

TOWN OF CASTLETON SELECT BOARD MINUTES

**Monday, March 25, 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/n7BNoZs6KiYhaGnDHtpVHQPK71il3NaVbZW4FGX3RkKEIz1KMR3YECIBpi7euI4.wduqmFGINWmwLlob>

PRESENT: Richard Combs, Mary Lee Harris, Robert Spaulding, Rob Steele, Mark Brown, Mike Jones, Peter Mantello, Tom Kearns, Helen Steele, Bob Steele, Heath Goyette, Matt Brown, See Attached List

PRESENT VIA ZOOM: Jake Wilcox, Laura Stone, VTrans, Heath Goyette, Mary Droege, Allison Harvey, Recording Secretary

CALL MEETING TO ORDER

The meeting was called to order by R. Combs at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chief Mantello.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES – March 11, 2024

ML Harris made a motion to approve the minutes of March 11, 2024 as presented. R. Spaulding seconded.

Page 1 – Pledge of Allegiance paragraph, *Jones* should be changed to *Brown*.

Page 1 – Second line of the last paragraph, *Lakes Region Free Press* should be added and at the end of the third line from the bottom, *not* should be added.

Page 2 – Motion to approve the minutes, *ML Harris* should replace *R. Combs*.

Page 2 – Third motion from the bottom of the page, *4-0* should be changed to *5-0*.

Page 3 – last line, *was* should be inserted between *what* and *anticipated*.

Page 4 – eighth line of the first paragraph, *we* should be inserted between *where* and *stand*, twelfth line *to* should be inserted between *need* and *prioritize*, last line *we* should be inserted between *when* and *originally*.

Page 4 – second, third and fourth motion on the page *So voted* should be replaced with *Motion carried 5-0*.

Page 5 – end of the fourth line of the second paragraph, *who purchases water* should be replaced with *using water they purchase*.

Page 5 – fourth line from the bottom of the Municipal Water paragraph, *they are* should be replaced with *the Town should*.

Page 5 – first line of Manager’s Report */sand* should be inserted after *salt*.

Page 5 – third to last line, *the* should be inserted between *at* and *highway*.

All voted in favor. Motion carried 5-0.

CITIZENS COMMENTS & CONCERNS - ITEMS NOT ON THE AGENDA:

Matt Brown stated he was present to inquire about the appointment to the D&H rail Trail Council he had brought before them previously. They had asked him to reach out to John Alexander to see if he would be interested in being the alternate. He would be willing, but he has a conflict with the Fire Department meetings. At this time Mr. Brown would ask that he be appointed, with J. Alexander as an alternate since no one from Castleton is attending. R. Combs asked the parliamentarian if they should put this appointment on an agenda and appoint Mr. Brown as an interim until it can be posted on an agenda. M. Brown didn’t feel it would need to be on an agenda, it had been previously when it was originally discussed. **ML Harris**

made a motion to appoint Matt Brown as the appointee and John Alexander as the alternate to the D&H Rail Trail Council.

R. Spaulding seconded. M. Brown recused himself. All others voted in favor. Motion carried 4-0. Matt Brown thanked the Board for their time and stated he will update them regularly of any discussions and decisions. M. Jones asked Mr. Brown if there had been discussion about dedicating a portion of the rail to Honoree Fleming. Matt Brown stated it is being discussed. M. Brown suggested keeping M. Droege in the loop, as there was some interest on campus in having a plaque as a dedication. ML Harris questioned if a plaque would be a reminder to those walking the trail that there could be danger due to the happenings. R. Combs did not feel it would be a decision of this board, but rather the D&H committee. It was felt that wording and the cosmetics of it should be considered.

