

**TOWN OF CASTLETON**  
**SELECT BOARD MINUTES**  
**Monday, April 22, 2019 at 7:00pm**  
**Castleton Town Hall**  
**263 VT – 30**  
**Bomoseen, VT 05732**

**PRESENT:** Jim Leamy, Chair; Richard Combs, Vice Chair; Zack Holzworth, Secretary; Joseph Mark, Select Board Parliamentarian; Michael Jones, Town Manager; Eliza LeBrun, Recording Secretary; Peter Mantello, Police Chief; Peg Camera Operator; Laura Jakubowski; Liz MacKay; Robert Pereau; Taylor Dunlap; John Stewart; Helen Steele; Rob Steele; James Cote; Iyanna Williams; Jacob Winchester; David Blow; Kaitlyn Clark; Maxx Ingison (sp); Devin Poslusny (sp); Mary Droege; Martha Molnar; Dave Forester; Joe Bruno; Brian Orzell.

**ABSENT:** Robert Spaulding, Member;

**CALL MEETING TO ORDER**

The meeting was called to order by Select Board Chair, Jim Leamy at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

Select Board Chair, Jim Leamy led the Pledge of Allegiance.

Mr. Leamy welcomed Mr. Blow and his Castleton University students to the Select Board Meeting.

**APPROVAL OF AGENDA**

**Mr. Holzworth made a motion to accept the Agenda. Mr. Mark seconded the motion.**

Mr. Combs requested the addition of quotes for Street Sweeping, Cross Walk and railroad crossing painting, and the addition of a Purchase Order for Quartz Lamps for the sewer plant to be added to the Agenda after the Mowing Bid.

Mr. Leamy called the question to include the two (2) additional topics.

**All were in favor, the motion passed.**

**MINUTES FOR APPROVAL – April 8, 2019**

**Mr. Combs made a motion to approve the Minutes of April 8, 2019. Mr. Holzworth seconded the motion.**

The following errors were identified for correction:

1. Page 2, first paragraph, second sentence; remove the word “from” after leasing and replace it with “land that.”
2. Page 5, sixth paragraph; third sentence; complete sentence with “completed by July 13, 2019.”

Select Board Chair, Jim Leamy called the vote for approval of the Minutes of April 8, 2019 with the listed corrections.

**All were in favor and the motion passed.**

#### **POLICE DEPARTMENT UPDATE: CHIEF MANTELLO**

Chief Mantello presented the March 2019 Monthly Report from the Castleton Police Department. There was a total of 301 calls in March, which seems high. There were more property watches as more people were away. Motor Vehicle Complaints increased as did Directed Patrols. Arrests were down in March as were Traffic Offenses. Calls for service at Castleton University increased in March.

A Towed Vehicle Report was added to the monthly report, which documented one (1) call for service. Notes on the Motor Vehicle accident needing the Tow were also listed.

Chief Mantello noted that there have been 1,220 documented medical emergencies since 2008 in the Town of Castleton.

Officer Szarejko and Officer Stevens were successfully re-certified in their National Emergency Medical Technician Certification which lasts two (2) years.

Saturday, May 11, 2019 there will be a Girls on the Run event, this event is listed on the Town's website as well as Facebook.

Castleton Graduation is scheduled for May 18, 2019.

Chief Mantello mentioned that there was a threat over the weekend at Castleton University. Chief Mantello did investigate this threat and it was determined that there was no imminent threat was found, and no criminal violations as the statement was made in New York, not Vermont.

#### **LIQUOR LICENSE APPROVAL**

Chief Mantello found no issue with any of the listed liquor license and outside consumption requests.

**Mr. Mark made a motion to approve the request for a First Class Liquor License to Sell Malt & Vinous Beverages and Outside Consumption Permit for the American Legion Crippen-Fellows Post #50, d.b.a. American Legion Crippen-Fellows Post #50; a First Class Liquor License to Sell Malt & Vinous Beverages and Outside consumption for Breting, LLC, d.b.a. Third Place Pizzeria, The; for a First Class Liquor License to Sell Malt & Vinous Beverages for Iron Lantern, LLC d.b.a. Iron Lantern Restaurant; for a First Class Liquor License to Sell Malt & Vinous Beverages and Outside consumption for Palms at Prospect Bay, The Inc d.b.a. Palms at Prospect Bay, The. Mr. Holzworth seconded the motion. All were in favor and the motion passed.**

#### **MOWING BID**

Mr. Jones stated that he had only opened the bids for mowing this evening.

