

TOWN OF CASTLETON SELECT BOARD MINUTES

Monday, March 13, 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/1Gw_xxSt738wDtR3BPuEgMWrfyNtmgLuO68s2pmas4tihX2GXabalal9GwfB6U.SeB4qXhSsHVrBU-s

PRESENT: James Leamy, Chair, Mary Lee Harris, Joseph Mark, Parliamentarian, Richard Combs, Robert Spaulding, Michael Jones, Town Manager, See Attached List

PRESENT VIA ZOOM: Mary Droege, Nicole Fox with Fuss & O'Neill,

CALL MEETING TO ORDER

The meeting was called to order by Select Board Chair J. Leamy at 7:14 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by J. Leamy.

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

R. Spaulding made a motion to nominate James Leamy as the Chairman of the board. R. Combs seconded. J. Leamy abstained, remaining four voted in favor. Motion carried 4-0.

J. Mark made a motion to nominate R. Combs as Vice Chair. ML Harris seconded. R. Combs recused himself, remaining four voted in favor. Motion carried 4-0.

R. Combs made a motion to nominate J. Mark as Parliamentarian. R. Spaulding seconded. J. Mark abstained, remaining four voted in favor. Motion carried 4-0.

R. Spaulding made a motion to nominate ML Harris as Secretary. R. Combs seconded. ML Harris recused herself, remaining four voted in favor. Motion carried 4-0.

ADOPT RESOLUTION OF DAY & TIME OF MEETINGS

R. Combs made a motion to resolve that regular monthly meeting be held on the second and fourth Mondays at 7:00 pm at the Castleton Fire Department Community Room, 273 VT Rt 30 North, Bomoseen, Vermont. R. Spaulding seconded. All voted in favor. Motion carried 5-0.

ADOPT RULES OF PROCEDURE

R. Combs made a motion to adopt the Rules of Procedure for the Town of Castleton Selectboard as presented. R. Spaulding seconded. J. Mark stated there were a few small modifications he felt should be made. In the second paragraph on the first page that starts with Application, at the end of that line, he suggested of the Town of be inserted before Castleton. On the second page, second line, a space should be inserted between duly and noticed, and down toward the bottom is the start of an inconsistent spacing throughout the remainder of the document. He felt it should all be double spaced, there are places it is single spaced. Top line of the third page, there should be a colon after municipality. On the fourth page, under public participation section two, there are sentences that have been broken up that should be corrected. ML Harris suggested in the posting section that Front Porch Forum be added as a place of posting. R. Combs suggested the board wait to sign this document until a corrected copy is available. **All voted in favor of approving with corrections noted. Motion carried 5-0.**

REVIEW CONFLICT OF INTEREST POLICY

R. Combs made a motion to adopt the Town of Castleton Policy regarding Conflicts of Interest and Ethical Conduct as

presented and approved last year and originally adopted on 7/28/2019. J. Mark seconded. M. Jones will need to provide a new copy for the board to sign as re-approved. **All voted in favor. Motion carried 5-0.**

APPROVAL OF AGENDA

R. Combs made a motion to approve the agenda as presented. R. Spaulding seconded. J. Mark stated he does not feel they should have the organizational meeting this way in the future, it should be a separate meeting. ML Harris agreed. **All voted in favor. Motion carried 5-0.**

APPROVAL OF MINUTES – February 13, 2023

R. Combs made a motion to approve the minutes of February 13, 2023. R. Spaulding seconded. ML Harris pointed out on Page 2 – fifth paragraph, fourth line, BE Ramos should be changed to B. Elliott. Same paragraph, sixth line, *area on roof* should be changed to *area on the roof*.

Page 2 – sixth paragraph, second line, *prove would* should be changed to *prove it would*.

Page 2 – second line from the bottom, *sell was by* should be changed to *sell by*.

Page 3 – under Manager's Report, eighth line from the end of the report, *John Tester* should be inserted after emergency shelter manager.

Page 4 – Exit Executive Session Motion R. Combs should replace the first blank underline mark, and another motion should be added: R. Combs made a motion that a letter be prepared to the attorney for the Town of Hubbardton. ML Harris seconded. All voted in favor. Motion carried 5-0.

