

**TOWN OF CASTLETON SELECT BOARD MINUTES**

**Monday July 25, 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/XTPIjW83yUF4yHYLi9HP\\_3qa6gCPz8Hv3jvzi93n7LLARUrz8STAnJmososxbkj0.hpDUMaiPqEoyM6Kt](https://us02web.zoom.us/rec/share/XTPIjW83yUF4yHYLi9HP_3qa6gCPz8Hv3jvzi93n7LLARUrz8STAnJmososxbkj0.hpDUMaiPqEoyM6Kt)**

**PRESENT:** Jim Leamy, Chair, Richard Combs, Vice Chair, Mary Lee Harris, Joseph Mark, Parliamentarian, Robert Spaulding (7:50pm), Michael Jones, Town Manager, See Attached List

**Attending via Zoom:** Melanie Combs, Eitan Kilchevsky, Zak Hale, Kerry Fowler, Martha Clifford, Allison Harvey, Recording Secretary

**CALL MEETING TO ORDER**

The meeting was called to order by 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. J. Mark seconded the motion.**

M. Jones stated Staso Scoping Study, CDERAC By Laws and Personnel Policy should be removed from the agenda.

**All were in favor. Motion carried 4-0.**

**APPROVAL OF MINUTES OF JULY 11, 2022**

**R. Combs made a motion to approve the minutes of July 11, 2022 as presented. ML. Harris seconded.**

Page 1 – first line of the first paragraph of Citizen’s Comments – Schrader should be replaced with *Schroeder*

Page 1 - next to last line, Shawn should be replaced with *Sean Seguin*. Next line, should read *town and he offered his kudos to Mr. Combs for voting no.*

Page 2 – end of first line, bet should be changed to *best*.

Page 2 – end of third line, *he* should be inserted between *told* and *has*

Page 2 – second paragraph, Schrader should be replaced with *Schroeder*.

Page 2 – first line of CDERAC paragraph, *confirmed that* should be inserted between *Leamy* and *the*. Next line, *are* should be inserted between *Harris* and *confused*.

Page 2 – second line of the last paragraph after the motion should read *R. Combs asked if he should recuse himself as his wife is full time employee. Yes, he should and did at this time.*

Page 3 – first line of the Sailing Program paragraph, *have collected sun fish* should be replaced with *has collected Sunfish*.

Same paragraph, first line of the motion, *sun fish* should be replaced with *Sunfish*. Same paragraph, third to last line, *and it was also stated that the town could pick it up at the same time they are picking up equipment being repaired nearby*. Should be added after *necessary*

**All were in favor. Motion carried 4-0.**

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

M. Droege asked if the town will preserve ownership of all public land west of the school, the driveway, parking lot, t-ball field and sliding hill that has been available for decades for public use. J. Leamy stated they have nothing pertaining to that.

M. Droege stated speaking as an individual, she felt all land to the west should be retained by the Town. J. Mark stated that is a decision that would have to be made by both the Castleton and Hubbardton board. M. Droege also stated when the fire house was listed and sold and the Sand Hill Road property when it was listed were on the Town web site, and asked do they

intend to do that with the CVS as well or will it be through a real estate agent. M. Jones stated it has to be publicly posted on the town website and the same places that warnings and agendas are posted. It was asked if there will be an updated real estate appraisal. M. Jones stated Sargent Appraisals will be doing one, they've signed a contract to do that.

Eitan Kilchevsky stated they have a problem with culvert on Little Rutland Road, it has sink holes that have caused damage and is dangerous. Has been like this for two years. M. Jones stated he can provide detailed notes to the board, probably has been over two years, and there is a legal opinion from Louis Baldwin from four and a half years ago. He has found deeds that the town is responsible for any damage, and it had been put out to bid. There was storm damage from 2019, and they had been granted \$14,886 from FEMA for that storm. Contractor's bids came in at over \$100,000 due to retaining walls, trees, etc. It needs to be fixed but need to find a way to do it without damage to private property, it's about 150 feet. The culvert is under the road and was done a few years ago, now they have to figure out how get the water down to lake being the least costly and intrusive. J. Mark asked about the deed referenced. M. Jones stated it talks about the culvert and repairing damage to property when repaired. It does not say anything about replacing. But the Towns culvert policy indicates if the Town put it in, the Town replaces or if it is put in to the Town standards the Town takes it over. The part that goes under the retaining wall is the difficult part. There is also a well at the top of the retaining wall, as well as a cesspool at the bottom of the retaining wall. J. Mark asked when culvert was put in. Mr. Kilchevsky said 1970. J. Mark asked whether the well and retaining wall were in place then or have been put in later. Mr. Kilchevsky felt well it was in 1950, when the house itself was built. Mr. Kilchevsky stated if there were a place it could be moved to, it may be easier. M. Jones stated has to be discharged under the road to get it to the lake, there is no way to not use a culvert. J. Mark said this has been going on for a long time and asked the Town Manager to come back to the board with something on this within a few months.

