

**TOWN OF CASTLETON SELECT BOARD MINUTES**

**Monday, March 11, 2024 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/5XroG-iGg9mXMcJCEo2bJObitjoBUytUHF9DBhIKSO7Afd8Gp0kxDFjyRU\\_5zX1s.1\\_ZMi0wnqYQCc0LH](https://us02web.zoom.us/rec/share/5XroG-iGg9mXMcJCEo2bJObitjoBUytUHF9DBhIKSO7Afd8Gp0kxDFjyRU_5zX1s.1_ZMi0wnqYQCc0LH)**

**PRESENT:** Richard Combs, Mary Lee Harris, Robert Spaulding, Rob Steele, Mark Brown, Peter Mantello, Mary Droege, Laurie Kamuda, Laura Sargent, Tom Kearns, Helen Steele, Bob Steele, Heath Goyette, Martie Alexander, Joshua Ferguson, Susan Day, Karen Oakman, John Alexander

**PRESENT VIA ZOOM:** Jeff Davidson, Highway Foreman, Lynn, Melanie Combs, John Hemmelgarn of Black River Design, Anne-Marie Quinlan, Martha Clifford, Amree, Allison Harvey, Recording Secretary

**CALL MEETING TO ORDER**

The meeting was called to order by Town Manager M. Jones at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by M. Jones.

**ORGANIZATION OF SELECT BOARD OFFICERS: Chair, Vice Chair, Parliamentarian, Secretary**

**ML Harris made a motion to nominate R. Combs as Chairman of the Board. R. Spaulding seconded. R. Combs recused himself. All others voted in favor. Motion carried 4-0.**

R. Combs took over as Chair of the meeting at this time.

**ML Harris made a motion to nominate R. Spaulding as Vice Chair of the Board. R. Steele seconded. R. Spaulding recused himself. All others voted in favor. Motion carried 4-0.**

**R. Spaulding made a motion to nominate M. Brown as Parliamentarian of the Board. ML Harris seconded. M. Brown recused himself. All others voted in favor. Motion carried 4-0.**

**R. Spaulding made a motion to nominate ML Harris as Secretary/Clerk of the Board. M. Brown seconded. ML Harris recused herself. All others voted in favor. Motion carried 4-0.**

**ADOPT RESOLUTION OF DAY & TIME FOR MEETINGS**

**R. Spaulding made a motion to adopt the regular meeting day and time as the second and fourth Monday of the month to be held at the Fire Station Community Room at 7pm. ML Harris seconded. All voted in favor. Motion carried 5-0.**

**ADOPT RULES OF PROCEDURE**

**ML Harris made a motion adopt the Rules of Procedure as presented. R. Spaulding seconded for discussion.** ML Harris stated she noticed nothing is said about things being posted on the Town website, just post offices and Lakes Region Laundromat. M. Jones suggested they can approve it with the addition of the Town website, he can correct it and it will be acceptable. R. Combs stated he believed they are required to post in 3 or more prominent locations. The only time it may apply would be emergency meetings, which need to be posted within 24 hours of the emergency meeting. R. Combs stated he is not opposed to the addition of the website. R. Combs called the question to approve as amended and M. Jones will

have to circulate a copy at the Town Office for signatures. All voted in favor. Motion carried 5-0.

#### **REVIEW AND SIGN CONFLICT OF INTEREST POLICY**

ML Harris made a motion to approve the Conflict of Interest and Ethical Conduct Policy as presented. R. Spaulding seconded. All voted in favor. Motion carried 5-0.

#### **APPROVAL OF AGENDA**

R. Spaulding made a motion to approve the agenda as presented. R. Steele seconded. All voted in favor. Motion carried 5-0.

#### **APPROVAL OF MINUTES – February 26, 2024**

R. Combs made a motion to approve the minutes of February 26, 2024 as presented. seconded.

Page 4 – first line of the second paragraph of Selectboard Comments and/or Concern – *the* should be inserted between of last. All voted in favor. Motion carried 5-0.

