

**TOWN OF CASTLETON  
SELECT BOARD MINUTES  
Monday, January 28, 2019 at 7:00pm  
Castleton Town Offices  
263 VT – 30  
Bomoseen, VT 05732**

**PRESENT:** Joe Bruno, Select Board Chair; Richard Combs, Select Board Vice Chair; Zack Holzworth, Select Board Secretary; Jim Leamy, Select Board Member; Michael Jones, Town Manager; Peter Mantello, Police Chief; Heath Goyette, Fire Chief; Eliza LeBrun, Recording Secretary; Janet Currie, Planning Commission Chair; Jay Luebke; Stan Sharps(sp); Maureen Belden; Tim Gilbert; Dan Brown; Laura Jakubowski; Khele Sparks; Joe Mark.

**ABSENT:** Robert Spaulding, Select Board Member

**CALL MEETING TO ORDER**

The meeting was called to order by Mr. Joe Bruno at 7:00p.m.

**PLEDGE OF ALLEGIANCE**

Mr. Bruno led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

**Mr. Holzworth made a motion to approve the Agenda. Mr. Leamy seconded the motion. All were in favor, the motion passed.**

**MINUTES FOR APPROVAL – JANUARY 21, 2019**

**Mr. Holzworth made a motion to approve the meeting minutes of January 21, 2019. Mr. Leamy seconded the motion.**

Select Board Vice Chair, Richard Combs identified the following issues for clarification.

1. Page 3, first paragraph following second motion; remove “was directed” and replace with “decided.”
2. Page 3, third motion; clarify that Mr. Holzworth and Mr. Combs voted in favor of the motion, and Mr. Bruno and Mr. Leamy voted against the motion.

**Mr. Holzworth made a motion to approve the meeting minutes of January 21, 2019 with the listed changes. Mr. Leamy seconded the motion. All were in favor and the motion passed.**

**POLICE UPDATE: CHIEF MANTELLO**

Chief Mantello reviewed the December 2018 Police Department Monthly Report. The Chief noted that for most of the month of December, Castleton University was not in session. Arrests were down from twelve (12) in November to ten (10) in December. Traffic violations totaled two hundred two (202), and there were eleven (11) underage drinking violations. The Chief also noted that there were only three (3) calls for service to Castleton University.

Chief Mantello also presented the 2019-2020 Contract for services between the Slate Valley School District and the Town of Castleton for School Resource Officers. The fees within the

contract were increased to reflect the anticipated increase of FICA and insurance. The Chief noted that the contract is typically paid in full by the school district in September and for the remainder of the school year, Castleton Police Department charges for their mileage. These services do not affect the regular patrols or duty officers. The Slate Valley School District had already signed the contract.

**Mr. Leamy made a motion to renew the contract for School Resource Officers between the Town of Castleton and the Slate Valley School District. Mr. Holzworth seconded the motion. All were in favor, the motion passed.**

Mr. Bruno asked Chief Mantello about the sewage issue at the Police Department. Chief Mantello explained that it was determined that the line was clogged with wipes. Doran Brothers Inc. came to the Police Department and were able to pump the line. The issue has been resolved.

#### **LIQUOR LICENSE APPROVALS**

Police Chief Mantello noted that he had reviewed all the Liquor License Renewals presented this evening and found no issues with any of them.

**Mr. Combs made a motion to approve the First Class Restaurant/Bar License to Sell Vinous Beverages for Lake Bomoseen Hospitality, LLC, d.b.a. Lake House Pub and Grille, 3569 Route 30, Bomoseen, VT 05732. Mr. Holzworth seconded the motion. All were in favor, the motion passed.**

**Mr. Combs made a motion to approve the First Class Restaurant/Bar License to Sell Vinous Beverages for Lake Bomoseen Lodge, LLC, d.b.a. Lake Bomoseen Lodge, 2551 VT Route 30N, Bomoseen, VT 05732. Mr. Holzworth seconded the motion. All were in favor, the motion passed.**