#### **POLICE UPDATE – CHIEF MANTELLO**

Chief Mantello briefly reviewed his report presented to the board. No major changes to numbers or incidents. He asked the chair to sign contract for the SRO, covering Orwell, Benson and CES this coming school year, for four hours a day. M. Jones stated maybe should have an update on dispatching. Chief Mantello stated DPS (Dept of Public Safety) wants to get out of free dispatching for local fire, EMS and police. There is 11 million from the State to cover the entire county, they may get 3.5 million for a dispatch center to cover equipment consoles but wouldn't cover any building and is for one year of maintaining the equipment. There is one agency that is looking into doing this, Rutland County Sheriff's Dept. and they would pay either through a county tax or a contractual rate per call volume per agency. The working group that the State put together is supposed to give guidelines for applying for grants, but they only have 6 weeks to do that, the problem will be the sustainability of the plan. R. Combs stated the Manager's Report indicated 2 million, which was for the county according to Chief Mantello. J. Mark observed that DPS has been funded by the legislature to cover dispatching for public service agencies, and they are now looking to only take care of State agencies, VSP, DMV, F&W, only state agencies from the state dispatch. They want to have everything in place by July 2024. **J. Mark made a motion to authorize the chair to sign the Contract to provide School Resource Officers to Orwell, Benson and Castleton Elementary School for the 22-23 school year at the rate of \$55,902. R. Combs seconded. All were in favor. Motion carries 4-0**

#### **GRANGER HOUSE PROJECT: MATT MORIARTY & CARRIE SAVAGE**

M. Moriarty stated that both parties they represent started this renovation project a few years ago. It is on South Street, across from the campus center. They are working on a grant to continue the work on the house, to do investigation and to convert it to a museum, contain Castleton local history, an interactive museum for students/children. They feel it benefits and would bring people in to visit and to the town. They are also proposing a learning lab, to train Castleton University students to do historic preservation and creating digitized exhibits, etc. He further explained the buildings and the plans for them and how they pertain to the funding campaign. They are looking for a statement of support from the Town as it would be very helpful for their funding/grant applications. ML Harris asked if there was any interaction with the historical society. It was stated they are working with Holly Hitchcock. J. Mark urged Board members to take advantage of any opportunities to learn about the modern technology and would welcome a draft from them as to what type of letter of support they are looking for. M. Moriarty stated they are going to be participating in Colonial Day as well, with tours, etc. J. Mark suggested contact with Mary McIntyre to include the CDERAC board as well.

## **QUOTE WINTER SAND SCREEN and STONE FOR WINTER SAND**

Brent Clark stated to the board that it is time to think about winter sand. They have lowered a few roads to pave and have taken what was removed to the pit and he would suggest screening and recycling it since it is mostly sand that was put on the roads that has been taken off. The downfall is a lot of it is fine dust with no stone, so they would need to add that. The Town crew will be running the screen themselves. He is estimating in a weeks' time they will have enough sand put up. The stone he recommended they go with is Casella's. They can get the pile there so it will be ready for the job when the rented screen arrives. The other bid is not a definite on time frame for delivery. **R. Combs made a motion to authorize the Town Manager to contract with Casella for crushed stone for the winter sand project at an estimated price of \$37,620. ML Harris seconded. All were in favor. Motion carries 5-0. R. Combs made a motion to authorize the Town Manager to rent a screen machine for up to two weeks for an estimated cost of \$7,800. ML Harris seconded. All were in favor. Motion carries 5-0.**

## **BID AWARD: OFF ROAD DIESEL**

B. Clark stated he knew it would be difficult to get a set price because of the volatility in the market. Champlain Oil wouldn't do a set price, they are who has been used in the past. Sam's U-Save gets theirs from Champlain Oil. Local fuel was \$.15 over rack price. He recommends getting 2300 more gallons to get them to the end of October and then in November get more for the winter months. They can store 8000 gallons. It was stated the price is trending down slowly. **J. Mark made a motion to accept the bid from Sam's U-Save fuels for 2,300 gallons of summer blend and 8,000 gallons of winter blend off road at a price of \$.14 a gallon over rack price. R. Comb seconded. R. Spaulding abstained. All others voted in favor. Motion carries 4-0.**

