

TOWN OF CASTLETON SELECT BOARD MINUTES

**Monday, September 25, 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/zlox6oDRJL7NZP2MULD6JpAbG0Gg_kFAp5Sv-qy8oG0jLhfFqCywC-9I6Bp5d0M.y9wXRaQxhxl1swJB

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

PRESENT VIA ZOOM: Robert Spaulding, Melanie Combs, Allison Harvey, Recording Secretary

CALL MEETING TO ORDER

The meeting was called to order by Select Board 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 as presented. ML Harris seconded. M. Jones stated he has information on the police car to share, he will cover in Manager's Report. **All voted in favor. Motion carried 5-0.**

APPROVAL OF MINUTES – September 11, 2023

R. Combs made a motion to approve the minutes of September 11, 2023 as presented. ML Harris seconded.

Page 1 – Robert Spaulding should be removed from Present.

Page 2 – third line from the top, the second *to* should be deleted.

Page 2 – first line of ARPA Discussion *on a spreadsheet M. Jones provided the board* should be inserted after *green*.

Page 4 – first line of the third paragraph, *oking* should be changed to *okaying*.

All voted in favor. Motion carried 5-0.

CITIZENS COMMENTS & CONCERNS - ITEMS NOT ON THE AGENDA:

John Hale: LBA Boat Wash - Presented a report on the success of the boat wash station. The project was rendered neutral on costs and payroll, they washed 20 boats in ten days total. J. Hale also commended Doug Casella in contributing to the expenses for the washing station, and the employee was great in his application of the washing of the boats.

Mr. Menez stated he was present again to complain about the music on Creek Road from The Bomoseen Dog and Robo's. J. Leamy stated the police chief is working on changes to the noise ordinance. Mr. Menez also stated he presented a petition signed by the residents in the area asking the noise be stopped.

John Miglurie stated he lives in the old schoolhouse on South Street and has been there 18 years. There was a plaque from the Civil War students and World War one era in the schoolhouse. It is his understanding it has been taken out and was given to the Town. He would like to get it back so it can be put back in the schoolhouse. Also explained there were chalk boards that he found in the backyard, and he put one of them back up on the front wall. Brief discussion on the building and its history.

Mary McIntyre asked about the CVS building and stated that she would like to keep the building in town ownership. She has not seen or heard of any moves to keep the building and asked what the advantage would be to sell it to anyone and then lease back the gymnasium. J. Leamy stated it would put it on the tax rolls and raised the question of whether the Town should be liable to own and lease property. J. Leamy further stated they have said from the beginning that they would be

sure there was adequate space for the Recreation Commission. The roof and heating system need to be upgraded and if a private owner owned the building, they would bear the cost for those repairs. M. McIntyre asked if any updates to the gymnasium were needed who would bear the costs for those updates. Discussion on the ARPA funds and whether any would be used for this building.

T. Kearns asked for an update on whether Mettowee-Poultney Natural Resources Conservation District had been engaged to look at the work on the Crystal Haven issue he had brought before the board. M. Jones stated he has spoken with them, they have funds available, and they would work with the Town to see about correcting the problem. They are waiting to do a field survey before making any decisions. T. Kearns mentioned a tape he brought in and would like to hear board comments on the contents from the meeting he had pointed out on that tape. Discussion on the road that was built 12 years ago and the problem of drainage from the road construction. T. Kearns asked about the cost of the road and if the expenses of maintaining the road has been budgeted for and how much has been put into this project. J. Mark stated he is hearing that T. Kearns feels the road should never have been built. T. Kearns stated he is not stating that, but that it shouldn't have been done without proper discussion. It was suggested the road should be abandoned. Further discussion on the road, how it was created, what needs to be done from this point forward, and if T. Kearns is willing to provide an easement to the Town to repair/replace the drainage pipe. T. Kearns stated that he does not have an easement from the Town for the drainage pipe. M. Jones has offered to replace the drainage pipe if T. Kearns would be willing to give the Town an easement for that to be done and he has not seen any evidence of the pump station leaking into the drainage pipe. T. Kearns would be willing to give an easement if the retention pond and other things are going to be taken care of as well. He has been told over and over again that it is being taken care of, but he sees nothing happening.