**Mr. Combs made a motion to approve the Second Class License to Sell Vinous Beverages for Toltec, Inc. d.b.a. Beverage King Market and Deli, 334 Route 4A, Bomoseen, VT 05732. Mr. Holzworth seconded the motion. All were in favor, the motion passed.**

**Mr. Combs made a motion to approve the Second Class License to Sell Vinous Beverages for McBell LLC, d.b.a. Harbor View General Store, 33 Creek Road, Hydeville, VT 05750. Mr. Holzworth seconded the motion. All were in favor, the motion passed.**

**Mr. Combs made a motion to approve the Outside Consumption Permit for Lake Bomoseen Hospitality, LLC, d.b.a. Lake House Pub and Grille, 3569 Route 30, Bomoseen, VT 05732. Mr. Holzworth seconded the motion. All were in favor, the motion passed.**

**Mr. Combs made a motion to approve the Outside Consumption Permit for Lake Bomoseen Lodge, LLC, d.b.a. Lake Bomoseen Lodge, 2551 VT Route 30N, Bomoseen, VT 05732. Mr. Holzworth seconded the motion. All were in favor, the motion passed.**

#### **TIM GILBERT RCSW QUARTERLY UPDATE**

Mr. Gilbert presented the Select Board with the Rutland County Solid Waste District quarterly report. Mr. Gilbert noted that revenue increased due to some demolition in the city of Rutland recently. Mr. Gilbert explained that he had been asked to determine how much trash the Town of Castleton produces. Select Board member, Mr. Spaulding had informed Mr. Gilbert that he estimated the transfer station gets about

800 tons of trash from Castleton, the remainder is from Hubbardton. Mr. Spaulding also estimated that about one third of the residents use the transfer station. Mr. Gilbert stated that with those numbers he estimates about 2,400 tons of trash are produced by the Town, this generates revenue of about \$48,000 for the trash district, the Town directly pays \$16,000 to the Rutland County Solid Waste District with the remaining amount coming from Hubbardton. There was also a question about how much Household Hazardous Waste is generated by residents (who are not charged for this), small businesses pay less if they are members of the Rutland Solid Waste District.

Mr. Gilbert was concerned with the possibility of the Town of Castleton leaving the RCSWD as it is (at present) appearing as though it is less expensive than the alternative. The Town of Castleton currently pays \$16,000 to the RCSWD and Mr. Gilbert believes that Solid Waste Alliance Committee will cost the Town approximately \$28,000. Mr. Gilbert explained that the District versus Non-District cost to the Town by trash haulers, appears to be the same. Mr. Gilbert theorized that the Town would either need to increase fees at the landfill or raise taxes to cover the \$12,000 cost difference.

Mr. Gilbert asked the Board how they had determined that SWAC was less expensive than RCSWD? Mr. Gilbert is not sure why the Town of Castleton would want to leave the Rutland County Solid Waste District. Mr. Bruno explained that the Board has been relying on the information brought to them by a Select Board member. However, Mr. Bruno noted that the Select Board did not have all the information.

Mr. Gilbert asked if there was any way to change the language for the article. There is not, the 2019 Town Warning has been finalized, nothing can be changed.

If the Select Board, Mr. Gilbert, the Rutland County Solid Waste District, and the Solid Waste Alliance Committee are available, a Special Meeting will be held on Monday, February 18, 2019 at 6:00pm (time is subject to availability) to discuss Solid Waste cost and services.

Mr. Leamy stated that he has been eagerly waiting to get more information from RCSWD and has repeatedly asked for costs and services, but it has not yet been provided.

#### **DUFRESNE CONSULTING ENGINEERS SIDEWALK AMENDMENT #5**

Mr. Jones, Town Manager will be meeting with Pat Travers and VTRANS to discuss the Route 30/4A Sidewalk Improvements Amendment #5. This amendment increases the fixed fee budget by \$9,925. Mr. Jones will provide the Select Board with an explanation of the increase at the Select Board Meeting to be held on February 11, 2019. Mr. Bruno asked that Mr. Jones update the Board on the right-of-way drawings at the meeting on February 11, 2019 as well.

