

TOWN OF CASTLETON SELECT BOARD MINUTES
Monday, March 27, 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/vRWdbOqtlq0l9YyAoU3DWI7j1CMkM3sADF5bNkIJBhT7rTA5bft_H8alsazWviR.efqy-ZhHKfNSpS-M

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

PRESENT VIA ZOOM: Nedra Boutwell, B. Ramos, Chris Astrella, Chris DeJuneas, Jed Toohey, Mary Droege, Ryan Burns, Allison Harvey, Recording Secretary

CALL MEETING TO ORDER

The meeting was called to order by Select Board Chair J. Leamy at 7: 01 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. R. Spaulding seconded. J. Mark requested that the liquor license approvals be moved up on the agenda to be in between the 7:20 and 7:30pm items. **All voted in favor. Motion carried 5-0.**

APPROVAL OF MINUTES – March 13, 2023

R. Combs made a motion to approve the minutes of March 13, 2023 as presented. R. Spaulding seconded.

Page 2 – fourth line of the Citizens Comments paragraph – *agreement* should be replaced with *line stripping bids this year*

Page 2 – seventh line of the Pedestrian Accessibility paragraph – *maximum* should be replaced with *maximize*.

Page 4 – last line of the Sale of Police Cruiser paragraph – *but because it has the lights to and is completely outfitted, it was not.* should be replaced with *but because it has the police lights and is completely outfitted, it was not advertised for public sale.*

Page 4 – second line of Manager’s Report – *they* should be replaced with *town staff*.

Page 5 – end of the sentence under Selectboard Comments and/or Concerns – *(was not audible)* should be replaced with *a review of ARPA requests.*

All voted in favor. Motion carried 5-0.

CITIZENS COMMENTS & CONCERNS - ITEMS NOT ON THE AGENDA:

M. Clifford stated they are on the agenda later for Recreation to request time for discussion about the CVS building. She also wants to talk about the alcohol policy and what is done at the beach for the rentals at the pavilion concerning insurance. She would like the board to look at it and see if they are covered and if they are doing it correctly. M. Clifford distributed general information for the policy, she has gone online, and it is pretty straight forward. It is \$75 extra for the renter to take out an additional policy.

M. McIntyre asked about the use of CVS. The ballot asked for \$90,000 from voters to pay for the upkeep of the building, but nothing else on the ballot about any other departments being in that building and it is her understanding that another Town department is using space in the building. M. Jones stated the DPW director is using one of the offices. M. McIntyre asked if the Board is aware of that and if the taxpayers are aware of what is going on in the building, it is not what they were asked to approve. M. McIntyre stated she felt they should at least let the taxpayers know what is going on in that building. R. Spaulding stated the taxpayers own the building, not just recreation and he is not sure why she is asking the question. M. McIntyre stated that before the vote, it was an issue who was in the building and how it came about. J. Leamy stated the building is owned by the

Town of Castleton and the Town of Hubbardton. M. McIntyre asked if the Town of Hubbardton is aware that the DPW director is in the building and if DPW shouldn't be paying something out of their budget to use space. R. Combs asked if the DPW director is interfering with the Recreation Department functions at all by being in the building. M. Clifford stated she is not aware it is, but to M. McIntyre's point, there will be more usage down there. R. Combs stated that if they continue to use this building for the town and the budget goes into the future, it will become a part of the Town's buildings budget, no particular department budget. And he feels it is a non-issue if it is not interfering with the Recreation Department's use of the building and the Town Manager has the authority to put another department in there. R. Spaulding stated the building has also been used by others, ie: holiday events, meetings, etc. M. Jones stated he met with D. Fabricious and B. Ramos and they discussed who wanted to be where. It was worked out between the three of them, he feels this is being misrepresented, no one was blindsided. B. Clark stated the DPW goes to that building, check fuel levels, does maintenance as needed or requested, etc., and they don't send a bill to Recreation, and he feels they should be working together. B. Ramos stated they have not been displaced and is happy to have someone else in the building with them. There are pending decisions to be made in the future, and they will have to decide and discuss what areas will be used by what department. R. Spaulding stated for the past year, everyone in the town has had to pay for the expenses for that building, Recreation has not stepped up to the plate and paid those expenses nor are they expected to, just as the DPW department should not be.