Richard Snow, 11 David Ave, works for VT Army National Guard in Fair Haven. He commented that he hears the music from the Bomoseen Dog where he lives. He also stated he would like to ask the board to advocate for paving David Avenue. He received a notice that Wayne Renfrow is trying to move his gun repair shop from the basement to the garage, he will be creating additional traffic on the road. Mr. Snow has a signed petition for paving from everyone on the street, and stated everyone on the road was not aware Mr. Renfrow was putting a gun shop there. M. Jones explained the process, and he has had this road on the list to pave, and unless the paving budget increases, it falls behind every year, he has been trying to get it done, but the budget has not allowed it. Another resident asked if there was anything that could be done to cut down the dust in the meantime until it is paved. M. Jones explained when they get the grader back, the dirt roads will become priority.

WINTER SAND BID

M. Jones addressed the bids from Pike Industries and Martell Trucking, both of which exceed the budgeted amount for sand. The pricing is different for delivery versus it being picked up. He would recommend going with Pike Industries at \$24.90/cu yard delivered for an amount not to exceed \$74,700. J. Mark asked what the disadvantage would be for hauling by the Town. M. Jones answered with the time and expense of trucking and taking those people away from doing road work. Discussion on the sand pile and the rock that has been in it recently. M. Jones stated that depending on who it is, there were positive and negative comments of the mix used last year for the public sand. They have cleaned out the bigger rock stuff, it should not have been in the public pile like it was last year. M. Jones stated this would be about \$10,000 over the budget of \$64,000. **R. Combs made a motion to authorize the Town Manager to purchase of 3,000 cubic yards of winter sand from Pike Industries in the amount of \$74,700.00. J. Mark seconded. All voted in favor. Motion carried 5-0.**

FENCE BID FOR CRYSTAL BEACH: Martha Clifford

M. Clifford had a revised bid from Pratico Fencing and an email from Middlebury Fence that included the requested changes and posts in cement rather than driven in the ground. M. Clifford stated the \$15,161.57 Middlebury which adds the \$4,000 for cemented posts being added and \$18,764.00 for Pratico, and there are funds in the budget. M. Clifford stated she has been very satisfied with Pratico's service. J. Mark asked about the length discrepancy. M. Clifford said yes it has been rectified for the most part. Pratico quoted on 280 feet of fence, Middlebury Fence is quoting 225 feet. **J. Mark made a motion to approve the contract with Middlebury Fence for the fence and gate as specified in the proposal not to exceed \$15,161.57. R. Combs seconded. All voted in favor. R. Spaulding abstained. Motion carried 4-0.**

FUSS & O'NEIL: PARSON'S HILL SIDEWALK PROJECT

M. Jones stated the board has a proposal for engineering services from Fuss & O'Neill for construction of plans for the

Parson's Hill sidewalk project, which is needed to be put out to bid. They have the right of way certificate and they need this piece next. Fuss and O'Neil did the sketch and drawings for the grant, so it is not a heavy lift for them at the cost of \$8,700. M. Jones recommends the board approve and would come from the sidewalk budget line in the highway budget. R. Combs asked what the time frame was for this step to be completed. M. Jones stated about 10 weeks. R. Combs felt that would mean they would be set for the project to be in the next construction season, M. Jones agreed. **R. Combs made a motion to authorize the Town Manager to authorize the contract with Fuss and O'Neil for the sidewalk project engineering services for \$8,700. J. Mark seconded. All voted in favor. Motion carried 5-0.**

MANAGER'S REPORT

M. Jones stated on page 2, stormwater mitigation and salt and sand shed item. The hurdle of the grant application to move the project forward will put the project behind even more because of the environmental protection agency requirements. He wouldn't be able to apply for the municipal mitigation grant until 2024, and not being notified until December 2024 or January of 2025. If they were to not house all of the salt ordered every year, they would cut the cost in half. If time or cost was an issue, they have information needed to move forward without the mitigation grant and the cost difference by doing a smaller building and getting a salt delivery part way through the winter they could just pay for the entire project. J. Mark and R. Combs stated they would be in favor of reducing the size. Discussion on the delivery of salt and what is more cost efficient, what is available for funds and timing.