#### **CITIZENS COMMENTS & CONCERNS - ITEMS NOT ON THE AGENDA:**

M. Droege inquired if there were any updates on the Hale project or CVS proposals that can be shared with the public. R. Combs stated he believed the Town Manager spoke with Zak Hale and received an email response today that he has little or no traction with getting interest from the College Wrestling program, so there has been no forward motion.

M. Droege also asked about updates on grants for CVS. M. Jones stated they have applied for feasibility study number two, the first one was not approved, and they won't know for some time if the second application will be approved. M. Droege asked if that included the windows, heating and cooling grant. M. Jones stated they are two months behind on applications at the State, they are working on November right now and it is for the Municipal Energy Resilience Program they are talking about.

#### **MARCH APPOINTMENTS: 1 Year Term, to expire March 1, 2025**

ML Harris made a motion to appoint R. Spaulding as the Rutland County Solid Waste District Representative, term to expire March 1, 2025. M. Brown seconded. R. Spaulding recused himself. All others voted in favor. Motion carried 4-0.

R. Spaulding made a motion to appoint M. Brown as the Rutland County Solid Waste District Alternate Representative, term to expire March 1, 2025. ML Harris seconded. M. Brown recused himself. All others voted in favor. Motion carried 4-0.

R. Spaulding made a motion to appoint P. Mantello as the Emergency Management Coordinator, term to expire March 1, 2025. M. Brown seconded. All voted in favor. Motion carried 5-0.

R. Spaulding made a motion to appoint M. Jones as the Emergency Management Director, term to expire March 1, 2025. M. Brown seconded. All voted in favor. Motion carried 5-0.

R. Spaulding made a motion to appoint Ray Ladd, Ken Flowers and Kevin Fenton as overseers of the historic cemeteries, term to expire March 1, 2025. ML Harris seconded. All voted in favor. Motion carried 5-0.

R. Spaulding made a motion to appoint the Town attorneys as Michael Terrant, Lois Vandenburg Baldwin and Merrill Bent, term to expire March 1, 2025. ML Harris seconded. All voted in favor. Motion carried 4-0.

R. Spaulding made a motion to appoint Scott Welch as the tree warden, term to expire March 1, 2025. R. Steele seconded. All voted in favor. Motion carried 5-0.

R. Spaulding made a motion to designate M&T Bank and TD Bank as the Town banks to expire March 1, 2025. ML Harris seconded. All voted in favor. Motion carried 5-0.

**R. Spaulding made a motion to designate Lakes Region Free Press and the Rutland Herald as the publications for advertising to expire March 1, 2025. M. Brown seconded. ML Harris stated she would like to see the Lakeside News added as it is a once a week publication. R. Spaulding amended the motion to include Lakeside News. ML Harris seconded the amendment. All voted in favor of the amended motion. Motion carried 5-0.**

**DEVELOPMENT REVIEW BOARD MEMBER SEATS: Recommendation from Laura Sargent, Chairperson**

L. Sargent stated that they do not have enough members in the positions on their Board and they want to reduce membership so they have a quorum to handle permits and take action on them. They often end up with no quorum, they want to reduce the number of members down to five so they can hear everything that comes before them. The more members there are, the more they need to make a quorum. They currently have six members, they want to make the member who's term is closest to being done to be an alternate. It was stated that M. Holden and P. Keller both expire this year. L. Sargent stated M. Holden is vice chair would like to keep him on the Board for that reason. The board currently has 9 seats, but only 6 are filled. L. Sargent stated whatever is the number of seats, whether filled or not, they have to count the 9 seats and need 5 present to take any action. R. Combs stated he would like to have the quorum rules verified by VLCT. Discussion on the quorum and whether they should reduce the number of members on the Board. R. Combs stated he would do some research and let L. Sargent know what they find. It was also stated they should have an uneven number of members. ML Harris asked if they could hear from both of the members whose terms expire this year, rather than kick someone off the board at term expiration without discussion with them. ML Harris stated she also would like to see the vacant positions advertised.