M. McIntyre stated she was present representing the Friends of Castleton Parks and Recreation Committee with an update. They have created by laws and are meeting for the fourth time this week. They have a board of directors appointed and have been working on some fund-raising projects. The Castleton Community center has given up the town wide yard sale, and they are considering keeping that going and are planning on June 22, 2024. John Alexander attended their last meeting to discuss what they each needed to move forward. They are also discussing holding a 5k turkey trot near Thanksgiving to raise funds. They would like to raise funds to lower the tuition for the summer adventure camps for families sending children who may need some financial assistance. M. McIntyre further stated they are meeting once a month as a whole group, and they have smaller groups meeting as well focusing on specific events.

Julie Finnegan stated the school board is down to one meeting a month, so she will be able to attend these board meetings once a month to provide an update of the school board and what they are handling. She wanted to share that they have put forward a new budget that is \$150,000 less that doesn't affect students. Any other reductions made would affect students and their education directly. There will be an informational meeting on April 10, 2024, with the budget to be voted on April (sic: vote is 11th not 12th) 12, 2024. The State asks school boards to let them know what is needed, and it was noted that the per pupil costs was \$22,000 and it is now down to \$13,000 per pupil.

POLICE UPDATE – Chief Mantello

Chief Mantello reviewed his report of calls to service. He also explained that outreach is meals delivered to residences and directed patrols are focused on areas of high traffic or pedestrian traffic. R. Spaulding asked what protocol is for sex offender registry and notification to neighbors. P. Mantello stated there is a public website that can be checked with names and addresses of where they are supposed to be residing. The Police Department is mandated by state and federal laws to make sure they are living at the address that is listed, if they aren't it is a violation. P. Mantello also addressed their back up policy, which they have been doing for about 3 years. They mostly assist Vermont State Police, Poultney Constables and Fair Haven Police Department. J. Szarejko has been working on grants for the department. P. Mantello has touched based with Chief Humphries about the car sale, they should be seeing a check next week. The rail trail homicide is still ongoing, they have almost gone into a cold case status, not many reports came in after the reward being offered.

Vagrancy and homelessness was questioned, if they have been seeing any increase since the State discontinued the housing vouchers recently. P. Mantello stated they are seeing more in all of the communities county wide. He is considering putting something on their Facebook page that citizens should be cautious about surroundings, etc.

P. Mantello stated he is still working on the speed carts that have been discussed in the past. He had talked about permanent solar charged speed carts and placing them on Rt 4a east and west, and Route 30 north and south. The AOT grant process is daunting, has they have priced them and are looking over the quotes. P. Mantello also reviewed the different models and benefits of each and explained most are 80/20 or 50/50 matches.

Brief discussion on the turkey trot proposal from the Friends of Recreation, P. Mantello stated he had worked the one in Woodstock in the past, which was usually Thanksgiving morning, and they had hundreds of people in attendance.

R. Spaulding questioned the revenue for the department, if it was about average. P. Mantello felt last year was higher than normal, but he would have to check.

M. Jones had asked P. Mantello to look into speed limits near the Castleton Four Corners and the 40 mph and whether it could be reduced to 35 mph. P. Mantello did send an email but has not gotten a reply.

M. Jones stated some employees are finding drug paraphernalia near the Town pump stations and alcohol bottles out behind and around the CVS still as well.

R. Spaulding asked about the doors being open on the generator on Route 4A. M. Jones stated they have opened it because when it runs automatically it overheats.

CASTLETON STP CULV (123) VT Route 4A Bridge 9: Regional Concerns Meeting, Laura Stone

L. Stone explained this project and reviewed a PowerPoint presentation, what it includes and the timeline of the project. This is 20% State and 80% Federally funded. The existing bridge/culvert was originally constructed in 1967. They have an estimated cost of 1.3 million and are planning on starting the summer of 2027, with a possible 5-day road closure being proposed to install a new culvert and possibly a second short 1-2 day closure to remove the existing, depending on what option they go with as to road closures.

R. Combs questioned the closures, and the benefits of a 5 day versus a few days and single lane traffic with signals. R. Combs asked if it would be an option to just close the road for the entire project, start to finish and be done with a ten day or two-week closure. Discussion held on the construction period timeline, based on a few options of road closure. L. Stone asked if the Town could get some input to them in a month or so as to what is preferred by the Town for closures and/or procedures to direct traffic.