Bid #1 included seasonal lawn mowing and trimming in the following areas:

- Historic Cemetery at Federated Church – Main Street. This area must be done with utmost care as the stones are old and may be damaged easily.
- Town Green – Main Street to include Ethan Allen site
- Castleton Free Library – 638 Main Street

- Dewey Field – 164 North Road
- Hydeville School & Ball Field – 1115 Rte. 4A W

The bids in descending order were:

\$22,770 - Ed Thompson

\$10,074 - Cutting It Sweet

\$ 5,980 - Hillside Lawn Care

\$ 5,520 – Vermont’s Finest

\*White Knight and the Department of Corrections did not bid on this.

Bid #2 included seasonal lawn mowing and trimming in the following areas:

- Park & Ride – Rte.4A/E Hubbardton Rd (across from Morton Building)
- South Street/Staso Road Triangle
- Public Service Building (Fire/Police Station) – 273 Rte. 30N
- Municipal Office – 263 Rte. 30N
- Hydeville Green – Rte 4A W
- Crystal Haven (Town property common area North & South) – Rte. 30N
- Pencil Mill Road/North Road Triangle

The bids in descending order were:

\$13,915 -Ed Thompson

\$ 8,740 - Cutting It Sweet

\$ 4,485 - Hillside Lawn Care

\$ 3,450 – White Knight

\$ 2,800 – Vermont Department of Corrections

Last year Bid #1 was awarded to Matt Fuller of Hillside Lawn Care and Bid #2 was awarded to the Vermont Department of Corrections.

**Mr. Combs made a motion to award Bid #1 to Hillside Lawn Care in the amount of \$5,980 and to award Bid #2 to the Vermont Department of Corrections in the amount of \$2,800. Mr. Holzworth seconded the motion.**

Mr. Combs explained that he had chosen Hillside Lawn Care for Bid #1 even though they were not the lowest bidder as the Town used this company last year and had no complaints and he noted it was also a local business.

Mr. Leamy called the question.

**All were in favor and the motion passed.**

#### **STREET SWEEPING CROSSWALK & RXR PAINTING:**

Town Manager Mike Jones began the discussion by explaining that several quotes had been received in response to an RFQ for street sweeping and line painting of crosswalks and railroad crossings. Mr. Jones explained that last year, the Village was not finished, and he would like to get this done prior to the University graduation.

Of the two (2) bids received, the Town Manager recommended Bendig Paving as the low bidder at \$4,264. The second bid received was from L & D Safety Marking Corp in the amount of \$7,150.

Discussion of the quality of the paint used previously was had. The Select Board would like Mr. Jones to negotiate for better paint this year. Mr. Bruno recommended that stamping be investigated as the texture of the stamping helps to keep the paint on longer as there is less surface area for tires to wear off.

**Mr. Combs made a motion to award the bid for street sweeping and crosswalk and railroad painting to Bendig Paving in the amount of \$4,264 with the understanding that the Town Manager would negotiate for a better-quality paint. Mr. Holzworth seconded the motion. All were in favor and motion passed.**

#### **PURCHASE ORDER APPROVAL:**

**Mr. Combs made a motion to approve purchase order #043189 to Quartz Lamps Inc. in the amount of \$4,616.00. Mr. Holzworth seconded the motion. All were in favor and the motion passed.**

#### **BRIDGE COMMITTEE:**

Martha Molnar opened the Bridge Committee discussion with a summary of the Castleton Bridge Initiative. The Bridge Initiative is composed of Town of Castleton residents and Castleton University personnel working to foster bonds of understanding and good will. The Bridge Committee has been raising awareness of resources for learning, enrichment and entertainment, and developing innovative joint ventures since 2015. The goal is to have closer bonds between Castleton University and the Town. A website was created and residents were invited to subscribe for regular updates about theater, sports, and events. The Bridge Initiative has set up student volunteers to speak at Select Board meetings and Town Meeting. There has been a luncheon for students and Town Officials. Last year there were forty-five (45) students in costume participating in Colonial Days.

The Bridge Committee would like to add onto the Fourth of July parade and have a block party on the green next to the Federated Church from 11:30am to 1pm. This would be good for local businesses.

There is a question about insurance coverage for the event. The Committee would like to know if they would be covered under the Town's insurance or not for the parade. Mr. Leamy asked the Town Manager to investigate this.