## **QUOTES: CALCIUM CHLORIDE**

B. Clark stated this was also hard to get quotes for. Saferoad Services came in at \$1.42/gal and Allstate Paving/Manufacturing quoted \$1.15/gal but they can't add water to the second one. He further stated that they can mix up to 25% water when it comes to the first one. The math says it's cheaper with the first and is non-corrosive, but it does have an odor when applied. M. Jones questioned it's use with winter salt? B. Clark said they can, and it will cut back on salt use and they can premix it with salt, which reduces the amount used and it stays on the road longer, and when it is really cold, because of the chemicals in it it makes the salt work at lower temperature, so they wouldn't need a heavier application. It could cut 30-50% of use, but he would be happy going from 1,000 to 750 gallons. It saves on calcium chloride and salt over a years' time. He would suggest taking \$4,000 out of the dust control and \$4,000 out of the salt budget. He also stated they have a 3,000-gallon tank, and there are also inground tanks that can hold 10,000 and 3,000 which used to be diesel and gas, and it has been used before for this product, it is noncorrosive and it won't rot the tank. He tested it last year and did not lose anything out of it. **R. Combs made a motion to authorize the Town Manager and Highway Foreman to purchase 8,000 gallons of the product calcium chloride product from Saferoad Services at \$1.42/gallon. R. Spaulding seconded.** B. Clark stated they will probably get 4,000 gallons now for dust control and get the second 4,000 gallons when they get the salt in. They can purchase now and not have delivered until needed. **All were in favor. Motion carries 5-0.**

## **BID AWARD: HEATING OIL**

M. Jones recommended getting heating oil from Sam's U-Save at \$.14 over rack price. They will need about 4,500 gallons for the library, highway garage and WWTF. **R. Combs made a motion to accept the bid from Sam's U-Save fuels for 4,500 gallons of heating fuel at a price of \$.14 over rack price. ML Harris seconded. R. Spaulding abstained. All others voted in favor. Motion carries 4-0.**

## **BETH MURPHY APPOINTMENT TO CDERAC: 2 YEARS**

M. Jones stated this is a new appointment to the CDERAC. **J. Mark made to appoint Beth Murphy to the CDERAC for a two-year term. R. Combs seconded.** M. McIntyre stated shouldn't be for two years, as the bylaws stated the two town resident terms should be for one year. **J. Mark revised the motion for the appointment to be for one year. R. Combs seconded.** M. McIntyre stated Beth Murphy owns a business, she could be appointed to one of the business terms rather than the resident one, but that is up to the board. R. Combs stated at this point they do not know what positions are vacant and what are filled. R. Combs asked the Town Manager and/or the chair of CDERAC to provide an accurate list of members and who holds which positions and for what terms. **All were in favor of the revised motion. Motion carries 5-0.**

#### **E911: ROAD NAME, AHAVA LANE**

Board reviewed information from the attorney why the road needs a name. It was stated that the properties at 4470 and 4472 East Hubbardton Road would become 813 and 812 Ahava Lane **R. Combs made a motion to approve the road name of Ahava Lane as proposed. R. Spaulding seconded.** R. Spaulding asked who would purchase the sign. M. Jones stated the Town buys the first one. **All were in favor. Motion carries 5-0.**

#### **CDERAC BYLAWS**

Brief discussion on whether this item is still on agenda, and if the board is ready to discuss. The changes proposed were briefly discussed and whether they will act on it this evening. ML Harris would like to table so board members can have more time review since they just received the copies. No new mission statement was done. M. McIntyre stated the one given to them never made sense, and they felt the mission statement should be a sentence or paragraph on the bylaws that covers the same thing. R. Combs stated the document also needs page numbers. **R. Spaulding made a motion to table the CDERAC bylaws until the next meeting. ML Harris seconded. All were in favor. Motion carries 5-0.**