APPOINTMENT TO THE REMAINING DRB VACANCY – Yvonne DeLance

ML Harris made a motion to appoint Yvonne DeLance as the last remaining DRB vacancy to expire June 20, 2025. R.

Spaulding seconded. R. Combs recommended the term expire on June 30, 2025. ML Harris agreed. J. Mark stated he felt they should schedule an in person meeting with the individual being appointed or deputize a board member to have a meeting with the individual prior to the vote. ML Harris does not agree as they just appointed 3 others and didn't interview any of them, so they shouldn't on this one. J. Mark stated he agrees with the motion, he is saying after this one and from this point forward. It has been suggested in the past that anyone interested in positions should be recommended by the board they are being appointed to. R. Combs disagreed with that suggestion, anyone being appointed should be determined by the Board of Selectmen. **All voted in favor of the motion. Motion carried 5-0.**

APPOINTMENTS OF 1-YEAR POSITIONS WHICH EXPIRE IN MARCH 2023:

Emergency Management Director – Michael Jones

Emergency Management Coordinator – Peter Mantello

Fence Viewer (x3) – Michael Finnegan & Bob Spaulding

Lumber/Shingle & Wood Inspector – Michael Finnegan

Overseers of Historic Cemeteries (3) – Ray Ladd/Kenneth Flowers/Kevin Fenton

Rutland County Solid Waste District (Primary) – Timothy Gilbert

Rutland County Solid Waste District (alternate) – (Selectboard Member)

Town Attorney – Vandenburg Law Offices (Lois V Baldwin)

Town Attorney – Woolington, Campbell, Bent * & Stasney, P.C. (Merrill Bent)

Town Attorney – Tarrant/Gillies/Shems LLP (Michael Tarrant)

Tree Warden – Scott Welch

Regional Ambulance Service (Address at next meeting) (Awaiting Appointment Form)

Bank Designation - M&T Bank & TD Bank

Newspaper Designation(s) – Lakes Region Free Press & The Rutland Herald

R. Combs made a motion to approve the list of appointments as presented. J. Mark seconded. R. Spaulding stated he did

not believe T. Gilbert could be the primary Rutland County Solid Waste district, it should be a member of the Board of

Selectmen. **R. Spaulding amended the motion to appoint J. Leamy as the primary Rutland County Solid Waste District and**

T. Gilbert as the Alternate. R. Combs seconded the amendment. It was stated that the Regional Ambulance Service

Appointment should be removed from the list. **All voted in favor of the amendment. Motion carried 5-0. All voted in favor of the original amended motion. Motion carried 5-0.**

LIQUOR LICENSE FOR APPROVAL:

Lake Bomoseen Lodge LLC: 1st, 3rd Class & Outdoor Consumption

Castleton Pizza Place & Deli, Inc./Blue Cat: 3rd Class

Robo's Creemees & General Store, LLC: 2nd Class

Prunier's Market/PFB, Inc.: 2nd Class & tobacco
Dollar General/DG Retail LLC: 2nd Class & Tobacco

R. Combs made a motion to approve the liquor licenses as presented on the agenda. J. Mark seconded. J. Leamy stated the police chief had no issues or concerns with any of the applications. **All voted in favor. Motion carried 5-0.**

PROPOSAL FOR SOFTWARE SOLUTIONS: Efficiency, Information, Transparency & Accountability – Karen Stewart & Christine Etori

K. Stewart briefly explained the proposal that has been sent to the Board members for their review and gave a very brief review of the presentation she had provided to the board members. K. Stewart requesting \$0.00 for what they are presenting, the funds have already been allocated as \$35,465 in the resolution under digitization, payroll services and the payments and forms piece and has been allocated for this purpose.

