

**TOWN OF CASTLETON
SELECT BOARD MINUTES
Monday, January 14, 2019 at 7:00pm
Castleton Town Office
263 VT – 30
Castleton, VT 05732**

PRESENT: Joe Bruno, Select Board Chair; Richard Combs, Select Board Vice Chair; Zack Holzworth, Select Board Secretary; Robert Spaulding, Select Board Member; Jim Leamy, Select Board Member; Michael Jones, Town Manager; Karen Stewart, Administrative Assistant to the Town Manager; Eliza LeBrun, Recording Secretary; Heath Goyette, Fire Warden; Ted Day; Sue Day; Janet Currie; Bob Franzoni; Tyrell Hanley; Bonnie Hanley; Patricia Schroeder; Hal Monez; Andrew, Vermilya; Melanie Combs; Joe Marl; Suzanne Young; Jay Luebke; Ted and Martha Molmar; Normandie and Pat Keller; Mohammad Bilal; Julius Remersina(sp); Sarah Coulter Doner (sp); and Tiffany Saltis

CALL MEETING TO ORDER

The meeting was called to order by Mr. Bruno at 7:00pm.

PLEDGE OF ALLEGIANCE

Mr. Bruno led the Pledge of Allegiance.

APPROVAL OF AGENDA

Prior to the approval of the Agenda, Mr. Bruno asked Mr. Jones to introduce the new recording secretary, Eliza LeBrun. Ms. LeBrun works at the Castleton Village School and comes from White River Junction, she has 7 years' experience working with Boards and 17 years working with the public.

Mr. Holzworth made a motion to accept the Agenda. Mr. Spaulding seconded the motion. All were in favor, the motion passed.

MINUTES FOR APPROVAL – JANUARY 7, 2019

Mr. Holzworth made a motion to approve the Minutes. Mr. Spaulding seconded the motion.

Mrs. Stewart provided the Board with an updated copy of more appropriate language regarding the Better Connections Grant provided by Jonas Rosenthal.

Mr. Combs cited three (3) errors which he identified for correction.

1. Page 2, second line down, replace the word "Russo" with "Brusso".
2. Page 2, second paragraph, line 4; change the word "the" to the word "to."
3. Page 3, last paragraph, line 10; change "6 weeks" to "3 weeks."

Mr. Bruno called the vote for approval of the Minutes of January 7, 2019 with all corrections.

All were in favor and the motion passed.

GREAT BENSON FISHING DERBY: CRYSTAL BEACH

Mr. Leamy made a motion to approve the Great Benson Fishing Derby to be held at Crystal Beach on February 23rd and 24th. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

LBA GRANT PASS THROUGH: BOB FRANZONI

Mr. Franzoni, Resident of Castleton; stated that the State of Vermont changed the Pass Through Grant process and the Town of Castleton no longer needed to approve it, but the Town must be notified. At this time, the LBA notified the Castleton Select Board of their intention to apply for this grant for the purpose of harvesting. The grant will go directly to the LBA rather than the Town of Castleton.

TIM GILBERT RCSW QUARTERLY UPDATE

Mr. Gilbert was unable to attend, therefore has been rescheduled to the January 28th Select Board Agenda.

CASTLETON CLIMATE SOLUTIONS GROUP: BONNIE HANLEY

Ms. Hanley introduced Joe Mark to present for Castleton Climate. Mr. Marc spoke on behalf of the group to ask for the Boards approval to place the following resolution on the Town Warning. Over 200 signatures were collected. This resolution is advisory and nonbinding. Placing the resolution on the Town Meeting warning would allow the Castleton Climate Group to determine how the Castleton community feels about these issues.

The undersigned voters of the Town of Castleton request that the Select Board warn the following resolution for our 2019 Town Meeting:

“WHEREAS the State of Vermont has a goal in the Comprehensive Energy Plan to achieve 90% of its energy from renewable sources by 2050, yet is making insufficient progress toward achieving that goal;

Now, therefore, be it resolved:

1. *That the Town urges the State of Vermont to:*
 - a. *Halt any new or expanded fossil fuel infrastructure, including but not limited to energy pipelines;*
 - b. *Firmly commit to at least 90% renewable energy by 2050 for all people in Vermont, with firm interim deadlines;*
 - c. *Ensure that the transition to renewable energy is fair and equitable for all residents, with no hard to low-income people, people of color, or rural communities.*
2. *That the Town will do our part to meet these goals by committing to efforts such as:*
 - a. *Protecting town lands from fossil fuel infrastructure, denying easements or agreements for any pipelines crossing town lands;*
 - b. *Enlisting state support in weatherizing and installing alternative energy to town infrastructures;*
 - c. *Other initiatives to improve the quality of life while helping overall use of energy.”*

Mr. Bruno stated that the Select Board would be unable to approve the resolution at this time as the warning for Town Meeting was not being approved this evening.

