

**TOWN OF CASTLETON SELECT BOARD MINUTES**

**Monday, July 10, 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/5k47SHohJQYra92gTq5J0\\_jwadnDqFoWLS57aDCKYVI6rGbORRx1\\_dKpmB9oEWXt.u16kY6zqVJ\\_dZISP](https://us02web.zoom.us/rec/share/5k47SHohJQYra92gTq5J0_jwadnDqFoWLS57aDCKYVI6rGbORRx1_dKpmB9oEWXt.u16kY6zqVJ_dZISP)**

**PRESENT:** James Leamy, Chair, Joseph Mark, Parliamentarian, Richard Combs, Michael Jones, Town Manager, Mary Lee Harris, Allison Harvey, Recording Secretary, See Attached List

**PRESENT VIA ZOOM:** Scott Legacy, Matt Ryan, Mary Droege, Martha Clifford, John Hale, Martha Molnar, Karen Stewart, Dianne Spangenburg, Ted Molnar, Nedra Boutwell, 802-345-3127, Melanie Combs, Nancy Mark

**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. J. Mark seconded. All voted in favor. Motion carried 4-0.**

**APPROVAL OF MINUTES – June 26, 2023**

**R. Combs made a motion to approve the minutes of June 26, 2023 as presented. J. Mark seconded.**

Page 1 – Mary Lee Harris should be added to the Present list.

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

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

None at this time.

**FORMER CVS DISCUSSION: Zak Hale**

Z. Hale stated he was present to propose an idea and is looking for feedback. They have come up with a creative idea for the CVS property. They are hoping to create a wrestling facility for the team at Castleton University, as well as the Town utilizing the stage and gym for the Recreation Department, and a child care facility. He has gotten some feedback on the details already, and they are now interested if the Selectboard would consider these uses/proposal. Z. Hale explained the drawing in that the yellow space is 7,855 square feet for the Town of Castleton use by the rec department, the red is 6,274 square feet for the wrestling facility, they would take down walls in between, put in mats, lockers, an office and lounge and showers for the team. The green is 8,065 square feet for a childcare facility for toddlers, pre-k and infants and 803 square feet of common space for access for the wrestling team, handicap and recreation. J. Mark questioned entrance and egress. It was explained that the Mechanic Street entrance would be for childcare, the exit would be across the way to the playground outside and exit from classrooms. Another exit door from childcare and another means of egress is required by code. They would be adding an exit on the stage to facilitate handicap access as well. R. Combs asked if they plan on purchasing, renovating and leasing space back to the Town. Z. Hale stated yes, they would purchase and provide a long-term lease and would be responsible for the lease with childcare as well. ML Harris asked if Tearsa is interested in childcare section. Z. Hale stated yes, he is working with her. ML Harris questioned the classrooms and movable walls. Z. Hale explained the spaces and dividers that he is envisioning. M. Jones asked about the current ramp, whether useable as it exists. Z. Hale stated the next step is to look at codes and get those details worked out. M. Jones asked if the yellow area was not enough, if they could accommodate recreation having more space. Z. Hale stated they could add on if needed, at a cost. J. Mark questioned

the drop down walls and how user-friendly they would be. Z. Hale stated he has had some experience with the type he had in mind, and they seemed to operate appropriately. M. Jones mentioned utilities and how those would be considered. Z. Hale stated he is proposing triple net leases and they would accommodate on square footage.

M. McIntyre asked for an explanation of the rooms down the stairs to the left and what is being proposed there. Z. Hale stated there are two different levels, bathrooms at the top of stairs, with the kitchen and boiler room on the gym level. They would propose moving out the kitchen and adding two offices. The bleachers were also questioned and the layout of the basketball court. Z. Hale stated the gym would not change at all based on what it is now. There are more details that need to be worked through and researched after a decision is made if this is a feasible proposal. Pat Schrader questioned the need for 4,000 square feet for wrestling. Z. Hale stated based on the current location, which is smaller and the number of athletes they have, this would grow the program. It was also questioned if the gym would continue to be used for AAU and they needed lockers, how could they accommodate those. P. Schrader stated to the Board that it would seem silly to her to lease from a new owner when the Town currently owns the building. R. Combs asked if wrestling competitions would be held there, as he would have a concern on parking. Z. Hale stated it would be just practice.

M. Droege stated that as an individual she feels it is important for the Hales to understand there are a lot of people in the Town that will petition to stop the sale, and they will win. They have voted to keep it for a year and go from there, and they will not be regulated to the gym and there is no reason why the Town can't own the building rather than lease. This group of people will fight them every step of the way to keep the property in Town ownership,

M. Clifford asked how many wrestlers are there? Z. Hale stated next year they plan to have 55 wrestlers on the team. M. Clifford has been with Recreation for 30 plus years and has tried to be a cooperating partner with Selectboard and she found out about this meeting yesterday. She further stated that she is taken back by not having the same courtesy given to Recreation and that they be working partners and she doesn't even have the printout, so she has no real picture.