Page 5 – R. Combs should replace the first blank underline, R. Spaulding should replace the second blank underline, ML Harris should replace the third blank underline, R. Spaulding should replace the fourth blank underline.

R. Combs made a motion to approve the minutes of February 27, 2023. J. Mark seconded.

Page 1 – third line from the bottom, *TeRiele* should be changed to *teRiele*.

Page 2 – first line of the second paragraph, *they about* should be changed to *they have about*.

R. Spaulding abstained. All others voted in favor with corrections. Motion carried 4-0.

CITIZENS COMMENTS & CONCERNS - ITEMS NOT ON THE AGENDA:

Kenneth Lenz of Drake Road has lived on Drake Road for 23 years and has a concern about pedestrian traffic on Drake Road. People often walk in the road, and he believes there should be a painted center line, and there is not one. J. Leamy asked if the Mr. Lenz has contacted the Police Chief. Mr. Lenz stated he has not and wasn't sure the center line issue would be a police chief matter. M. Jones will be sure to include the lines on the road with the line striping bids this year when it comes up. Mr. Lenz stated the speed on the road and amount of traffic has increased dramatically. M. Jones stated they have had a few complaints with vehicles not stopping for school buses that he needs to address with the Police Chief, he will be sure to include the speed on Drake Road at the same time. R. Combs questioned the speed limit on Drake Road, it was felt it was 35 mph and M. Jones stated the State had done a new signing project about 3 years ago, and it is properly posted.

PEDESTRIAN ACCESSABILITY SCOPING STUDY FINAL PRODUCT BRIEF – Nicole Fox, Fuss & O'Neill

Nicole Fox shared her screen for review of the Scoping Study results. Started with RRPC in collaboration with Town of Castleton and VTrans. Steps of the process is Definition, Design and Construction phases and further reviewed the project schedule being proposed. Total project cost is estimated at 4.3 million, which includes construction, design, construction engineering, administration and MPM costs and 5% escalation through to 2025 due to increasing construction costs. J. Mark suggested an n be taken out of Glenbrook Road. J. Mark also questioned the cross walk at the Elm Street/Mechanic Street location and thought it was because of parking, but he feels people will still continue to cross at the Post Office. N. Fox explained why the cross walk is located there to maximize parking as much as possible. N. Fox stated the next step would be for Board approval so they can move forward with the **R. Combs made a motion to accept the study as presented. R. Spaulding seconded. All voted in favor. Motion carried 5-0.** M. Jones stated they applied for the Bike and Pedestrian grant last year and they were high on the list, and he would like to apply again this year. They are looking for more shovel ready type projects, and since this is approved, they can apply in a two prong process that may help with approval. Devon Neary strongly urged the Town to reapply, it is an 80/20 split, and they should consider where local match funds would come from, and he feels the State considers it a great project as well. **R. Combs made a motion to authorize the Town Manager to**

pursue CDS funding for the Town of Castleton Sidewalk Project. R. Spaulding seconded. All voted in favor. Motion carried 5-0. R. Combs made a motion to authorize the Town Manager and Devon Neary to pursue the State Grant for the Bike and Pedestrian Grant for this same project when the appropriate time this Spring comes. R. Spaulding seconded. All voted in favor. Motion carried 5-0.

UPDATED TOWN PLAN AS PRESENTED BY THE PLANNING COMMISSION. AMEND TOWN PLAN BY DELETING ALL REFERENCES TO GATEWAY DISTRICTS FOR ACCEPTANCE

L. MacKay explained to the Board that if they approve of the Town Plan as presented, they would also recommend that the two paragraphs that refer to the Gateway Overlay Districts on Pages 10 and 11 also be deleted before the final vote for approval. R. Combs made a motion to accept the Town Plan as revised by the Planning Commission and presented to the Board for approval, however they will delete all references to the Gateway Overlay Districts on Pages 10 and 11. R. Spaulding seconded. J. Mark stated he felt there was a lot of really old stuff within the Plan. L. MacKay stated there is, and they are going to be updating the Town Plan by going through it page by page, but the process takes a few years. They are currently working on the Zoning Regulations, and when they are done with that, they will start on the Town Plan. J. Mark stated he will vote in favor of this motion, but reluctantly, as he feels it is embarrassing for the Town Plan to have 2008 data and it still shows a Castleton Hubbardton School District which no longer exists. Discussion on the Town Plan and the minor quick changes that could be made. All voted in favor of the motion. Motion carried 5-0.