M. Jones stated the Board had authorized the ordering of the Tahoe for the Police Department, but they did not decide where the funds were coming from. The cost of \$59,288.25 is all inclusive. They have \$43,423 available for purchase with a shortfall of \$15,865.25. If they are looking at ARPA funds, the ARPA monies have accumulated almost \$25,000 in interest, it says the Town does not have to add that amount in interest to the ARPA funds and doesn't have to account for spending it. It is accounted for in the general fund, so they have about \$25,000 that wouldn't impact taxpayers whatsoever. M. Jones would recommend using ARPA funds. Reviewed the numbers and what should be used where. It would create a zero balance at the end of the year with \$24,500 going back in at the end of the fiscal year if the reserve budget doesn't change. J. Leamy asked why five vehicles are needed in the Police Department. M. Jones suggested that question be asked of the Chief. J. Mark asked for a recommendation from the chief as to how many years a vehicle is replaced. It was stated that it makes no sense to zero out the equipment reserve, it puts them behind the eight ball for a replacement schedule. It would seem to make more sense to use ARPA to purchase even though there is a 4-5-year life span, which seems to be about 20,000 miles per year. **J. Mark made a motion to use ARPA funds in the amount of \$59,288.25 to purchase the Tahoe. R. Combs seconded. ML Harris, J. Mark and R. Combs voted yes. J. Leamy and R. Spaulding voted no. Motion carried 3-2.**

M. Jones stated the grader should be back in town on Wednesday and they will have it out Thursday if the weather permits. Some roads will take two gradings due to deep potholes.

The Fire Station roof repair is complete, nothing has been done inside yet, they want to be sure the roof repair is good and won't cause any more issues.

M. Jones stated they are applying for the grant for the air bottles and have been working on an equipment replacement schedule and putting dollars to it, but they still are not ready for the public safety committee with a replacement schedule and vehicle replacement and downsizing.

M. Jones stated the road conditions have been the biggest complaint from residents about potholes and dust, he has been addressing those complaints and has it covered.

PURCHASE ORDERS FOR APPROVAL

R. Combs made a motion to approve Purchase Order #051128 to Milton Cat in Richmond, Vermont in the amount of \$5,197.97 for Emergency Repairs to the Grader 140G. ML Harris seconded. J. Leamy asked for the total cost of the repairs made to the grader. M. Jones estimated \$42,000.00. **All voted in favor. Motion carried 5-0.**

WARRANTS FOR APPROVAL

R. Combs made a motion to approve check warrant #0925R in the amount of \$40,500.00, check warrant #0913 in the amount of \$6,591.15, check warrant #0921 in the amount of \$7,131.06, check warrant #0925 in the amount of \$64,740.61, check warrant #0914P in the amount of \$18,893.93 and warrant #0921P in the amount of \$20,793.44. ML Harris seconded. All voted in favor. Motion carried 5-0.

J. Mark made a motion to approve check warrant #0926 in the amount \$520.00, check warrant #0915P in the amount of \$641.32 and check warrant #0915P 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:

J. Mark stated a student from Pakistan who attends Castleton University as an exchange student is interested in becoming a doctor is present this evening. J. Mark further stated he had met with her, they reviewed the board make-up and agenda items and she is here to learn about the civic processes.

J. Mark asked about the plaque on the South Street Extension Schoolhouse request. He felt it would be a good idea to see if the Town Manager can establish the provenance of the plaque, how the Town got it, who came and when but he would like to see a document that shows what it is and where it came from if possible.

BRIEF RECAP & ITEMS FOR FOLLOW UP:

None at this time.

ENTER EXECUTIVE SESSION – 8:28 PM

R. Combs made a motion to enter Executive Session to discuss Real Estate to include the Town Manager and Zak Hale. J. Mark seconded. All voted in favor. Motion carried 5-0.

EXIT EXECUTIVE SESSION – 9:38 PM

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

ADJOURN – 9:38 pm

R. Combs made a motion to adjourn at 9:38 p.m. ML Harris seconded. All voted in favor. Motion carried 5-0.

Respectfully Submitted
Allison Harvey
Recording Secretary