

TOWN OF CASTLETON SELECT BOARD MINUTES

**Monday, November 28, 2022 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/pTv_aplKAIUJ6AbEplf0_ERoM4y_29_x3ldKMHpvAfXd2d0QG9tzFCqPNHCyhrTF.5bTv_wvzFauxG9Jpl

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

PRESENT VIA ZOOM: Zak Hale, 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. R. Spaulding seconded. All voted in favor. Motion carried 5-0.

APPROVAL OF MINUTES

ML Harris made a motion to approve the minutes of November 14, 2022 as presented. R. Spaulding seconded.

J. Mark stated approval should probably be postponed as on Page 2 in the fourth to last line of Citizens Comments and Concerns, (30 minutes in listening to recording) indicates there needs to be some clarification of the discussion at that point.

No vote on the motion, approval was tabled until next meeting.

R. Combs made a motion to approve the minutes of November 21, 2022 as presented. J. Mark seconded.

ML Harris and R. Spaulding abstained, all others voted in favor. Motion carried 3-0.

CITIZENS COMMENTS & CONCERNS - ITEMS NOT ON THE AGENDA:

M. McIntyre stated she is present as the chair of CDERAC. They had a special meeting November 3 with local business owners which was fairly well attended. She reviewed the questions asked of the business owners at that meeting. They have evaluated the comments of the meeting with Devon Neary and Tyler Richardson and have arrived at the conclusion that they needed to focus on getting broader feedback from other business owners in town and they are working on getting more input based on that. It was also noted there seems to be a lack of marketing of the town and its assets. Signage was addressed and it was felt it should be improved upon. There are also resources with RRPC and CDERR that they can be tapping into for these results. M. McIntyre stated they are also checking with the content lab at Castleton University to make a stronger connection with the campus and involve college students. Also, the largest concern of business owners for every topic was water and municipal sewer availability. She is here to ask that studies that have been done concerning the sewer be resurrected and reviewed to see if it is still feasible.

John Gillen of Sand Hill Road asked to speak of the Sand Hill Senior Facility and the appeal of the DRB decision. He feels that Hale and Hale should appeal if they so choose, but the town selectboard should not be involved. The issue is whether the memory care exception was handled properly by the DRB, and he doesn't see how the Town should become involved with additional attorney's fees.

Zak Hale stated he was before the board to address the Purchase and Sale Agreement they have with the Town, specifically about the due diligence clause. They need to ask for an extension of the due diligence clause for their project on Sand Hill Road project and it would be the same as the last time they approved an extension, which would create a 6th due diligence addendum for Act 250 and allowing for local permitting in due diligence period #5. R. Combs asked the time frame of when would need to be done. Z. Hale stated the just completed due diligence period #4 which is for local permitting and are currently in due diligence #5 which is November 13, 2022 until May 11, 2023. At this time he would request and allow due diligence #5 to cover local permitting until May 11, 2023, and create due diligence #6 for another 180 days to affect the dates for Act 250. ML Harris recused herself. J. Mark would like to see something in writing before taking any action. R. Combs and R. Spaulding agreed.

POLICE UPDATE

Will be later, Police Chief not present at this time.

MOWING BID AWARDS: Bid 1 & Bid 2

M. Jones does not have last year's numbers to compare to, but if the board wants to compare this it can be held until the next meeting. These prices did go up, mostly due to fuel costs. There is a single bidder on each package, they are not competing on the two bids. J. Mark suggested postponing the decision, as they do not have the comparison and the additional cost has not been added to the budget figures to be approved or reviewed coming up for the next fiscal year. These are the same bidders as has been doing the jobs for the past 3-4 years. This will be discussed at the next meeting.

HOUSING TRUST OF RUTLAND COUNTY SUPPORT

M. Jones stated the Housing Trust of Rutland County is asking for a donation. M. Jones stated he is not certain what they use their funds for, and this has not been contributed to in the past. R. Spaulding asked why they have not come as an annual appropriation for the ballot, rather than a donation. M. Jones will go to them and see if they want to do an annual appropriation for the ballot.

PURCHASE ORDERS FOR APPROVAL

None at this time.

WARRANTS FOR APPROVAL

R. Combs made a motion to approve check warrant #1128 in the amount of \$650.00, check warrant #11128 in the amount of \$319,407.88, check warrant #1123 in the amount of \$8,069.70, check warrant #1117 in the amount of \$6,635.01, check warrant #1123P in the amount of \$16,444.85, check warrant #1117P in the amount of \$16,757.22. ML Harris seconded the motion. All voted in favor. Motion carried 5-0.

