

TOWN OF CASTLETON SELECT BOARD MINUTES

**Monday, August 14, 2023 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/Ajkn4TdBGAnR2tcaZrocncMzJp62HjWjMk_oGA5QK4e9OyIRIMPD6hkkDIgMeUgd.cmOfTbQzcTGbTZ6S

PRESENT: James Leamy, Chair, Joseph Mark, Parliamentarian, Richard Combs, MaryLee Harris, Michael Jones, Town Manager, See Attached List

PRESENT VIA ZOOM: Bob Spaulding, Bo Elliott Ramos, Martha Clifford, Mary Droege, Allison Harvey, Recording Secretary

CALL MEETING TO ORDER

The meeting was called to order by Select Board Chair J. Leamy at 7:04 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 as presented. J. Mark seconded. All voted in favor. Motion carried 5-0.

APPROVAL OF MINUTES – July 24, 2023

R. Comb made a motion to approve the minutes of July 24, 2023 as presented. J. Mark seconded.

Page 1 – Next to last line of the Approval of Minutes paragraph – *and period* should be deleted

Page 1 – First word of the second line of the first Citizen’s Comments paragraph - *went* should be changed to *has been*

ML Harris recused herself, was not present. All others voted in favor. Motion carried 4-0.

CITIZENS COMMENTS & CONCERNS - ITEMS NOT ON THE AGENDA:

M. Droege asked if there were any updates on the sale of the CVS building. M. Jones stated they have had a prospective tire kicker, Zak Hale, who has reached out to the Recreation Director and Recreation Commission and himself, in reference to a proposal that was made a few meetings ago, but nothing else.

M. Droege also stated given the unfortunate resignation of the Recreation Director, when and where will the position be posted. M. Jones stated before a posting happens, he wants to speak with the Recreation Commission to discuss what it should include from here forward.

M. McIntyre asked if all the ARPA funds have been allocated yet. M. Jones stated no, they have not. M. McIntyre stated she would like to recommend some of those funds be used to buy out the Town of Hubbardton for their share of the CVS property. And she also stated there is an uptick of property owners who are showing up at the recreation facility and are loving it, they feel they are getting something for their tax dollars. She feels that is a point that needs to be considered.

RECREATION UPDATE

B. Ramos gave a brief update on adult recreation programs. The number of people walking is going down but that should come back with the return of inclement weather. They are also talking with the Community Center to combine walking programs with them. Pickle ball has had 226 attendees with five sessions scheduled. Yoga is being offered via volunteers, there are fewer sessions, and it was donation based, they are hoping to move it in August to a facility rental program. B. Ramos gave an overview for youth recreation, open studio, sailing camps, youth tennis and the number of attendees and participants outside of adult recreation.

B. Ramos also stated that they have resigned, but no end date has been decided yet. They have decided this is not a great fit for them, but they care about the program and its end result and hope to facilitate its future before being done.

J. Mark stated he felt the July numbers are impressive and heartening. J. Leamy stated to clarify his no statement earlier to the question of new news on recreation and the CVS building, he thought the information had already been out there, didn't realize it was not known, and he thanked M. Jones for his update on that.

BID AWARD FOR HEATING OIL

M. Jones presented the bids for heating oil, stating one came back with just an amount from Champlain Valley Fuels, he then asked for their price over the rack price, which they provided. There is a slight difference in the format of the bids and explained the prices for price over rack or price per gallon. Local Fuels, Sam's U-Save, Champlain Valley Fuels and there was no bid from Keyser. Discussion on the prices offered, the most favorable being \$2.98/gal plus \$.02 excise tax. **R. Combs made a motion to accept the bid from Champlain Valley Fuels Option #1 bid for \$2.98/gallon plus a \$.02 excise tax for fuel oil. J. Mark seconded.** M. Jones stated it should be noted the bid is for 14,500 gallons, 20% over estimated usage. **R. Spaulding abstained. All others voted in favor. Motion carried 4-0.**

BID AWARD FOR PROPANE

R. Combs made a motion to contract with Fyles Brothers for \$1.52/gal for propane. ML Harris seconded. All voted in favor. Motion carried 5-0.

PROCESS FOR NEW ROAD DEVELOPMENT

T. Kearns stated he felt a new road directive should come from the Board of Selectmen, not the highway department, which is where it is coming from it seems and he would like the process clarified for new road development. M. Jones stated that if a new road is established and it is requested that it be taken over by the Town, the Selectboard agrees. The new road would have to be built to a minimum of a Class 3 road standard for the Town to acquire it, which addresses drainage, width, shoulders, culvert, etc. If it is an existing road, they would have to contact each landowner and make sure the road can be brought to a standard. T. Kearns gave an example of a wooded area that was not a road, but the Town made it a road, with no Town discussion or approval. M. Jones stated there was an alleged complaint about drainage and plowing, and that to close it during summer traffic was what he understood it to be and doesn't believe the road crew decided to put a new road in without approval or discussion.