#### **SET MUNICIPAL TAX RATE**

Board received information from town accountant to set the municipal tax rates. **R. Combs made a motion to set the municipal tax rate to \$0.4840 and the local tax agreement rate at \$0.0055 for a \$0.4895 total municipal tax rate. R. Spaulding seconded. All were in favor. Motion carries 5-0.** **R. Combs made a motion to accept the education tax rate for FY22/23 for homestead rate of \$1.4065 and non-homestead rate of \$1.6190. R. Spaulding seconded. All were in favor. Motion carries 5-0.** **R. Combs made a motion to set the low penalty rate for late filing of Homestead Declaration at 3% and the high penalty rate at 3% for FY22/23.** R. Combs further stated that the combined tax rates for residential of \$1.8960 is a decreased rate of \$0.0520 from 21/22 and for nonresidential combined rate of \$2.1085 is a decrease of \$0.254 from 21/22. **R. Spaulding seconded. All were in favor. Motion carries 5-0.**

#### **EMPLOYEE APPRECIATION**

M. Jones stated the proposal is based on the board asking last month about a dollar figure for parts A and B. There's full time, part time, fire department and 1<sup>st</sup> response for a total of \$34,500. Boards, commissions and committees adds \$5,600 for \$40,100 total. R. Combs recused himself from the part A discussion. J. Leamy asked where the money comes from. M. Jones considered using budget surplus or ARPA for a one time cost. It appears there's no surplus once they did the year end resolution. The amounts can change. R. Spaulding and J. Leamy asked to be removed from selectboard portion of the list. J. Mark stated he strongly supports part A and would be interested in the first 3 on part B being in the part A group. He feels members of other town boards such as Board of Selectmen, Planning, DRB, etc., were not a part of the operation of the Town during COVID like the emergency services, animal control, constable, etc. J. Mark recalls ARPA monies initially had guidelines and this was on the list of options. It makes sense to use a modest part of the ARPA funds for this motion. **J. Mark made a motion that animal control, emergency services and constable be added to the part A list. R. Spaulding seconded. All were in favor. Motion carries 5-0.** **J. Mark made a motion to approve the employee appreciation part A list as proposed by Town Manager. R. Spaulding seconded.** It was stated they intend to use ARPA funds. **All were in favor. R. Combs recused himself. Motion carries 4-0.** ML Harris questioned the beach passes and transfer station pass approved previously. She feels these should be taken from a personnel budget, not taken from rec department or highway. M. Jones talked with M. Combs, they can make the passes cost neutral. Permits for transfer station are a concern of trash from Castleton or Hubbardton, not all employees from those two towns, would have to make an amendment to the ordinance to accommodate. R. Spaulding feels that is being picky. He felt there are a number of commercial haulers that pick up outside the borders of the town, adding a few employees doesn't warrant a change to the ordinance. R. Spaulding asked about part B if they are doing anything. R. Combs felt should not take any action on part B. J. Mark raised a question of placing gratitude on this in prior discussions and suggests letters of appreciation to those on the Part B. A letter will be drafted for board approval.

#### **ARPA FUNDING OBLIGATIONS BY SELECTBOARD**

**ML Harris made a motion to grant \$100,000 of ARPA funds to the library so they can complete their projects and repairs that need to be made as shown at the special meeting.** They have put a lot of money and grants into it and have worked hard to do this and it is a benefit to the whole town. **R. Combs seconded. All were in favor. Motion carries 5-0.**

J. Mark stated there was some support at the last meeting for committing to the sewer expansion to Depot Terrace. It seems to have some urgency, they had an estimate of \$250,000 from an engineer, which was an off the cuff estimate. He asked the estimate be refined, as he feels strongly that business retention should be considered. R. Spaulding asked about salt and sand shed, if it had been considered. M. Jones stated they have \$200,000 in the coffer, and if they pay 20% they have enough to pay that right now. R. Combs asked how far the School Street does sewer line goes, would it be easier to go under the tracks there to Depot Terrace. Discussion on the line already being under the tracks on Blissville Road. Matt and Joan Brown stated they could possibly contribute up to 30% of the sewer line cost, and stated they contributed to paving of the road. It was also asked about the sewer line going up Creek Road, and if a number has been obtained. M. Jones stated he is still waiting for it. Bob Woodard stated they would be willing to contribute to that as well. J. Leamy stated in the past, lines were paid for by users, anyone interested should consider what the local businesses are proposing.

Nancy Mark thanked the board for the endorsement to the library and they will keep up the good work.

Kerry Fowler stated the list indicated some monies for water line from the reservoir to east end of Town. J. Leamy stated it was their understanding that the Fire District was working with an engineer to secure monies that is available to apply for. K. Fowler have applied, but the State office was empty for four months, and they are trying to get it established and trying to get something done before the end of the year otherwise they will have to go through a lot of paperwork to reapply. R. Spaulding asked what kind of money they are talking about. K. Fowler stated two years ago it was \$600,000 but with ledge they found and inflation, it's looking more like \$1.2 million. They have \$700,000 put away, but they knew it was going to increase due to ledge.