Heath Goyette, Castleton Fire Warden asked for clarification on what the Solar Fields would become in 30 to 40 years, would there be any hazardous materials.

Mr. Andrew Vermilya, responded that the Solar panels are mostly glass and silica. The transformers have a shorter life span but they can be replaced, extending the life time of the Solar panels.

Mr. Bruno asked if the transformers would be toxic in the case of a fire. Mr. Vermilya stated the transformers are computerized (solid state), but he did not know the answer to the question. Mr. Vermilya did state that the solar panels were not toxic.

Discussion was held on the benefit of climate awareness for future generations.

PETITIONS FOR APPROVAL: 4th OF JULY

Mr. Leamy made a motion to approve the 4th of July fireworks at Crystal Beach and the need to add the cost to the Town Meeting Warning. Mr. Zach Holzworth seconded the motion. All were in favor and the motion passed.

Mr. Franzoni thanked the Select Board for their approval. This year that the events will be begin on July 3rd at 6pm at the Castleton Library with a speech on Frederick Douglas, then there will be a parade. The boat parade will be held on that Saturday.

WARNING: TOWN MEETING

Mr. Bruno noted that the Select Board could not approve the warning for Town Meeting at this time as there are still items to be added. The Board agreed to have a Special Meeting on Monday, January 21, 2019 for approval of the Town Meeting warning.

LIQUOR LICENSE APPROVAL 2nd CLASS: SHAN PETROLEUM

Mr. Combs made a motion to approve the Second Class License to Sell Malt and Vinous Beverages for Shan Petroleum, Inc d.b.a. Shan Petroleum, Inc, 16 Route 4A, Castleton, Vermont. Mr. Holzworth seconded the motion.

Mr. Holzworth would like to know if the Police Department would stamp/mark the applications to note whether they have reviewed the application before it comes to the Board.

Discussion was held regarding the location of the applying business, this was clarified as Muhammad's at the corner of Route 4A and Route 30.

All were in favor and the motion passed.

CITIZEN'S COMMENTS

Discussion was held regarding the proposed climate change resolution. Resident, Tiffany Saltis would like to support the proposed climate change resolution. Resident, Ted Day would like to see the Town start thinking about the climate change and the impact it will have on the younger generations. Resident, Sue Day would like the Board to know that she also supports the proposed climate change resolution.

Resident, Hal Monez asked for the Boards assistance in reviewing the Noise Ordinance. Mr. Monez has a complaint regarding music being played very loud between 7am and 11pm. He would like to know how to change the current Noise Ordinance. Mr. Bruno recommended that Mr. Monez go to the Planning Commission with his proposal. Mr. Spaulding would like to attend the meeting Mr. Monez attends.

MANAGER'S UPDATE

Town Manager, Mike Jones presented the following to the Select Board:

1. Project Updates

- a. **Float Bridge** - The extension for the Lakes and Ponds permit was submitted electronically today, January 14, 2019. No action is needed at this time. Looking for guidance on when to begin this project. The Board asked Mr. Jones to bring back recommendations.
- b. **Highway Garage** – Bill Nourse from Engineering Ventures completed an initial inspection of the areas around the overhead doors, holes are forming, and you can see the block walls disintegrating inside the holes. Mr. Nourse sent an email advising he doesn't think he will need to excavate, rather he has recommended that the Town hire a geotechnical engineer with experience filling voids under concrete slabs. The preliminary number received for the cost of a geotechnical engineer was \$2,500.00. Mr. Nourse believed that this was a fair cost. Engineering Ventures would not need to be involved unless a structural issue was encountered. This will help to keep costs down.
- c. **Sewer Project** – Mr. Jones spoke to Jason Booth from Aldrich and Elliot regarding the outstanding invoice from Belden's for this project. The Town Manager provided Melanie with a copy of an invoice for \$210,335.74 and another for \$5,513.55 leaving an outstanding balance of \$19,595.88, with \$2,500 of that being held as retainage for the spring.

Discussion was held regarding who should pay for the remaining bill as the State of Vermont and Aldrich and Elliot would not pay the balance. The remaining balance was for work that was extended and an engineer that was on the ground during that time. The work was extended as the weather delayed some of the work. The Select Board questioned why Belden had engineers working if they could not be in the trench boxes. The Select Board would like to see the estimate for the work and have further discussion with Aldrich and Elliot in the Select Board meeting scheduled for January 28, 2019.