Lengthy discussion on classification of roads in Town, what the differences are and whether this Crystal Meadows Road that is an issue was done with Board approval or public process. T. Kearns presented a recording of 5/9/11 meeting and stated he found discussion about this at the 58 minutes and 20 seconds mark. It is clear to him when watching that no members of the board were aware the road was being built. There are no easements documented for this road, which puts water onto private property. T. Kearns stated he was not going to provide an easement to the Town for all of the water in that neighborhood to go through his property. T. Kearns further stated his sea wall is not going to make it through the winter due to this water being drained into the vicinity of his sea wall. There is also a small sewer pump station that serves a number of the residents there, which it has been suggested that this drainage water is going into it due to infiltration, and sewer may be going into the lake as well, but no testing to support that statement. T. Kearns stated he is considering plugging the end of the culvert to prevent the extra water from eroding his sea wall from its natural state. M. Jones had the station inspected and it was found there is a fiberglass bottom, but the metal top is rusting and rotting. J. Mark asked if it was being asserted that the Town didn't follow proper procedure for installing the road and what the consequences would be to abandon it. M. Jones stated they would have to have a place to put snow or to accommodate a turn around to put snow at the end of the road. Further discussion on the road and if it is where it should be and whether it is necessary for primarily plowing purposes.

WELL AT CRYSTAL BEACH

M. Jones explained to the Board the issue with water at the bath house at the beach. The snack shack has not been opened because there is not potable water that goes to the building. He is bringing this up as food for thought, it does not have to be decided right now. The cost is variable and there is no way of knowing what the depth of a well would be. M. Jones will do more research and come back with more solid numbers.

3-DAY COLD STORAGE GARAGE BEHIND THE PUBLIC SAFETY BUILDING

M. Jones stated there were plans for the Fire Department that included a future building out behind the Fire Station when it was built. This has been brought up before, and there were funds carried over in the budget to build the cold storage. Prices have since doubled and it was questioned if there were wetlands, etc. This has come back to the forefront, the Police Department would like to have something to put their vehicles under as well. Discussion on proposal and what the cost would include, and it would not be done this year, it would be next year. M. Jones stated he is not looking for action but more whether the board would entertain the idea. ML Harris would not be in favor of it. J. Leamy wants to see a total of the additional costs that are not included in the bid for construction before making a decision.

E-BIZ DOCS: Balance of Documents to be Digitized, Determine How to Find

J. Leamy asked how much is needed to complete this task. J. Mark stated it looks like \$5,702. M. Jones stated that is to digitize what is left over after the \$16,000 that they had to use initially. This would be required to finish the job. Discussion on where the funds would come from. This would be approximately 18 boxes of remaining documents, containing minutes and zoning records but does not include receipts that are not statutorily required to be kept for the long term. J. Mark asked if audio recordings are a possibility of being included in this system as well, including links to recordings of meetings more recently. M. Jones will have to ask that question and stated they can at this time download recordings to media to be kept.

J. Mark made a motion to authorize the Town Manager to contract with the E-Biz docs corporation to complete the scanning needed to populate that collection with relevant and important documents for a total of \$5,702, the source of which will be determined at a later date. ML Harris seconded. All voted in favor. Motion carried 5-0.

EMERGENCY MANAGEMENT: Shipping Containers

M. Jones stated this is another issue that has been ongoing for a while. He has found a company in Vermont that will deliver from Brattleboro, and funds have been obligated in a previous fiscal year. One container will go to American Legion for emergency shelter, cots, blankets, power cords, etc. They are rodent, weather and wind proof and the Legion is on board with it. The other will go to the town garage where the emergency operation center (EOC) is earmarked for. The containers are 20 feet by 8 feet with double end doors that are lockable and they can be moved from these locations if necessary. The town garage will be the emergency operations center, where operations will be performed from. The price is for delivery to put in place. **R. Combs made a motion to authorize the purchase of 2 shipping containers from MTG Holdings, LLC for \$6,600. ML Harris seconded. All voted in favor. Motion carried 5-0.**

MANAGER'S REPORT

M. Jones stated they are continuing mitigation of costs on the salt and sand shed. Grants will be opening for \$200,000 in September. They will have to apply to get additional funds up to \$300,000, giving them \$500,000 for costs for the salt and sand shed based on construction suitable for climate. They won't be able to go ahead with project if they don't get the additional \$200,000 unless the Board authorizes the funds coming from somewhere else. M. Jones is looking into grants and aid for road standards and if able, they can allot some to other locations to maximize grant.

They received the Better Roads grant amount of \$18,000 for the Eaton Hill West, which has been completed.