**RECREATION UPDATE – John Alexander, Parks and Recreation Director**

J. Alexander welcomed new members of the Board. He had put his thoughts on paper for the Board, but they had not received it, so will summarize. J. Alexander stated he doesn't equate numbers on paper in a spreadsheet to what is actually happening in the Recreation Department. He is hopeful to reset the discussion on the CVS building and where it stands. From his point of view, he thinks the conversation in general has been poorly represented by the Board to the community. The Recreation Committee has been presented the building at the cost it is at, it is the single greatest opportunity for the Town for economic growth. He has only seen a parallel with David Wolk's era with using the campus buildings for Town functions. He feels the Town will never get the opportunity they are at right now with the building and he hopes to set up a tour with Board members to discuss and present the infrastructure and opportunities for the building. He had a vision prior to becoming director of what the actual structure consisted of and what it offered. A lot of the rumors he heard about the building and its deterioration have been put to bed. The major only thing he sees that needs some change is parking.

The next part of his letter is the Crystal Beach facility. It is in need of a great deal of repairs, and the major part needed would be to establish a potable water supply. They have no potable water at that facility, it is still coming out of the lake, a well needs to be drilled. He would like to spend \$15-25,000 for a well to be drilled, as it would benefit the entirety of the Town of Castleton.

Beyond that in terms of activities, they have adventure camps, sailing, softball, little league all coming up. They will start charging for pick-up basketball beginning in April, but not sure what the usage of the gymnasium is in the summer because of the heat.

ML Harris asked about little league and if it would be in Rutland only. J. Alexander will be inventorying the fields, getting them up and running with the help of volunteers. He is going to check on what is easier to administer, keeping local or going to Rutland. Rutland provides everything, balls, uniforms, bats, etc., and he is not sure what is needed yet locally until he does a complete inventory.

**BIDS RECEIVED FOR FEASIBILITY STUDY: Former CVS**

R. Combs stated they requested bids for a feasibility study, got one response from Black River Design Architects, who is on zoom to answer any questions. They have spent no money on it to date, but if Black River is engaged total cost would be \$99,834, more than what they would be hoping to spend. M. Brown felt the proposal was much more than they anticipated, it is very involved and much more than what anticipated.

M. Jones stated last year the voters had approved a budget of \$90,514 for CVS operations. As of the end of January of this year there is \$37,000 remaining in the budget to go until the end of June. The reason so much was spent so far was the maintenance needed in the building. They have put phone and internet lines in there now, so cost with that as well. By the end of the fiscal year there will not be a lot of dollars left. Next year the budget is \$74,000 budget. It has been asked what expenses and costs have been, and month by month they are pretty much on target. J. Hammelgarn explained what was being proposed in their bid, and there are a lot of things that could be scalable to reduce the number, they can decide which services they would like to prioritize to fit within the Town budget. M. Jones stated they have had two assessments and an appraisal done fairly recently, so they do know where stand with the roof, heating and major things have been looked at. If the Board so desires to make scalable, that's up to them. M. Brown stated he felt they need to be able to afford essential information so the community can feel good about the property. R. Combs asked M. Brown if he would be able to meet with J. Alexander and J. Hemmelgarn to come up with a plan for the feasibility study being scaleable, which he indicated he could. They will bring the results to the 4/8/24 meeting. Purpose is to determine what components the Town will need prioritize what is needed. R. Steele asked about such things as maintenance plan for next ten years, roof, heating, etc. M. Jones will share with the board a plan when originally took possession of building.

Susan Day stated she felt this was a large facility project they are proposing with a pool, etc., it is not something that can be afforded. J. Alexander recommends keeping the building and fixing it a little by little. It is mostly for the kids, many cannot afford the fees for sports.

M. Jones stated they have been using an asset management platform recently, and they will assess all assets of the town. Their report back to the Board is to provide insight on the mechanics of the assets, as well as facility conditions and replacement costs is what they will provide. M. Brown asked what the amount of the grant is, M. Jones stated up to \$26,000 in addition to information from Brightly asset assessment could pair down the feasibility study cost.