J. Mark made a motion to approve check warrant #1129 in the amount \$320.00 and check warrant #1124P in the amount of \$654.67 and check warrant #1118P in the amount of \$654.67. ML Harris seconded the motion. R. Combs recused himself. All remaining members voted in favor. Motion carried 4-0.

M. Jones stated on the earlier approval of the agenda, it was noted they did not have approval of the emergency meeting of November 21, 2022 minutes added. **R. Combs made a motion to add the approval of the November 21, 2022 minutes to the agenda. J Mark seconded. All voted in favor. Motion carried 5-0.**

SELECTBOARD COMMENTS & CONCERNS:

ML Harris stated she has a few concerns, all concerning the State. The culvert and the work done on Little Rutland Road which has been going on for two and a half years was held up with the State and Town, the raining rocks from the quarry, the Precision Auto run off from the State road going under their building or parking lot, the gas tank at the town garage and cat walk on top, all things that have State involvement, they are or have been waiting on the State to do something for all of them. She is concerned with the liability these things create and the Town has done nothing. She asked if there isn't something that the Town can do. Discussion on the catwalk at the Town Garage and why it is being done the way it is, M.

Jones will check into it. M. Jones stated he will check with Precision to see about the water, and it is a State highway, so there is nothing the Town can do. M. Jones also stated he asked some VTrans guys on Main Street that were doing some surveying work why they were doing it. They replied with they usually do it when there are paving projects. M. Jones felt that made sense, as it usually takes about 2 years for the projects to be planned and he believes they are supposed to pave that area in 2024. The blasting is another State jurisdiction, unless there is a local ordinance that is violated, there is nothing the Town can do. It was believed the quarry was fined and shut down for some time and lost their operating license because of it.

R. Spaulding stated J. Leamy sent a letter to the State regarding the issuance of a liquor license in Town. It was stated it is in the process of being started.

R. Combs stated if the Town is to retain CVS, he would like it to be addressed with the Recreation Department, as he is not sure of what long term plan is for the building. R. Combs would like to see the Recreation Department and the new Recreation Director to come up with a long term plan for the use of the building and how the programs would be expanded to use the facility and how the revenue would be generated to support it. M. Jones suggested he would get with Recreation Director and Recreation Department to develop a business plan and suggested at least a 5-year plan.

J. Mark suggested a proposal the Recreation Department gave to the ad hoc committee be expanded and that it should be shared with the entire board and allowed to give feedback.

R. Spaulding asked where R. Combs got the feeling that they will be keeping the building. R. Combs stated he felt if the petition is followed through with and the CVS building is kept for at least 3 years, they need to have some sort of plan for the building rather than just leave it sitting there. R. Spaulding asked how it is being promoted for sale. M. Jones it has been on web site, and he needs to address the matter within Executive Session.

J. Mark referred to the Wenda Bird letter to board at the last meeting. He would like to have it addressed and something done with her request. J. Leamy stated she has been assured that when a decision has been made, she will get a response.

BRIEF RECAP & ITEMS FOR FOLLOW UP:

None

ENTER EXECUTIVE SESSION

R. Combs made a motion to enter Executive Session at 7:47pm to include the Board and Town Manager for real estate. J. Mark seconded. All voted in favor. Motion carried 5-0.

EXIT EXECUTIVE SESSION

R. Combs made a motion to exit Executive Session at 8:39pm, no action taken. R. Spaulding seconded. All voted in favor. Motion carried 5-0.

ENTER EXECUTIVE SESSION

R. Combs made a motion to enter Executive Session at 8:40pm to include four members of the board, ML Harris is recusing herself, and the Town Manager for real estate. R. Spaulding seconded. All voted in favor. Motion carried 4-0.

EXIT EXECUTIVE SESSION

R. Combs made a motion to exit Executive Session at 9:01pm, no action taken. R. Spaulding seconded. All voted in favor. Motion carried 5-0.

ADJOURN

R. Spaulding made a motion to adjourn at 9:02p.m. R. Combs seconded. All voted in favor. Motion carried 4-0.
Meeting adjourned.

Respectfully Submitted
Allison Harvey
Recording Secretary

FINAL