Roll off truck – Staff and the DPW director have committed their time to this and it was suggested to get a second opinion. Central Vermont believes it will pass inspection, they will need to decide which way to go. If inspectable and safe it is one thing, but they are working through it.

M. Jones stated he has found a good candidate to replace the full-time employee that resigned, he will be sending conditional letter of hire. AFSCME may change things, as the union contract is making it prohibitive. If he can't find someone to work at the Transfer Station, they will have to pull staff from highway or wastewater to run transfer, then they will be paying overtime, which could be cost prohibitive.

They will be milling next week, North Road, Village School parking lot and South Street. Then can move on with paving projects.

M. Jones has spoken with Milton, will have grader in for repair the end of the week to get work done. M. Jones stated they need it back as soon as possible, they are looking into borrowing one until they get it back.

Trying to get an update on paving Route 4a from the State, it may not be until 2025.

Pressure washing of the Town Office, Fire Department and Police Department has been done.

A dock was put in where it shouldn't have been in the common area and a boat with it. Not sure how that will go but may have to involve the Police Department and figure out what they can do legally.

The Park and Ride east of Town flower beds have been taken care of, as well as the old town office. Discussion on something being done to thank the garden club for their efforts.

Brief discussion held on paving, crack sealing and cross walk marking.

There are problem trees, M. Jones is working with Trees Inc. to get an estimate what will be needed to correct problem areas.

PURCHASE ORDERS FOR APPROVAL

R. Combs made a motion to approve Purchase Order #050524 to Lundgren Dodge Ram for truck repairs in the amount of \$3,018.92. ML Harris seconded. It was stated this would be paid from the highway budget. R. Spaulding questioned what year truck this was for. M. Jones stated it is 3 years old, this was a recall but because off road diesel was used in the truck, the warranty was voided. R. Spaulding asked if vehicles are being undercoated, M. Jones stated they are at Carrara's. **All voted in favor. Motion carried 5-0.**

R. Combs made a motion to approve Purchase Order #050692 to QW Durfee Sheet Metal & Roofing, Inc. for Public Safety roof repairs in the amount of \$3,880.00. ML Harris seconded. J. Leamy stated he has some serious concerns with this roof needing to be repaired after only 8 years. When it was done, a reputable roofer said there would be a problem with the way it was done, and here they are 8 years later with a problem. Someone dropped the ball somewhere. It was stated that an insurance claim was done, and the inspection found that there were nails through the roof from the sheathing underneath, they are still working on the corrections that were done in 2015. The work to be done on this purchase order will be the valley of the roof being done. They will also have to include in the damage cost the sheetrock in the Fire Department that was water damaged from the leaking roof. **All voted in favor. Motion carried 5-0.**

WARRANTS FOR APPROVAL

R. Combs made a motion to approve check warrant #0727 in the amount of \$7,845.58, check warrant #0810 in the amount of \$58,090.13, check warrant #0814 in the amount of \$232,611.88, check warrant #0727P in the amount of \$23,247.57, check warrant #0803P in the amount of \$23,413.64, and check warrant #0810P in the amount of \$23,828.81. J. Mark seconded. All voted in favor. Motion carried 5-0.

J. Mark made a motion to approve check warrant #0728P in the amount \$641.32 and check warrant #0804P in the amount of \$641.32 and check warrant #0810P in the amount of \$641.32. ML Harris seconded. R. Combs recused himself. All remaining members voted in favor. Motion carried 4-0.

SELECTBOARD COMMENTS and/or CONCERNS:

ML Harris stated as a citizen that it should be noted the roads have not been mowed yet, a deer was almost hit because of it.

It was asked if there was any more information on the East Hubbardton bridge. M. Jones stated a bridge person came, they indicated it should be filled with concrete. Water had been getting down through a seam and eroded away and the last

heavy rain exposed the erosion. The bridge integrity/structure is not compromised, just the decking.

R. Spaulding asked if the August 28 meeting could be just for warrants, not a regular meeting. It has been done for many years, asked they think about it. M. Jones stated that if things are not acted on, they will all have to wait another two weeks. He can try to minimize it, but if there's something that has to be taken care of, it's the best he can do. R. Combs stated that was started 6-8 years ago and it never really worked.

BRIEF RECAP & ITEMS FOR FOLLOW UP:

None at this time.

9:21 PM - ENTER EXECUTIVE SESSION

R. Combs made a motion to enter an Executive Session to include the Town Manager to discuss labor relations. ML Harris seconded. All voted in favor. Motion carried 5-0.

9:40 PM - EXIT EXECUTIVE SESSION

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

ADJOURN – 9:41 pm

ML Harris made a motion to adjourn at 9:41 p.m. R. Combs seconded. All voted in favor. Motion carried 5-0.

Respectfully Submitted
Allison Harvey
Recording Secretary