HeyGov representative, Chris Astrella who stated they would be able to accept forms and payments online and in person with this application. This will allow them to know if Transfer station people were Town of Hubbardton or Town of Castleton. Can be used for property tax billing as well. J. Mark asked if it can be used for water billing as well. C. Etori stated they could add another bank account number, but that would have to be done directly with the Fire District, as they are completely separate from the Town functions. J. Mark asked about the card use fees and how they will be handled. K. Stewart stated there is always a charge, it is just who is going to be paying the fee, the vendor or the customer. The Town charges a convenience fee that the customer pays right now, and usually it depends on the preference of the administration. It was stated there would not be a fee for an ACH payment option that is also being developed. J. Leamy asked where the funds would come from. M. Jones stated it would all be cost shared among the departments for the HeyGov, and the departments using the other applications to accept credit cards, etc.

Discussion on the details of the programs, and the request and where the funds are coming from. There has been discussion on the ARPA funds being used, and whether it is included in the budget. Discussion on digitization of documents and what the costs will be for all programs. M. Jones stated they have approved the funds in the resolution, they are now asking the Board to approve the vendor for the services they are proposing. They are asking for \$31,000 and change from ARPA, the other things are already approved. Further discussion on the programs being proposed, where the funds will come from and what the benefits of using the programs would be for the Town of Castleton. The HeyGov, Checkmate UKG and EBiz Docs are the applications they are looking for approval of the vendor. The only thing that may be requested to use ARPA funds for would be the Asset Management application Brightly which would be used by DPW. R. Combs questioned if the Board could amend a resolution as is being requested of them. M. Jones stated that they will be charged an additional \$3,000 set up fee if they do not amend the resolution and get HeyGov started by May 31. J. Mark stated he felt the issue that R. Combs is addressing is can they retroactively allocate unassigned general funds. M. Jones stated it is just a change in language, not an addition of funding. **ML Harris made a motion to do HeyGov, Checkmate and EBiz Docs at this time. R Spaulding seconded. R. Combs it should be added to authorize the Town Manager to sign contracts for HeyGov, Checkmate and EBiz Docs. ML Harris and R. Spaulding agreed to the addition to the motion.** J. Mark asked if they need to also approve the amended version of Resolution 22-01. R. Combs felt it should be a separate motion. **All voted in favor. Motion carried 5-0. R. Combs made a motion to amend Resolution 22-01 to include online and forms payment processing in addition to automated payroll and HR system with the funds to be used by June 30, 2023. J. Mark seconded. All voted in favor. Motion carried 5-0.**

D. Fabricious addressed the board with regard to the Asset Management program Brightly. He and the Road Foreman have reviewed this proposal and they felt in the long run it will save them money. Capital assets is the larger piece that is intriguing. The public can also use the system for preventative maintenance piece, such as reporting pot holes or things that should be brought to the DPW department. This also has an inventory management piece. Discussion on the details of the program and the benefits of the asset management. D. Fabricious stated he would ask the Board to consider this proposal when they meet to discuss the use of the ARPA funds. Also discussion on the time frame of implementing the program and the benefits of the infrastructure and inventory modules.

POLICE UPDATE

Chief Mantello reviewed his report, number of service calls and arrests are down, not sure if because of time of year or not. Castleton University calls are about the same. There have been some complaints on roads, they have done 14 directed

patrols on Drake Road, several stops were residents of the road.

P. Mantello stated he worked jointly on a grant for CDERAC, has been submitted, waiting for the results. The cruiser purchase is complete, is in service, and the sale of the 2015 cruiser is completed. Backup to other towns was questioned, what towns and what coverage is provided. R. Combs asked for a breakdown of back up calls and straight calls to other towns because no one was on duty in another town. P. Mantello stated with the new Valcour system that could be difficult but will try to get it prepared.

They have a new contract for school coverage, which is the same amount as last year, 4 hours a day for 5 days a week. The contract is with Slate Valley Union School District for \$55,902.00. **J. Mark made a motion to approve the contract for the Slate Valley Union School District resource officer in the amount of \$55,902.00. R. Spaulding seconded.** M. Jones stated they pay everything payroll related and covers Castleton, Benson and Orwell. **All voted in favor. Motion carried 5-0.** ML Harris asked about snow on top of vehicles, she has noticed the school buses do not clean snow off. P. Mantello stated it should be removed, as well as large trucks. He will keep an eye on whether he sees anything to address.