B. Ramos stated they had comments, and even though this is a preliminary conversation it doesn't end like this. It is a loss for the Recreation department but where they started from is a move ahead. If the conversation does continue and they are going to be paying rent back, they would like for it to be something that honors the conditions that Recreation has been facing since they started 6 months ago. They would like to know how much is dead square footage, boiler room, stairs, ramp and kitchen area. Also considers stage space to be arts and crafts and they feel it would not be enough space for their summer camps.

#### **SELECTBOARD LETTER REGARDING HUBBARDTON AND CVS**

Will be done in Executive Session concerning pending litigation.

#### **RECREATION UPDATE – Bo Elliott Ramos**

B. Ramos reviewed their recreation report and the numbers of attendance. Pickle ball is very active, youth rec softball is now done, they had an open studio in July. The 4<sup>th</sup> of July events were planned and the garden club meetings started impromptu. June registrations for July activities was a challenge due to the new HeyGov use but it is being fine-tuned.

B. Ramos stated they have talked with M. Jones, and they are stepping back from their duties as the Recreation Director, as they are going bonkers and are very stressed. B. Ramos further stated they appreciate the support from M. Jones and they don't feel they can continue without dropping too much weight on everyone else involved. J. Mark thanked B. Ramos for their service to the Town. M. McIntyre stated it is unfortunate that this resignation has come about. She feels the Board of Selectmen need to listen to those who really want a Recreation Center. J. Leamy stated the Recreation Department has been present and so has Z. Hale and is hopeful going to be a working solution.

#### **PLANNING COMMISSION APPOINTMENT: Jim Thomas, 1 year to expire June 30, 2024**

**R. Combs made a motion to appoint James Thomas to the Planning Commission for a term to expire June 30, 2024. J. Mark seconded. ML Harris questioned what would happen when he goes to Florida in the winter. M. Jones stated it is understood that he will zoom in. All voted in favor. Motion carried 4-0.**

**UPDATE PERMIT FEE STRUCTURE: Working in the Town Right of Way. Was \$5.00 Proposed \$50.00 Same as Driveway Curb Cut Increase**

M. Jones stated a lot of work has been done in rights of way without permission, and even with permission instructions are not followed. There is no opposition to the fee increase, but they need some sort of follow up letters, etc., for correction if the projects are not done to the Town specifications after the fact. J. Mark asked what type of Town involvement there would need to be. M. Jones stated meeting with contractors, administrative time to process paperwork and fees, and comes to more than what they have in it in time and labor at the current rate. **J. Mark made a motion to raise the fee to work in a Town right of way to \$50. R. Combs seconded.** M. Jones would like to give a 30 day notice to taxpayers. **All voted in favor. Motion carried 4-0.**

**SET THE MUNICIPAL TAX RATE/ACCEPT THE HOMESTEAD AND NON-HOMESTEAD EDUCATION ASSESSEMENT/Set the Low and High Penalty Rate for Late Homestead Declaration Filing**

M. Jones stated this is a first cut at this and rather than come back, if there are any BCA grievances then they would have to be amended, so therefore would hold off until the meeting of the 24<sup>th</sup> to correlate it with preparing tax bills. R. Combs stated he sees the municipal rate is going down a small amount and the homestead education rate increases slightly.

**PROPOSED HEALTH INSURANCE RATE INCREASES FOR SMALL TOWNS**

M. Jones stated this is just an informational inclusion for the 12.75% increase of last year. They have until July 27<sup>th</sup> to send something in support of no increase proposing 14.5% this year. **J. Mark made a motion to authorize the Board Chair and Town Manager to collaborate on a document to be sent to the Green Mountain Care Board expressing Board of Selectmen concerns about the proposed rate increases as presented by BC/BS. R. Combs seconded. All voted in favor. Motion carried 4-0.**

**CONVEYANCE OF PRIVATE ROAD TO THE TOWN OF CASTLETON: G. Kupferer**

G. Kupferer was not present at this time. J. Leamy stated he felt the Public Works Director and Town Manager would be able to review the proposal and bring it back with recommendations to the board. M. Jones stated he has gone on the site, but has not brought in the Public Works Director, but will and come back before the Board. Nancy Liberatore stated to the Board that she believed Mr. Howard and Atty Kupferer planned to be here so they may be coming. Her current condition with the Hydeville Plaza that she and her husband now own and the rights of way and Act 250 permit are causing problems with reasonable access and for the business owners in the plaza and the residents it affects. J. Leamy asked who would make the Act 250 complaint. N. Liberatore stated she and her husband for their portion of the 60 right of way, and would they would install the islands and other permit requirements. R. Combs asked for a copy of the drawing of what is supposed to be adhered to.