#### **CITIZENS COMMENTS**

There were no citizen comments.

#### **MANAGER'S UPDATE**

Mr. Jones would like to say thank you to the Highway Department, Police Department, Fire Department and Red Cross for their efforts during the storms last week. The Town worked with Vermont Emergency Management, the Watch Officer, the Red Cross and 211 to keep everyone updated with what was going on in Castleton.

Dr. Dickel called and reported flooding in his basement. Paul has been clearing the inlets of snow and ice. Mr. Jones is looking for the Castleton Meadows engineering study that might give some information as to

how to take care of the stormwater. This is something that the Town will need to address in the future, but at this time, there is nothing that the Town can do.

Mr. Jones provided the Select Board with copies of the finalized petitions from Town Clerk, Nedra Boutwell.

An AED was installed in the Town Office. Mr. Jones is trained to use the device and will be setting up trainings so that all Town employees will be able to use it.

Vermont State Police (VSP) contacted Mr. Jones regarding renewing their contract with the Town of Castleton for another year. Mr. Jones will be speaking to Chief Mantello about this and will have more details by the next meeting.

Mr. Leamy asked the Town Manager if he was going to be writing a Thank You letter to the Castleton University for their donation for Police and Fire protection? Mr. Jones confirmed that he will write the letter after writing the letter to request the donation. The letter will be going out this week

Mr. Bruno asked about the contract renewal between the Transfer Station and Hubbardton. Mr. Jones provided the Select Board with copies of the contract. The Select Board will review the contract and address it at a later date.

Mr. Bruno asked if a letter had been received from Val Waldron. Copies of the letter were given to the Select Board. In the letter, Val Waldron submitted this as a letter of intent to be appointed to the Planning Commission.

Mr. Bruno asked about the Fire Station roof. Mr. Jones and Fire Chief Goyette explained that the roofing company will return after the forecasted snow this week to remove the snow and look for damage. If no damage is found, the Town will need to keep the roof clear until the Spring when the roof can be removed to look deeper. There could be some inadequate insulation contributing toward the problems. Mr. Bruno noted that on the side of the building it appears that more snow has melted off which it should not have been in the current temperature.

#### **SELECTBOARD COMMENTS**

Mr. Bruno shared with the public that two (2) weeks ago, he had expressed his concern to the Board and the Town Manager during Executive Session regarding his observation of a conflict of interest regarding another Board member. Mr. Bruno requested legal advice and reviewed the Boards conflict of interest policy. Mr. Bruno then received a letter from Mr. Combs which requested that the allegations of conflict of interest be discussed in open session and that he be allowed to discuss this with other people. Mr. Bruno did not believe that he made an allegation against Mr. Combs rather a statement of fact. Mr. Combs' wife works as the Town Accountant. The Town's Conflict of Interest policy includes any direct personal or financial interest of a public officer, his/her spouse, household member, etc. Mr. Bruno stated that Mr. Combs receives health benefits because his wife is an employee of the Town. Mr. Bruno noted that Mr. Combs does not vote on his wife's salary as that department has been moved to a different area in the budget, however, Mr. Bruno believes that it is a violation to have Mr. Combs vote on the budget at all as his wife's department is included within it. Rather, Mr. Bruno believes that the department should be moved to a separate warrant to remove the conflict of interest as he would not be voting on that. Mr. Bruno expressed that this is his opinion and that the remainder of the Board is entitled to their own

opinion. Mr. Bruno would like to see the Personnel Policy changed, and he believes that the Conflict of Interest Policy is not enforceable.

Mr. Combs requested that this issue be discussed at length in a separate Select Board meeting in which Mr. Combs be allowed to present individuals to speak about this.