LOAN DOCUMENTS FOR APPROVAL: 2023 Caterpillar Loader Backhoe: Town Manager

M. Jones stated this is the official version of the contract for the backhoe loan. M. Jones stated he is not sure why the interest rate increased, but it did and he is not sure if it was because of something the Town of Castleton did to cause it. The rate went from 4.25% to 5.49% . **ML Harris made a motion to approve the loan documents as presented.** J. Mark felt should include amount, interest rate and lender. The motion was withdrawn. **ML Harris made a motion to approve the \$35,000 capital equipment note at a rate of 5.49% per annum and seven principal payments of \$5,000 each for the Caterpillar loader at M&T Bank. R. Combs seconded. All voted in favor. Motion carried 5-0.**

CASTLETON RECREATION: Request for Time on Agenda for Discussion/CVS – Martha Clifford

M. Clifford looking for board to agree with what they do at the beach regarding the alcohol policy and it can be hard to enforce. M. Clifford explained what has been done in the past for the rental agreement and no glass on the beach whether alcoholic or not. When they rent the pavilion, they strongly encourage renters of the pavilion to get a rider policy for liability purposes. If there is alcohol used and becomes an issue, they call the police, which is explained when the rental agreement is done. Discussion on the policy being proposed and whether it causes any liability and how long it has been in place. Concern with the policy and what the VLCT would suggest as to the language that indicates alcohol being provided or who supplied the alcohol and consumption. M. Clifford will investigate different language and provide a new copy.

M. Clifford addressed a letter to the board regarding the CVS building. They feel the largest hurdle is the possible sale of the CVS building, possibly hindering scheduling or rental if there were not a guarantee that the building would not be sold. J. Leamy, who is responsible for renting is it the town government, the Town Manager or Recreation. J. Mark stated he felt the joint boards of Town of Castleton and Town of Hubbardton are the responsible bodies. No comment can be made at this time as to the possible sale of the building until things are discussed with the Town of Hubbardton. There is a meeting scheduled next Monday, April 3 with the Town of Hubbardton board. M. Clifford asked if there are any offers on the building. M. Jones stated there has not been since the last time he was asked, and has seen some questions of interest, but no offers.

M. Clifford asked if there was anything their coalition or recreation can do to move things along as to the ownership of the building. J. Mark felt maybe the Town of Hubbardton people involved should speak to their Town of Hubbardton board members as well.

M. Clifford also asked that if CVS is sold, what are the plans for the board to not leave recreation out in the cold. J. Leamy stated they have made it clear that if it is sold, they would find adequate provisions for the Recreation Department. B. Ramos stated the indoor walking has been requested to continue in summer, they are continuing pickle ball, youth sports, open gym, and more is added every day. R. Combs asked if someone wanted to find out what is available for use of the facility, how would someone find out, by going online or phone call? B. Ramos stated the Recreation Facebook or Town website and Front Porch Forum or a phone call or email. J. Mark asked if B. Ramos could provide a written report at the first meeting of the month on current activities happening with recreation, just as the police chief does at the second meeting of

the month for the police department.

M. Droege asked about the RRPC municipal building energy audit grants, it had been mentioned CVS or the town garage were to be considered. She realizes Town of Hubbardton is a partial owner but wondering if the CVS is still being considered for that grant program. M. Jones stated it does not have to be one or the other of the buildings, it can be both and he has provided information to B. Ramos to gather information for that grant. Discussion on whether the consolidation of the school district caused a shortage of gym programs for the Recreation Department. Fair Haven is also losing gym time and everyone is being told there is no time available for use.

B. Ramos stated they are glad to hear of a meeting with Town of Hubbardton being scheduled, and asked that Recreation be updated on what can be shared as a result of the meeting. They also offered time and meetings to answer questions of any board members that they might have with regard to Recreation needs or what they have going on.