FRIENDS OF FAIR HAVEN UNION HIGH SCHOOL PROJECT GRADUATION 2023 REQUEST FOR DONATION

J. Leamy asked if how much was done last year. M. Jones was not certain they did it the past few years. Discussion on what was done in the past. J. Mark questioned whether it was an appropriate use for the taxpayers' funds. He would rather contribute personally than as a board, ML Harris and R. Combs agreed.

PUBLIC SAFETY COMMITTEE: RECOMMENDATION TO APPROVE PURCHASE OF TRUCK FOR FIRE DEPARTMENT

R. Combs asked the Chief or designee to make a presentation of this, and he will contribute as needed. H. Goyette stated they have a replacement schedule for equipment, the first task was to consolidate Engine 2 and ladder truck to one piece of equipment. The Assistant Chief found one online, they went out to Pennsylvania to see it and hired someone to assess the value. They believe it could be a long-term piece of apparatus for the Town and fits the bill for what they need. The Committee is suggesting it be purchased and there are enough funds in the Fire Department Reserve funds. They are estimating \$265,000 plus another \$30-35,000 to equip it, get it striped/lettered and up to date and it would be available by October or November. There is a ten percent deposit to hold the truck, and if anything happens between now and then it is covered. R. Combs made a motion to authorize the Town Manager and the Fire Chief to make a verbal commitment with Forest Grove Volunteer Fire Department in Pennsylvania to purchase their truck for \$265,000. ML Harris seconded. All voted in favor. Motion carried 5-0. J. Mark questioned the Fire Chief about the Department Vehicle Plan to clarify a few details on the replacement schedule and what the total number of vehicles will be.

DRB APPOINTMENTS: Heath Goyette, Jim Thomas and John Alexander

M. Jones stated they had researched a while back replacements or back-ups for the Planning Commission and DRB, and he recently asked the candidates if they were still interested, which they were. R. Combs asked if they could have up to nine members on this board. M. Jones stated he found it in the Town Bylaws. R. Combs felt two seats expire in 2023, others are 2024. Discussion on the length of the terms, how many expire this year and how they should be staggered. J. Mark felt they could appoint to fulfill the remainder of any seats open, which dates should stagger. J. Mark would suggest making one appointment to expire June of 2024, one to expire June 2025 and one to expire June of 2026 and suggested the Town Manager ask each of the interested parties what term they would be most interested in serving. M. Jones stated that would go against the Bylaws, which states 3-year terms. J. Mark made a motion to appoint H. Goyette to the DRB for a term to expire June of 2026, J. Alexander to the DRB for a term to expire June of 2025 and J. Thomas to the DRB for a term to expire June of 2024. All voted in favor. Motion carried 5-0.

MUNICIPAL ENERGY RESILIENCE PROGRAM

M. Jones asked if there were any questions. J. Mark questioned if could be used to help with the Sucker Brook problems. M. Jones felt it would not but would have to confirm for sure. M. Jones had considered whether a committee should look into having a level one assessment done at the Castleton Village School, this could be used to make an energy audit for heating

systems or windows as well as the Town Garage heating system. Board members indicated the Town Manager should pursue the eligibility of the Town Garage as well as the Castleton Village School, if possible, for this program and report his findings to the Board.

SALE OF POLICE CRUISER

R. Combs made a motion to authorize the Town Manager to sell the 2015 Ford Explorer to the Addison County Sheriff's Department for \$8,000. J. Mark seconded. All voted in favor. Motion carried 5-0.

M. Jones stated the Chief was not present, but there is a short fall on the new cruiser, and there should be a report coming to see what is needed out of the \$8,000 to finish outfitting the new cruiser, the remainder will be put into the reserve fund. K. Lenz questioned if the sale of Town owned vehicles has to be advertised to the public. M. Jones stated he would have to check the policy, but because it has the police lights and is completely outfitted, it was not advertised for public sale.