#### **DEPARTMENT OF LIQUOR CONTROL APPROVALS**

**R. Steele made a motion to approve the liquor control approvals for Toltec, Inc. DBA Beverage King Market & Deli Tobacco License Approval and PFB, Inc DBA Prunier's Market Second Class Liquor license and Tobacco License Approval as presented. ML Harris seconded. All voted in favor. Motion carried 5-0.**

#### **REQUEST TO TRANSFER \$50,783.00 TO LIBRARY ACCOUNT FOR GRANT FUNDS REIMBURSEMENT**

M. Jones stated this is a second request from the library, and when the Board approves this, it will be transferred to the library account. **R. Spaulding made a motion to authorize the Town Manager to transfer the amount of \$50,783.00 from the Town account to the Library account as presented. ML Harris seconded. All voted in favor. So voted.**

#### **RUBY LEASE FOR SALT SHED LEASE AGREEMENT**

M. Jones stated this is a two-year agreement that starts in June to lease shed space at 1566 Route 4A, which is owned by Ruby Construction, which the Town has been renting for a number of years. This will give the Town two years to finish the salt/sand shed, and if not done in time, they will have to extend this lease for a short period of time. The lease is for \$4,000/year to Ruby Construction. **R. Spaulding made a motion to accept the lease agreement between Ruby Construction and the Town of Castleton to lease his salt shed on his property at 1566 Route 4a for a two-year lease for \$4000/year. M. Brown seconded. All voted in favor. So voted.**

#### **SNOW AND ICE PLAN APPROVAL**

M. Jones stated the purpose of this is to try to provide clarity to the public on what is done on snow and ice removal from highways and sidewalks. It provides clarity on the roads to be cleared first, and it can be changed if needed. It addresses materials used, winter sand and equipment. M. Jones stated he wanted to get it out to address using less salt near feeder streams and the lake. **R. Spaulding made a motion to approve the Snow and Ice Plan policy as presented. R. Steele seconded.** R. Combs asked how cast in concrete the priority of the roads is and if the board can change as needed. M. Jones stated it can change as needed. **All voted in favor. So voted.**

#### **HIGHWAY SAFETY IMPROVEMENT PROGRAM STATEWIDE (HSIP17) GRANT AWARD ACCEPTANCE**

M. Jones stated this is through VTrans and has been approved for the highway safety project on South Street and North Road for signs, delineators, and corners to make sure all are up to date. There are a lot of older sign posts and faded signs that are no longer reflective, and there is no match. The town crew needs to do the work is the only caveat. M. Jones further stated he has hired a full time person for the last open spot, and two part time people, and he has talked to Jeff and these are one of the things they normally struggle with, guardrails, washing bridges, cutting brush. They may need a post pounder but that would be about \$2,000. J. Davidson has indicated they can do it the old fashion way, or possibly VTrans could possible loan theirs to the Town. ML Harris asked if anyone that needs to do community service could do the job. M Jones stated it is often difficult to align skill, schedules and liability is also often an issue. This is a \$34,700 grant with no match except labor of the town employees. **R. Spaulding made a motion authorizing the Town Manager to accept the grant and sign the agreement as presented. ML Harris seconded. All voted in favor. Motion carried 5-0.**

#### **DISCUSSION ABOUT MUNICIPAL WATER**

M. Jones stated the most recent developments on the lack of municipal public drinking water is becoming an issue. There is a proposal for development on Prospect Point that is causing concern with neighbors with low producing wells in the area. The Lodge also has an issue with water. There has been requests to bring water further up the lake, Dan Brown had asked the State if they could form their own fire district in that area, which they said they could not. CFD #3 goes up Route 30 who purchases water from CFD #1. There is development and more demand for water. They are seeing issues with future development and growth, and is this something the board wants more information on whether the Town should take over the systems. The Town owning it may make more grants available as opposed to fire districts owning and operating. R Combs feels they need to at least consider, but nothing could be done immediately. He also feels it is the responsibility of the Board to make the Town as attractive as possible for all residents and businesses. R. Spaulding stated they were just asked to drill a well at Crystal Beach, now the Town Manager is saying there may be a number of wells in that area that could be contaminated. ML Harris asked where arsenic comes from and if there are any regulations that require private residents to test. M. Jones stated it is up to the property owners, the State does not regulate residential wells, arsenic is a common element that comes from the ground. M. Brown felt they should have a conversation with the fire districts of how to move things forward to provide as many areas with water. M. Combs stated they are consider municipal water and sewer in Town she is hopeful they will include already owned municipal properties that do not have municipal water and sewer as well, such as the transfer station, town garage and beach. H. Goyette stated the question he hears the most with properties around the lake, how far is it to the first pressurized fire hydrant, as this affects ISO rates (insurance rates) throughout the Town.