**ARPA CONSIDERATIONS: Fire Department SCBA Replacement**

M. Jones deferred to H. Goyette on the Reynolds quote for the SCBA Equipment. It was stated that they are waiting to apply for another grant this fall, and it will be applied for at no charge due the denial of the last one. The Chief is concerned with waiting a year to find out if they will be getting the funds. H. Goyette stated they have applied 5 years in a row now, 3 were done by the assistant chief, one with assistant chief and M. Jones and one with the grant writer. He feels to wait to see if they get a grant, when they have 10 that are non-compliant as of right now, he would rather see them use ARPA funds. They could wait for an air compressor but feels the pacs should be brought to the forefront. A brief discussion was held on what is being proposed for numbers of pacs, tanks and masks and the age of the existing equipment. J. Leamy asked why some had not been replaced periodically. H. Goyette stated that was why he has requested the sinking fund for just this reason, so they can be done more frequently. M. Jones will rework the numbers and address at next meeting, July 24 so the cost is correct.

J. Howard appeared at this time for the previous road discussion. He stated they are putting 11 new homes in the area and are working on #4 now. It is complicated and the ownership of the road is going to become an issue when it comes to resale. He feels the road would benefit so many businesses and residents in the end.

**MANAGER'S REPORT**

M. Jones briefly reviewed items and mentioned there may not have ever been an agreement with the railroad and the Town on the trestle, if that is the case, it would be on the railroad to correct the problem. He met with Mr. Wilk today and measured it and it is included in the paving bids.

They are still looking for a roll off truck.

Eaton Hill West has been completed.

They have been notified that the solar project on East Hubbardton Road is moving forward and is scheduled for construction.

The tanks project at the wastewater plant is a little behind schedule.

It is possible that the pump station at Crystal Beach could be done under the bond.

The power outage on Route 4a due to storms in the last 48 hours, caused the generator to stop running at the pump station by Dollar General/Railroad. They had to have a truck come to pump the tank until the generator came on.

Paving will start early on Drake Road, M. Jones has asked for time to let the residents know. Rice Willis Road issues were looked at as well. The Little Rutland Road agreement coming to a close.

The excavator is back, they had an issue with trailer tires coming back, but it is all back in town.

There has not been any road issues with the recent heavy rain.

They are still working on the leak with the fire station roof. It has been looked at to determine where it is and how to fix it.

The TSA fingerprinting is starting, new cruiser is to come in September. The aerial ladder testing is complete and will be coming with a proposal for replacement of Engine 6.

The utility pole at the park and ride is still in works.

They are waiting for the line painting for paving to be done. Also met with Tom Kearns on the stormwater runoff for Crystal Haven West.

They also have some problem trees, which there are a lot of and need to be addressed. M. Jones would like authorization to contact some tree contractors for quotes to remedy, or they will have to use ARPA or see what is left over at the end of the year.

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

**R. Combs made a motion to approve Purchase Order #050184 to Northern Safety for Flammable Liquid Storage Cabinets and Emergency Eye Wash Station in the amount of \$3,619.65. J. Mark seconded. All voted in favor. Motion carried 4-0.**

**R. Combs made a motion to approve Purchase Order #050480 to Brookfield Services for the generator for the Sucker Brook Pump Station in the amount of \$40,500.00 J. Mark seconded. All voted in favor. Motion carried 4-0.**

#### **WARRANTS FOR APPROVAL**

R. Combs made a motion to approve check warrant #0710R in the amount of \$40,500.00, check warrant #0710 in the amount of \$406,552.23, check warrant #0706 in the amount of \$6,592.95, check warrant #0629 in the amount of \$27,242.64, check warrant #0629P in the amount of \$20,081.41, check warrant #0706P in the amount of \$20,538.97. J. Mark seconded. All voted in favor. Motion carried 4-0.

J. Mark made a motion to approve check warrant #0630P in the amount \$612.53 and check warrant #0707P in the amount of \$610.23. ML Harris seconded. R. Combs recused himself. All remaining members voted in favor. Motion carried 4-0.

R. Combs made a motion to approve check warrant #0710S in the amount \$104.80. ML Harris seconded. J. Mark recused himself. All remaining members voted in favor. Motion carried 4-0.

**SELECTBOARD COMMENTS and/or CONCERNS:**

None at this time.

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

J. Mark asked whether the issues with technology are weather related or something else. M. Jones felt it was internet related, it is lagging and won't connect. J. Mark stated the Town has spent a significant amount on this technology, and given that there are persistent and period issues, he would like to see the installer return to address those issues.

**8:36 PM - ENTER EXECUTIVE SESSION**

R. Combs made a motion to enter an Executive Session to include the Town Manager to discuss real estate. ML Harris seconded. All voted in favor. Motion carried 4-0.

**8:51 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 4-0.

**8:52 PM - ENTER EXECUTIVE SESSION**

R. Combs made a motion to enter an Executive Session to include the Town Manager to discuss personnel. ML Harris seconded. All voted in favor. Motion carried 4-0.

**9:09 PM - EXIT EXECUTIVE SESSION**

J. Mark made a motion to exit Executive Session, no action taken. R. Combs seconded. All voted in favor. Motion carried 4-0.

**ADJOURN – 9:10 pm**

ML Harris made a motion to adjourn at 9:10 p.m. R. Combs seconded. All voted in favor. Motion carried 4-0.

Respectfully Submitted  
Allison Harvey  
Recording Secretary