FORMER CASTLETON VILLAGE SCHOOL POST ELECTION DISCUSSION TO INCLUDE CURRENT OPERATING EXPENSES

ML Harris questioned the fuel costs, and how accurate it is. M. Jones stated they guessed on the cost as it is for next year. Discussion on the total cost for the building through June 2023. R. Spaulding asked where the monies have come from to date for this building. J. Mark stated the tax money comes in and is spent, and it would come from potential surplus in the general fund at the end of the current fiscal year. R. Combs stated the taxpayers authorized paying expenses through June 2024, in light of that, what is the next step. Discussion on the votes of last week, and where it stands with the Town of Hubbardton. The Town of Hubbardton has voted to sell their portion, and M. Droege explained that should be addressed and questioned if the two Selectboard would meet to discuss the matter. Further discussion on the continuing process and how the Town of Hubbardton should be approached. R. Spaulding asked if the Town of Hubbardton is bought out of the building if the Town of Hubbardton residents would still be able to continue to use the facility. J. Mark suggested perhaps a fee schedule be proposed for the Town of Hubbardton residents.

LIQUOR LICENSE FOR APPROVAL: First and Third Class and outside Consumption Lake Bomoseen Hospitality, LLC

J. Leamy stated the Police Chief has reviewed this application and has no issues. **R. Combs made a motion to approve the the Lake Bomoseen Hospitality First and Third class liquor license. R. Spaulding seconded. All voted in favor of the motion. Motion carried 5-0.**

SELECTBOARD APPROVAL OF UPDATED CDL DRUG & ALCOHOL POLICY

R. Combs made a motion to approve the changes to the updated version of the CDL Drug and Alcohol Policy for CMB operators dated 2023. J. Mark seconded. J. Mark asked what a negative dilute was and asked if the format from here on they could use tracked changes, it makes it more helpful to see what is being changed. **All voted in favor. Motion carried 5-0.**

MANAGER'S UPDATE

Discussion on the roust-about position that is being advertised and the wages being offered.

R. Spaulding questioned the Little Rutland Road, M. Jones stated town staff all looked at the matter and how it was paid for.

R. Spaulding stated he was not pleased with the error in ordering vehicles for the Town with the State bid representative, it has cost the Town thousands of dollars.

PURCHASE ORDERS FOR APPROVAL

R. Combs made a motion to approve Purchase Order #049783 to MS Martin Enterprises, Inc. for a Decater In Car Speed Measuring Device in the amount of \$2,234. R. Spaulding seconded. All voted in favor. Motion carried 5-0.

WARRANTS FOR APPROVAL

R. Combs made a motion to approve check warrant #0313R in the amount of \$157,745.51, check warrant #0309 in the

amount of \$27,944.82, check warrant #0313 in the amount of \$100,705.57, check warrant #0302P in the amount of \$15,250.03, check warrant #309P in the amount of \$16,497.08. J. Mark seconded the motion. R. Spaulding asked what TW stands for in the 0313 warrant. M. Jones stated Tree Warden. R. Spaulding asked who hauls the sludge for the town. M. Jones stated Mike Hance. **All voted in favor. Motion carried 5-0.**

R. Spaulding made a motion to approve check warrant #0303P in the amount \$612.54 and check warrant #0310P in the amount of \$644.20. ML Harris seconded the motion. R. Combs recused himself. All remaining members voted in favor. Motion carried 3-0.

SELECTBOARD COMMENTS and/or CONCERNS:

ML Harris asked for an updated appointment list, and she feels they should set a time to do a review of ARPA requests.

BRIEF RECAP & ITEMS FOR FOLLOW UP:

None at this time.

EXECUTIVE SESSION

Not needed at this time.

ADJOURN – 9:16 pm

R. Combs made a motion to adjourn at 9:16 p.m. R. Spaulding seconded. Kenneth Lenz asked if the Town put the concrete barriers on Drake Road. M. Jones stated they did, they were having a problem with trash being thrown over the bank, they put them there to deter that. **All voted in favor. Motion carried 5-0.**

Meeting adjourned.

Respectfully Submitted

Allison Harvey

Recording Secretary

Transcribed from Zoom Recording