**Mr. Mark made a motion to approve the use of the Castleton Green on the Fourth of July by the Bridge Committee, contingent on insurance coverage. Mr. Holzworth seconded the motion.**

Chief Mantello is concerned about the traffic and parking for this event. The Chief would like to speak with the committee about this prior to the event.

**All were in favor and the motion passed.**

#### **REQUEST FOR QUOTE: FENCE INSTALLATION**

Mr. Jones shared with the Board the request for quotes for four hundred (400) feet of fencing to replace the stockade fence along the southern boarder of the Town Office property. Bids are due later this month. There are several trees which will need to be taken down prior to the new fence going in. The fence can be spruce, pine or cedar, but must be dog eared.

Mr. Jones confirmed with the Town Accountant that there is money in the budget, contingency funds from the Town Hall project.

**UPDATED COIN DROP POLICY. APPROVED CHANGES MADE. SIGNATURES PLEASE.**

**Mr. Mark made a motion to approve the revised Coin Drop Policy. Mr. Holzworth seconded the motion. All were in favor and the motion passed.**

**CITIZENS COMMENTS**

The Town Manager introduced Mr. Robert Steele, owner of Tom's Bait Shop on Route 4A. Mr. Steele stated that he had attended a public meeting on May 20, 2016 and was shown plans for a sidewalk. Currently the state is in the process of putting in the sidewalk, however, they are not using the same plan that was presented to the residents and business owners. The plan that Mr. Steele believed to be the final copy showed a sidewalk with asphalt on both sides. The state is currently taking 46 feet of parking lot out of Mr. Steele's business lot and putting in grass. They have also advised Mr. Steele that his sign will need to come down as well. Mr. Steele would like the Town's help to remedy this as this was a Town of Castleton project. If the current sidewalk plans proceed, the loss of the parking lot will create a safety hazard as well as other problems for Mr. Steele's business.

Mr. Jones is going to write a letter to appeal the change but would like the Select Board's assistance.

Mr. Mark recommends a letter to be done to support Mr. Steele be sent to Theresa Gilman of District 3. This needs to be done quickly as the state contractor is on site.

The current plans are dated July 2018 and show the loss of pavement and signs, however, not all signs were removed out of the right of way for other businesses. Nothing on the opposite side of the street in the ROW is being removed. Mr. Steele stated that after the May 23, 2016 meeting, he received no notice from the state about any changes or other public meetings.

Mr. Jones has asked Pat Traverse for a copy of the old plans to see when the change was made. At this time, the State has not established the Right of Way. The current plans show the Iron Lantern restaurant will lose one of their entrances.

Resident James Cote is a neighbor of Mr. Steele's business. Mr. Cote also stated that he never received any letters from the State. Mr. Cote approached the contractor and was told that they were taking 75% of his driveway which is currently zoned residential/commercial. This disrupts and obstructs the view for customers leaving the Bait shop but also for renters in Mr. Cote's building. Mr. Cote still does not know if his driveway is in the State's ROW.

At this time, no documentation has been found showing that landowners were ever compensated for a change in the ROW, nor can they locate any recordings of this change.

Mr. Bruno asked the Select Board to consider an amendment to the current plan. He also recommends that a search be done for a survey that shows the right of way as he believes the current quote of six (6) rods is too high.

Mr. Steele found that the State needs to prove without a doubt that a change to the ROW was properly recorded, if this cannot be done, the ROW would automatically revert to the original three (3) rods.

**Mr. Combs made a motion to authorize the Town Manager to speak those office in the state necessary to address this issue. Mr. Holzworth seconded the motion. All were in favor and the motion passed.**

The Town Manager informed the Board that he has asked Brian Sanderson from the State to assist him in locating the ROW documentation.

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

Town Manager, Mike Jones presented his Town Manager's Report to the Select Board. The Select Board had no questions regarding the information provided. The Town Manager then shared several new items.

Regarding the Transfer Station; the Town was not able to hire another full-time employee; however, they are hiring a Green Mountain Student for the summer. If a full-time employee is hired before the summer is over, there is enough money in the budget to support keeping all of the employees on staff. Currently, there are not enough employees to monitor the dumping. The Transfer Station is losing money due to the inability of staff to consistently monitor all patrons dumping garbage.