- d. **Route 30 Paving 2019** - VTRANS has determined that there is one sewer manhole on Route 30 that may need to be adjusted to match the new finish grade elevation of the road. Route 30 is a State road, however, the sewer and manhole are owned by the Town, therefore, the Town would be responsible for the cost of the adjustment, if needed. The Town can perform the adjustment, or the Town can have the work done as part of the paving project and owe the State of Vermont \$1,000. The Town Manager is looking for guidance from the Select Board in how to proceed. Discussion was held on whether or not it would be less expensive to have the Town do the work. Fire Warden, Heath Goyette asked if the manhole needed bricking or just adding a ring as there is a significant difference in cost. It is unknown at this time. The Select Board asked the Town Manager to pursue an agreement with the state for \$1,000 only.

2. Zoning and Assessor

Joe Gallagher backed out of his acceptance of the Zoning Administrator/Assessor Clerk position and the Board Secretary position. Eliza LeBrun approached the Town Clerk about the Recording Secretary position. The Town Manager was not aware of any other interested parties in that position. After Ms. LeBrun's background check came back, she was offered the position and will take the minutes of all the Boards. There is still a position open as the Assessor Clerk.

3. Grants and Aid

The Town of Castleton will receive State Aid for paving in the amount of \$140,392.09. This amount is less than what the Town has received in previous years. The Town Manager and the Select Board will need to discuss any shortfalls and potentially using some money from the carryover from previous years.

4. Green Lantern Group

The Green Lantern Group 150K solar array project located behind Dollar General is in the que with Green Mountain Power but is behind the Sand Lot Solar Project for the 500K solar array in the old junkyard behind Hubbardton Forge. At this time the Green Lantern Group project has stalled.

Mrs. Day asked the Board if the Solar Field behind Dollar General will be generating electricity for our community? The Town Manager and Select Board Chair explained the electricity would go into a grid and the Town would receive net metering credits.

5. Residential Access

The State of Vermont Agency of Transportation Development Review and Permitting Services Section sent a letter denying resident Patricia Moore residential access from Route 30 to her property. Ms. Moore may appeal this decision in writing within 30 days. This is in reference to Phase 1 of the sidewalk project. Discussion was held. If the Town does not move forward, VTRANS may find the Town liable for some of the engineering costs without the sidewalk. The Town Manager will go back to the table with the residents regarding easements. The Town Manager will bring a time frame for decisions that need to be made to the Select Board meeting on January 21, 2019.

6. LBA Weed Harvesting

The Town Manager removed this item from discussion at this time.

7. Waste Water Treatment Facility

Five (5) applicants for the Chief Assistant Operator for the Waste Water Treatment Facility were interviewed by the Town Manager and Jeff Jordon. The number one (1) candidate was given a conditional offer of employment, it was declined. The Town Manager will offer the position to the number two candidate as soon as the background check has been completed. This is a full time, forty (40) hour per week position, thus it is a union position and subject to the current constraints of the collective bargaining agreement. None of the remaining applicants have their wastewater certification, they would all need training. The Town Manager has approached the State on what to do in the case of an emergency for certified coverage if needed. This issue will be discussed further in executive session.

8. Annual Report

The Town Manager provided the Select Board with copies of the annual reports from the Rutland County Solid Waste District (RCSWD) and the Rutland Regional Planning Commission (RRPC). Discussion was held.

9. AFSCME Union Request

The Town Manager received an email from AFSCME Union representative David Van Deusen requesting a meeting between the Union and Select Board. This will be discussed in detail in

executive session. The Select Board would like to include the AFSCME Union meeting on Monday, January 21, 2019 at 7:30p.m..

10. Cedar Mountain Road

The Town Manager provided the Select Board with some colored photos of an area on Cedar Mountain Road that has become problematic for Town plow drivers. There have been comments made, one most recently by the owner of the dock shown in the photos that it is a private road, and the placement of his dock is acceptable. The Town Manager requests guidance on how to proceed. There was a discussion held regarding ownership and responsibility of care for the road. The Town Manager will look into the issue of ownership. Mr. Bruno suggests that the landowners be sent a letter stating that if they turn the land over to the Town, the Town will maintain the road. Discussion was held regarding the cost to bring the road up to the current standards, it was noted that the Town already takes care of the road as it is now. Letter will be sent to the landowners.