#### **MANAGER'S REPORT**

R. Combs stated he only wants to discuss the salt shed and asked if any other members had other things to discuss in the Manager's Report. It was stated ARPA funds discussion should be on the next agenda. Brief discussion held on the Main Street Sidewalk project and how much in Town funds are needed for the project.

It was stated that they have agreed to rent a shed for salt storage for two more years, which means in two years they will need to have a new shed completed. R. Combs questioned what needs to be done to make it happen. M. Jones stated if they can get the contract back from the engineer, they can get it put out for bid by June time frame for the whole project and have numbers back, construction probably wouldn't start until 2025. If the cost estimate comes back and it is about \$800,000, the Town has almost \$600,000 in reserves. If it is much higher, they will need more funds and would be a different scenario. They need to get a contractor hired to get the bid packet together.

M. Jones referred to the asset management plan for the highway department, he will send out information to everyone from what he handed out before. This lists vehicles, age, how much to replace them and a sample replacement schedule going out 30 years.

M. Jones thanked the Board for allowing the use of funds to complete the emergency operations center and standby generator at highway garage.

#### **PURCHASE ORDERS FOR APPROVAL**

None at this time.

**WARRANTS FOR APPROVAL**

**ML Harris made a motion to approve check warrant #0311R in the amount of \$3,180.00, check warrant #0227 in the amount of \$25.98, check warrant #0229 in the amount of \$6,519.53, check warrant #0307 in the amount of \$33,005.18, check warrant #0311 in the amount of \$89,286.79, check warrant #0229P in the amount of \$17,610.20 and check warrant #0307P in the amount of \$18,367.14. R. Spaulding seconded. All voted in favor. Motion carried 5-0.**

**SELECTBOARD COMMENTS and/or CONCERNS:**

R. Spaulding reminded M. Jones he had asked for roster on employees and those serving on the various boards and committees and when terms expire. M. Jones stated it is being worked on.

M. Brown requested if they could have a discussion on the next agenda to discuss short term rentals. M. Jones has already done an inventory of those in town, and he has some sample regulations that other towns use. It will be on the next agenda.

**BRIEF RECAP & ITEMS FOR FOLLOW UP:**

None at this time.

**9:27 pm - ENTER EXECUTIVE SESSION**

**R. Spaulding made a motion to enter Executive Session to discuss personnel to include the Town Manager. M. Brown seconded. All voted in favor. Motion carried 5-0.**

**10:00 pm – EXIT EXECUTIVE SESSION**

**R. Spaulding made a motion to exit Executive Session no action taken. ML Harris seconded. All voted in favor. Motion carried 5-0.**

**10:01 pm - ENTER EXECUTIVE SESSION**

**R. Spaulding made a motion to enter Executive Session to discuss real estate to include the Town Manager. M. Brown seconded. All voted in favor. Motion carried 5-0.**

**10:11 pm – EXIT EXECUTIVE SESSION**

**R. Spaulding made a motion to exit Executive Session no action taken. M. Brown seconded. All voted in favor. Motion carried 5-0.**

**10:12 pm - ENTER EXECUTIVE SESSION**

**R. Spaulding made a motion to enter Executive Session to discuss contract to include the Town Manager. M. Brown seconded. All voted in favor. Motion carried 5-0.**

**10:36 pm – EXIT EXECUTIVE SESSION**

**R. Spaulding made a motion to exit Executive Session no action taken. ML Harris seconded. All voted in favor. Motion carried 5-0.**

**ADJOURN**

**ML Harris made a motion to adjourn at 10:36 p.m. R. Steele seconded. All voted in favor. Motion carried 5-0.**

Respectfully Submitted

Allison Harvey, Recording Secretary