Mr. Bruno asked Mr. Jones how the Town was doing with Salt and Sand at the Highway Department. Mr. Jones stated that the Town is not doing very well especially with the Salt. The Town is down to 200 tons out of 600 tons. It's the little small storms and then the cold temperatures. Mr. Jones has asked Paul to create a mix of Salt and Sand to try to make it last longer. We are about 50% depleted at this point, Mr. Jones stated that he has asked Paul to get an estimate on more, but the cost will be high. Mr. Holzworth would like to know how much money is left in the budget for Salt and Sand. Mr. Jones said that there is money in the reserve to cover that. Mr. Bruno agreed that it is something that needs to be bought.

**Mr. Leamy made a motion to appoint Val Waldron to the Planning Commission. Mr. Holzworth seconded the motion.**

Mr. Combs asked that this be tabled until the next Select Board meeting that everyone is present for. Mr. Bruno denied the request and called the vote.

**Mr. Bruno and Mr. Leamy voted in favor of the motion, Mr. Combs and Mr. Holzworth voted against the motion. The motion failed.**

Mr. Bruno requested an explanation from the Board members who voted against the motion. Mr. Combs restated his preference to wait for a full Board and Val Waldron to be present for the vote. Mr. Holzworth stated that he voted no because of the letter left with the Town when Ms. Waldron left her position.

#### **WARRANTS FOR APPROVAL**

**Mr. Combs made a motion to approve check warrant # 0128R in the amount of \$30,467.87, warrant #0128 in the amount of \$272,607.65, warrant #0124 in the amount of \$5,742.17, warrant #0117 in the amount of \$5,600.24, warrant #0124P in the amount of \$15,253.51, and warrant #0117P in the amount of \$15,246.30. Mr. Holzworth seconded the motion. All were in favor and the motion passed.**

**Mr. Holzworth made a motion to approve warrant #0123P in the amount of \$534.16 and warrant #0166P in the amount of \$534.17. Mr. Leamy seconded the motion. Mr. Combs abstained from the vote, the remaining Select Board members all voted in favor and the motion passed.**

#### **EXECUTIVE SESSIONS**

**Mr. Leamy made a motion to enter Executive Session at 7:52p.m. to discuss Real Estate under the provision of Title 1, Section 313 (a) (2) of the Vermont State Statutes with the Town Manager present. Mr. Holzworth seconded the motion. All were in favor and the motion passed.**

**Mr. Holzworth made a motion to exit Executive Session at 8:20 p.m. Mr. Leamy seconded the motion. All were in favor, and the motion passed.** No action taken.

**Mr. Holzworth made a motion to enter Executive Session at 8:21p.m. to discuss Personnel under the provision of Title 1, Section 313 (a) (3) of the Vermont State Statutes with the Town Manager present.**

Mr. Leamy seconded the motion. All were in favor, and the motion passed.

Mr. Holzworth made a motion to exit Executive Session at 8:30 p.m. Mr. Leamy seconded the motion. All were in favor, the motion passed. No action taken.

Mr. Combs made a motion to extend our current contract with the Town Manager, Mike Jones, until April 1, 2019. Mr. Holzworth seconded the motion. All were in favor, and the motion passed.

Mr. Holzworth made a motion to enter Executive Session at 8:31p.m. to discuss negotiations under the provision of Title 1, Section 313 (a) (1) of the Vermont State Statutes with the AFSCME Union members and the Town Manager present. Mr. Leamy seconded the motion. All were in favor, and the motion passed.

Mr. Holzworth made a motion to exit Executive Session at 8:50p.m. Mr. Leamy seconded the motion. All were in favor, and the motion passed. No action taken.

#### **ADJOURN**

Mr. Leamy made a motion to close the Select Board meeting at 8:51p.m. Mr. Holzworth seconded the motion. All were in favor, and the motion passed.

Respectfully submitted; Eliza LeBrun, Recording Secretary