Eric Nelson, the property owner to the west of the project, questioned the plan for the upstream, and what the blue section on the map was for. L. Stone explained that is channel work to direct the flow of the water a little bit differently on either side of the culvert, so it has a better flow, as it currently makes a 90 degree turn on the outgoing side.

R. Spaulding asked why it takes so long to get these projects started and completed, it looks like it's 3-4 years. L. Stone stated it is permitting, the red tape and the rights of way being squared away mostly.

SHORT TERM RENTAL POLICY & REGISTRY DISCUSSION

M. Brown had asked for a review of short-term rentals within the Town. He feels the Board is proactive in promoting business and would like to see the Town get ahead of what could be a problem down the road. He has read a few other policies from other towns, and likes the Rutland Town agreement, it addresses occupancy rates and other safety standards to determine occupancy rates for the properties. It helps to keep the number of people in a building to a minimum for the safety of the renters, owners and neighbors. M. Jones had done some research, and it appears there are about 70 short term rentals in Town. He feels they should review and adopt some sort of ordinance before it becomes a problem. R. Combs agreed and would like to see a draft similar to Rutland Town's. Brief discussion on the possibility of terms for short-term rentals and what the affect is on the Town and neighboring properties. R. Spaulding felt the owners of the short-term rentals in Town should be invited to a meeting, as he feels they should have some input in this as well. R. Steele suggested something be considered to include verbiage to address septic and/or water supplies/sources, especially the properties around the lake.

DEPARTMENT OF LIQUOR CONTROL APPROVALS

R. Steele made a motion to approve the liquor control approvals for Lake Bomoseen Hospitality, LLC DBA Lake House Pub & Grille for a First Class Liquor License, Third Class Liquor License and Outside Consumption Permit, Breting LLC DBA Third Place Pizzeria for a First Class Restaurant/Bar License, Third Class Restaurant/Bar License and Outside Consumption Permit, and Cap Bret LLC DBA The Bomoseen Dog for a First Class Restaurant/Bar License, Third Class Restaurant/Bar License and Outside Consumption Permit as presented. ML Harris seconded. All voted in favor. Motion carried 5-0.

SMALL BIKE & PED GRANT: Parsons Hill Municipal Program Manager Agreement

M. Jones stated he would propose that Fuss and O'Neill be project manager, as was presented in the packets the Board received. R. Steele made a motion to contract with Fuss and O'Neill as project manager for the sum of \$36,000. R. Spaulding seconded. Discussion on funding and whether it will have to be reconsidered. M. Jones stated there are no Federal funds, just State, and depending on how the bid goes affect whether the cost will change dramatically. **All voted in favor. Motion**

carried 5-0. R. Spaulding made a motion to authorize the Town Manager to sign the contract with Fuss and O'Neill. R. Steele seconded. Motion carried 5-0.

PARKING LOT, STOP BARS, RR CROSSING STRIPING BID AWARD

M. Jones recommended using the K5 corporation bid at \$10,662. The Town has used them before, there were some issues that J. Davidson had discovered as to size of parking space length which has been addressed. This is done annually, paint lasts about a year, can use better paint that will last longer, but cost a lot more money. with village being done before commencement, rest will be after. **R. Spaulding made a motion to award the parking lot, stop bars and railroad crossing striping bid to K5 Corporation at the cost of \$10,662, with the village work being done before the Castleton University commencement and the rest to be done after. M. Brown seconded. All voted in favor. Motion carried 5-0.**

STORMWATER RUNOFF – West Crystal Haven

R. Combs stated they just got a chronological list of the past two years of this situation at the start of this meeting. Engineers from the State are coming soon to look at the site, as well as Stone Engineering. They will be setting up a contract and site review date very soon. T. Kearns stated the Town doesn't have an easement, no matter what the engineers say, there is no easement. M. Jones suggested not a lot of discussion be held at this time, as Mr. Kearns attorney has sent a letter addressing the fact that Mr. Kearns is going to block the culvert and runoff as of 5/1/24 and that should be addressed between the attorneys first. Mr. Kearns reviewed the issues he has with how the road and/or turnaround was established, who owns the culvert and what his actions will be from this point forward. R. Spaulding asked if the town put the culvert in that goes across his property. R Combs stated the town did not put the culvert in, a relative of T. Kearns did. Discussion held on the ground water in the area, how it may have been diverted in the past, the development of the area and what Mr. Kearns will be looking for as a resolution.