FEMA is currently in Vermont. Castleton should see them as it was hit hard and new problems continue to be found daily. The railroad trestle on South Street was damaged, repair will have to be a summer project. Belgo Road is still an issue, crews have been working up there all week. Pot holes have become a low priority compared to making the roads safe and passable at this time.

The Town is submitting an order for sand and salt to use up the remaining funds set aside for this year at the rate quoted.

Tax sale letters went out, of the original forty-eight (48) properties, there are only seventeen (17) properties that are delinquent.

The Town Manager shared that there is a grant opportunity to fund an electric vehicle charging station on Town lands. The deadline for this grant is April 30, 2019. At this time there is no cost involved as this is an application only, not a commitment. A suggested location was the Park & Ride.

Mr. Mark suggested that in the future, the Town may want to work with the Bridge Committee for charging stations.

Mr. Jones informed the Board that Castleton University has submitted for the community development grant however, the Select Board needs to sign the resolution.

**Mr. Combs made a motion to allow Chairman Jim Leamy to sign the resolution for the grant. Mr. Holzworth seconded the motion. All were in favor and the motion passed.**

The Town Manager shared that S.W. Cole has submitted their assessment of the damage to the highway garage. S.W. Cole found that concrete blocks between the footings were rotting and crumbling. This assessment was not as bad as anticipated. There were three (3) recommendation to make repairs, the Town Manager would like to use the recommendation in which they would cut back into the floor and pour a new slab, pin that, then pour another new slab, then a new wall is put in on that footing. S.W. Cole did give the option of pouring the concrete in sections, but they did not recommend it.

There is not enough money in the current budget to take care of the whole building at once, we may have to do one half first and then the other half in the next fiscal year.

Mr. Jones would like some technical help writing the bid for this project.

#### **SELECT BOARD COMMENTS**

Mr. Mark asked if the newly adopted Conflict of Interest Policy could be reformatted and ready to sign at the next regularly scheduled Select Board meeting.

Mr. Holzworth asked the Town Manager if he had a cost yet for insurance if the Town were to leave VLCT. Mr. Jones does not yet, but he is meeting with an insurance representative tomorrow.

#### **WARRANTS FOR APPROVAL**

Mr. Combs made a motion to approve check warrant #0422R in the amount of \$ 650.00, check warrant #0422 in the amount of \$106,569.23, check warrant #0418 in the amount of \$5,447.89, check warrant #0411 in the amount of \$6,214.30, check warrant #0409 in the amount of \$12,747.61, check warrant #0418P in the amount of \$14,078.65, check warrant #0411P in the amount of \$15,083.12. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Mr. Holzworth made a motion to approve check warrant #0417P in the amount of \$504.16 and check warrant #0410P in the amount of \$504.16. Mr. Mark seconded the motion. Mr. Combs recused himself from the vote, three (3) voted in favor, the motion passed.

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

Mr. Jones restated that he would contact VTRANS tomorrow regarding the sidewalk issues along Route 4A, he will address the line paint quality and investigate insurance coverage for the 4<sup>th</sup> of July.

#### **EXECUTIVE SESSIONS**

Mr. Combs made a motion to enter Executive Session at 8:22p.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. Mark made a motion to exit Executive Session for Real Estate with no action taken.

Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Mr. Holzworth made a motion to authorize Chairman Jim Leamy to sign the contract for the sale of the old Fire Station at 39 Elm Street. **Cannot hear on the recording, need clarification(?)** seconded the motion. All were in favor and the motion passed.

Mr. Combs made a motion to enter Executive Session at 8:35 p.m. to discuss personnel under the provisions of Title 1, Section 313 (3) (a) (3) of the Vermont State Statutes with the Town Manager present. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Mr. Combs made a motion to exit Executive Session at 8:42p.m. with no action taken. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Mr. Combs made a motion to ratify a three (3) year contract with the Town Manager. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Mr. Combs made a motion to enter Executive Session at 8:45 p.m. to discuss labor relations/ contracts under the provisions of Title 1, Section 313 (a) (1) of the Vermont State Statutes with the Town Manager present. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Mr. Combs made a motion to exit Executive Session at 8:46 p.m. with no action taken. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

#### **ADJOURN**

Mr. Holzworth made a motion to close the Select Board Meeting at 8:46p.m. Mr. Combs seconded the motion. All were in favor and the motion passed.

Respectfully submitted; Eliza LeBrun, Recording Secretary