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

R. Spaulding asked for clarification on the dispatching funds, is it 2 million for whole county? M. Jones, yes, it is.

R. Combs asked where they are at on the grant writer for assistance to firefighter's grant. M. Jones still working on it.

R. Spaulding questioned the cost of transfer station hauling and numbers and if the fees include the district surcharge. M. Jones stated he will solidify the numbers.

J. Mark appreciated the lengthy explanation of fire trucks. R. Spaulding stated M. Jones had recommended doing nothing with Engine 6, but mechanic indicated a frame was the issue. M. Jones stated they asked for a quote from the fire chief for a real assessment to fix, and when come back with vehicle replacement plan, they saw how that cost fits into the trucks.

Discussion and clarification of Engine 2 and Engine 6. Engine 6 is being used and Engine 2 is sitting idle. R. Combs stated they are meeting with the officers in near future, he is not comfortable with only one pumper being in town and Engine 2

needs to go to Granville to get estimated and/or fixed. **R. Combs made a motion to direct the Town Manager to direct the Fire Chief to get Engine 2 to Granville to get an estimate for it to be repaired and to get an appointment scheduled within one week. R. Spaulding seconded. All were in favor. Motion carries 5-0.**

M. Jones stated on page one of his report, regarding the grant for Parson Hill he tried emailing it to the board members, but it is too large. They have the drawings and are moving to the next step, looking at Spring of '23 for this project. He also stated the Staso Road stormwater scoping is on August 8 agenda.

Crosswalk painting in Town has been done, going to continue working on those.

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

None at this time.

#### **WARRANTS FOR APPROVAL**

**R. Combs made a motion to approve check warrant #0725R in the amount of \$650.00, check warrant #0725 in the amount of \$65,736.93, check warrant #0721 in the amount of \$28,100.44, check warrant #0714 in the amount of \$7,961.02, check warrant #0721P in the amount of \$20,691.32 and check warrant #0714P in the amount of \$20,887.95. J. Mark seconded. All were in favor. Motion carries 5-0.**

J. Mark made a motion to approve check warrant #0722P in the amount \$658.35, check warrant #0715P in the amount \$654.67. R. Spaulding seconded. R. Combs recused himself. All remaining members voted in favor. Motion carried 4-0.

**SELECT BOARD COMMENTS & CONCERNS:**

ML Harris thanked M. Jones and A. Harvey for the timeliness of minutes being posted.

ML Harris asked if there are there four or five members on DRB board. M. Jones listed the current members.

ML Harris asked about the joint Ad Hoc meeting with the Town of Hubbardton and how to approve the minutes of that last meeting. J. Mark felt another joint meeting should be held in the near future.

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

Nothing at this time

**9:06 pm ENTER EXECUTIVE SESSION:**

R. Combs made a motion to enter executive session to discuss real estate to include the Board and Town Manager M. Jones, Ted Paris, Town Attorney, Tearsa and Jay Brannock and their Attorney. R. Spaulding seconded All were in favor. Motion carried 5-0.

**10:53pm EXIT EXECUTIVE SESSION**

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

**10:53 pm ENTER EXECUTIVE SESSION:**

R. Combs made a motion to enter executive session to discuss contracts to include the Board and Town Manager M. Jones. R. Spaulding seconded All were in favor. Motion carried 5-0.

**10:59pm EXIT EXECUTIVE SESSION**

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

R. Combs made a motion to ratify the agreement between the Town of Castleton and New England Police Benevolent Association Local 426 for the period July 1, 2022 through June 30, 2027. All were in favor. Motion carries 5-0.

**11:03 pm ENTER EXECUTIVE SESSION:**

R. Combs made a motion to enter executive session to discuss contracts to include the Board and Town Manager M. Jones. J. Mark seconded All were in favor. Motion carried 5-0.

**11:17 pm EXIT EXECUTIVE SESSION**

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

J. Mark made a motion to approve the Town Manager's contract/Agreement with two corrections noted. R. Combs seconded. \_\_\_\_\_ voted no. All others were in favor. Motion carried 4-1.

**11:19 pm-ADJOURN**

R. Combs made a motion to adjourn at 11:19p.m. J. Mark seconded. All were in favor. Motion carried 5-0. Meeting adjourned.

Respectfully Submitted

Allison Harvey  
Recording Secretary

FINAL