HIGHWAY BUDGET 2023-2024 DISCUSSION

R. Combs asked if should continue this for the next meeting. M. Jones, he has spoken to the accountant, and he is not as concerned as he was last week, but there is some concern on the highway budget being enough to get to the end of the fiscal year. R. Combs addressed the miles of road within the town, and in the past they have tried to pave 5 miles a year to keep up with a ten year cycle of being back to the beginning. With the current cost of paving, they have been able to only do 2-3 miles a year, so it should be addressed how they can get more paving done.

ARPA CONSIDERATIONS

R. Combs reminded board members they need to by end of year assign the ARPA funds, spend the funds by end of 2027 calendar year or they lose the funds. R. Steele would still like to see the vehicle schedules. M. Jones it is being worked on, will be emailing it to board members for review. M. Jones will get it on the next agenda if that is when the board wants to review it. This will be on an agenda for the second meeting in April.

MANAGER'S REPORT

M. Jones reviewed his report, action needed items only. Discussion on the sidewalk project, funds available, engineering and public notification of the project for rights of way, etc.

M. Jones had a discussion with the highway foreman for a post pounder, and whether the grant funds can be used to purchase a \$2,400 post pounder. It was felt it would make the jobs more efficient and cost effective as opposed to using a sledgehammer.

M. Jones explained the culvert on Brown Farm Road, the expense and what would be the most cost-efficient way to replace it.

Explanation of trash being taken to NY rather than go to Rutland, rates are going up in Rutland, still less expensive to go to NY.

M. Jones reviewed the trestle that is under a federal grant that VTTrans is going to be replacing on South Street Extension.

The grader is still being used, they are monitoring transmission fluid level.

J. Alexander is working with the Friends of Recreation to get fields in shape for the upcoming seasons. Also working on camera for CVS septic issue.

Brief explanation of a problem with chain being cut on crystal beach new fence.

They had a public safety committee meeting, J. Leamy and the Chair were part of the meeting. Would like to have another member on the committee. R. Steele stated he would be willing to sit on the committee, and it was stated that it involves police fire and highway, policies, and vehicle replacement.

The locks have been cut on the gate to the common area north of the beach, they are not sure at this time if it is on purpose, but they are monitoring the issue.

PURCHASE ORDERS FOR APPROVAL

R. Spaulding made a motion to approve Purchase Order #051779 to the Treasurer, County of Rutland in the amount of \$40,745.36 for the County Tax Assessment for FY 24/25. ML Harris seconded. All voted in favor. Motion carried 5-0.

WARRANTS FOR APPROVAL

ML Harris made a motion to approve check warrant #0325R in the amount of \$6,921.50, check warrant #0314 in the amount of \$38,421.88, check warrant #0321 in the amount of \$1,799,276.37, check warrant #0325 in the amount of \$65,902.79, check warrant #0314P in the amount of \$20,722.46, check warrant #0321P in the amount of \$20,241.46. R. Spaulding seconded. All voted in favor. Motion carried 5-0.

SELECTBOARD COMMENTS and/or CONCERNS:

None at this time.

BRIEF RECAP & ITEMS FOR FOLLOW UP:

None at this time.

9:51 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.

10:47 pm – EXIT EXECUTIVE SESSION

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

ADJOURN

M. Brown made a motion to adjourn at 10:47 p.m. R. Spaulding seconded. All voted in favor. Motion carried 5-0.

Respectfully Submitted

Allison Harvey, Recording Secretary