TRANSFER STATION STICKER DISCOUNTS (Increase Percent Discount to Businesses Who Pay Credit Card Fees)

M. Jones shared something presented to him by Joe Sessock asking if the board could give more of a discount to purchase transfer station stickers by patrons. He sells them at his store, and the credit card fees do not make it worthwhile. R. Combs asked to be provided with concrete numbers to be discussed at the next meeting. M. Jones stated he would try to get amount of stickers sold, what they pay for the stickers and what the worst case credit card fees would be for the board to review. Discussion held on the cost of the stickers, where else they are sold and the policy for collection of trash and use of the stickers.

MANAGER'S REPORT

M. Jones stated he has a copy of invoices from a local contractor in addition to first one from plumbing and heating side of the house, totaling about \$2,500 between the two. There has been nothing proving the Town did the damage or didn't do the damage. He has not been back to the homeowner yet until the board reviewed the matter. R. Spaulding felt this should not be discussed in open session, R. Combs agreed. J. Leamy and ML Harris did not agree. **R. Spaulding made a motion to authorize the Town Manager to work with the homeowner and see if they will share the cost with the Town. J. Mark seconded.** R. Spaulding felt a lot of the problem dealt with the infringement on the right of way of the road. R. Combs and B. Clark both felt based on photos that the Town was not responsible for the damage, which is about \$3,500 total. **All voted in favor. Motion carried 5-0.**

PURCHASE ORDERS FOR APPROVAL

None at this time.

WARRANTS FOR APPROVAL

R. Combs made a motion to approve check warrant #0327R in the amount of \$10,558.00, check warrant #0314 in the amount of \$28,016.49, check warrant #0316 in the amount of \$5,830.50, check warrant #0321 in the amount of \$1,683,059.66, check warrant #0323 in the amount of \$5,889.06, check warrant #0327 in the amount of \$87,105.11, check warrant #0316P in the amount of \$15,122.72 and check warrant #0323P in the amount of \$15,752.32. ML Harris seconded the motion. All voted in favor. Motion carried 5-0.

J. Mark made a motion to approve check warrant #0317P in the amount \$612.53 and check warrant #0324P in the amount of \$612.53. R. Spaulding seconded the motion. R. Combs recused himself. All remaining members voted in favor. Motion carried 4-0.

SELECTBOARD COMMENTS and/or CONCERNS:

M. Jones stated the Rules of Procedure and Conflict of Interest both needed to be signed, has already been approved. It was felt they will need to be distributed to board members for review before signatures.

ML Harris asked how soon can they get a new list of appointments now that new ones have been made. M. Jones will get a

new one to the board members.

ML Harris would like to add Front Porch Forum to post notifications for town business.

ML Harris asked when is the special meeting to discuss ARPA. J. Leamy as soon as can be scheduled. It was decided it would be scheduled after the joint meeting on 4/3/23 with the Town of Hubbardton by separate agenda. M. Jones stated the funds need to be designated by 12/31/24, expended by 12/31/26.

J. Mark referred to the letter from Norman Spafford Jr, can he assume the sidewalks have what he is asking for. M. Jones stated they do not, there are a few at the corners, but not all of the crossings. M. Jones will get further information.

J. Mark referred to the anonymous letter with regard to the regional ambulance service. It was stated that Aleda Dutton is the current representative to this board, M. Jones will reach out to see if she will continue to serve.

R. Spaulding questioned where they are at on the salt/sand shed. M. Jones stated they have the \$253,000 set aside for the town share, but they are waiting on the grant, and he hopes to hear about that in April.

BRIEF RECAP & ITEMS FOR FOLLOW UP:

None at this time.

EXECUTIVE SESSION

Not needed at this time.

ADJOURN – 9:50 pm

R. Combs made a motion to adjourn at 9:50 p.m. R. Spaulding seconded. All voted in favor. Motion carried 5-0.

Meeting adjourned.

Respectfully Submitted

Allison Harvey

Recording Secretary