to enter executive session to discuss personnel to include the Town Manager and Fire Chief. R. Spaulding seconded. All were in favor. Motion carried 5-0.

9:30pm EXIT EXECUTIVE SESSION

ML Harris made a motion to exit executive session, no action taken. R. Spaulding seconded the motion. All were in favor. Motion carried 5-0.

9:30pm ENTER EXECUTIVE SESSION:

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

9:34pm EXIT EXECUTIVE SESSION

R. Combs made a motion to exit executive session, no action taken. R. Spaulding seconded the motion. All were in favor. Motion carried 5-0.

9:34pm-ADJOURN

R. Combs made a motion to adjourn at 9:34p.m. ML Harris seconded the motion. All were in favor. Motion carried 5-0. Meeting adjourned.

Respectfully Submitted

Allison Harvey
Recording Secretary