11. Follow up from last meeting

- a. **Coon Hill** - Paul Eagan and the Town Manager went to check on the alleged trees blocking a portion of the road on Coon Hill. We drove to the highway turnaround on the north end of Coon Hill, to Blue Bell Lane, and to the access to the southern end off Point of Pines Road. The only sign of blockage is an old pile on branches on the access from Point of Pines.
- b. A letter of apology to Val Waldron was drafted and put in the Chairman's mailbox on 1/10/2019 for review. Select Board Chair, Joe Bruno thought the letter was well written and agreed to sign it.
- c. The generator at the public safety building (Fire/police/EMS) was inspected and serviced by Brook Field Service. It was found that the generator had not started since August 27th. Mud wasps were the culprit as to why it would not start. It is working now and the technician trained several personnel on how to troubleshoot the generator, locate the fault codes, and how to do a manual start-up. These people included, Chief Mantello, Dick Combs, Justin Szarejko, Chris Fretta, Mike Finnegan, and the Town Manager. It was recommended by Fire Warden, Heath Goyette that the automatic exercise day be moved back to Wednesday's at 6:30 PM because the fire department trains on Wednesday nights and he will make it part of their routine to check the oil and make sure it is not in any kind of malfunction or trouble lights on. The Town Manager will have this coordinated with Brookfield. They may be able to walk staff through the procedure over the phone. The generator was run today with no issues. Fire Warden, Heath Goyette asked if a light could be placed on the generator. The Town Manager will look into it.
- d. The Town Manager drafted a Memorandum of Agreement between the Town of Castleton and the Town of Hubbardton for the disposal of C&D and recycling at our Transfer Station. It will be provided to the Select Board for the meeting on January 21.
- e. The Town Manager sent Jim O'Gorman an email on 1/11/2019 requesting a status update on the collection information that the RCSWD board directed be provided. The Town Manager has not heard back yet.

- f. The Town Manager met with Castleton University President and Laura Jakubowski on Wednesday, 1/10/2019 at 10AM. They discussed the Better Connections Grant and the Town Manager expressed that the Town wants to be sure that Castleton University has a seat at the table as this grant process moves forward. They discussed the police coverage and some of the board member's concerns about taxpayers funding the increased police presence on Friday and Saturday nights while the University is in session. They spoke about PILOT money in the end, the Town Manager believe there was a generous offer from President Scolforo to make a contribution in the amount of \$7,000 to Town. The breakdown would be \$5,000 to the police department for services and \$2,000 to the fire department to assist with the purchase of equipment or needed training. The Town Manager will write a letter requesting these amounts from the University.

SELECT BOARD COMMENTS

Mr. Bruno asked about the Sandlot Project. Mr. Bruno would like the Board to consider approving the Sand Lot (behind Hubbardton Forge) as the preferred site for the solar array as the Planning Commission will be meeting tomorrow night and will likely recommend the Sand Lot as to the Board.

Mr. Combs made a motion to approve the Sand Lot as the preferred site for the solar array. Mr. Spaulding seconded the motion.

Mr. Bruno clarified that the Town would purchase net metering credits from both Green Lantern and Sand Lot.

All were in favor and the motion carried.

PURCHASE ORDER FOR APPROVAL

Mr. Combs made a motion to approve the purchase order #042704 to North Star in the amount of \$7,000.00. Mr. Holzworth seconded the motion.

Mr. Combs asked the Town Manager were the funds came from that are covering the cost. The Town Manager stated that there was an appropriation made by the Town last year, money that the LBA had left over from last year as well as donations.

All were in favor and the motion passed.

WARRANTS FOR APPROVAL

Mr. Combs made a motion to approve check warrants #0114 in the amount of \$45,411.29, warrant #0110 in the amount of \$5,229.37, and warrant #0110P in the amount of \$13,879.20. Mr. Holzworth seconded the motion.

Mr. Spaulding asked how the Town is charged for food waste? Mr. Jones stated it was by the pound. Mr. Bruno asked if the Town charges for composting. It does not. Perhaps the Town should investigate charging for the service. Mr. Jones mentioned that the College indicated they would like to talk to the Town about composting. The Select Board would like the Town Manager to follow up on that.

Discussion was held regarding the cost of diesel.

All were in favor and the motion passed.

Mr. Holzworth made a motion to approve check warrant #00109P in the amount of \$534.16. Mr. Spaulding, seconded the motion. Four (4) Select Board Member voted in favor, one (1) Member abstained. The motion passed.

EXECUTIVE SESSIONS

Mr. Holzworth made a motion to enter Executive Session at 8:50 p.m. to discuss Real Estate under the provision of Title 1, Section 313 (a) (2) of the Vermont State Statutes, Mr. Leamy seconded the motion. All were in favor and motion passed.

Mr. Holzworth made a motion to exit Executive Session at 9:10p.m. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

Mr. Holzworth made a motion to enter Executive Session at 9:10 p.m. to discuss personnel under the provisions of Title 1, Section 313 (3) (a) (3) of the Vermont State Statutes. Mr. Leamy seconded the motion. All were in favor and motion passed.

Mr. Spaulding made a motion to exit Executive Session at 9:50p.m. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

ADJOURN

Mr. Leamy, made a motion to close the Select Board Meeting at 9:51p.m. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Respectfully submitted; Eliza LeBrun, Recording Secretary