

**TOWN OF CASTLETON
SELECT BOARD MINUTES
Monday, July 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; Robert Spaulding, Member; Joseph Mark, Select Board Parliamentarian; Michael Jones, Town Manager; Eliza LeBrun, Recording Secretary; Hope Laughlin, Peg Camera Operator; Melanie Combs, Town of Castleton Accountant; Laura Jakabowski; Tom Kearns; Shawn Gallipo.

CALL MEETING TO ORDER

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

PLEDGE OF ALLEGIANCE

Mr. Leamy led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

MINUTES FOR APPROVAL – July 8, 2019 Regular, July 8, 2109 Special

Mr. Combs made a motion to approve the minutes of July 8, 2019 for both the Regular and Special Select Board meetings. Mr. Holzworth seconded the motion. Mr. Spaulding abstained, all remaining Select Board members were in favor and the motion passed.

CITIZENS COMMENTS

Mr. Gallipo presented a problem that he has been having over the last several months with his neighbor to the Board. Specifically, the issue is regarding noise. Mr. Gallipo has been visited several times by the Castleton Police Department due to noise complaints from music played in his home and car. Most of the complaints are made during the day. The Castleton Noise Ordinance states “It shall be unlawful for any person to make or cause unreasonable noise.” Mr. Gallipo would like to see the ordinance changed to a specific decibel level.

Chief Mantello agreed that it is difficult to enforce the ordinance due to the language. To prove a violation would be very difficult during the day. The Chief would like to have both Mr. Gallipo and his neighbor mediate the situation with the Chief. Mr. Gallipo noted he would be willing to mediate.

POLICE UPDATE: CHIEF MANTELLO

Chief Mantello shared the June Incident Report with the Select Board. The Chief noted that there were more accidents and suspicious activities in June. He also noted that most of this is due to the increased transient population. Although traffic tickets are up, everything else seemed about the same. The Chief noted that the Castleton Police Department has been trying to monitor specific locations for speeding. Noted were Drake Road and East Hubbardton Road near the Anderson Farm as there is a straightaway that seems to attract speed violations.

Mr. Mark asked for clarification regarding VIN inspections.

Chief Mantello explained that the Town of Castleton Police Department provides, per request, VIN inspections to residents and non-residents. VIN inspections can be on vehicles, trailers and boats. Non-residents are charged a fee of \$20.00.

Chief Mantello noted that there were 2 accidents in June requiring tow trucks. The Chief has not heard any complaints with the current rotation schedule and so will continue with it the way it is.

The Chief requested to use money that was not spent last year on equipment for the Police Department. Specifically, the Chief would like to purchase three (3) 9-millimeter pistols, three (3) holsters for those pistols, and ammunition holders. The department will be trading in three (3) 4-millimeter pistols.

Mr. Spaulding made a motion to approve the purchase of three (3) 9mm pistols, three (3) holsters, and three (3) magazine pouches after trading in three (3) 4mm pistols, in the amount of \$2,732.89.

Chief Mantello was asked how expensive it would be to purchase and additional speed cart for placement near the Tap Room. Discussion was held regarding the location of the current sped cart. It was noted that there were several areas around Town that would benefit from the cart being placed to deter speeding.

Mr. Combs asked Chief Mantello to find out the process for requesting a crosswalk be installed in front of the Tap Room.

SIGN MPG REOLUTION

The Planning Commission is applying for a grant for Zoning Subdivision Assistance. The grant would allow the Planning Commission to hire the Rutland Regional Planning Commission to help update the current Castleton zoning language. This is not a matching grant, rather it would pay 100%. At this time, the grant requires a signature from the Select Board Chair.

Mr. Mark made a motion to approve signing the grant for zoning subdivision assistance as presented from the Planning Commission. Mr. Holzworth seconded the motion. All were in favor and the motion carried.

SET MUNICIPAL TAX RATE FOR FY 2019-20 & HOMESTEAD LATE FILING FEE

Town Accountant, Melanie Combs noted that the Town Auditors prefer that the minutes clearly state the tax rates approved. Discussion was held regarding the increase in the tax rate.

Mr. Combs made a motion to approve the municipal amount to be raised by taxes at \$0.4238, the local tax agreement amount at \$0.0053 for a municipal total to be raised by taxes of \$0.4291. All were in favor and the motion passed. Mr. Holzworth seconded the motion. All were in favor and the motion carried.

Mr. Combs made a motion to accept the educational property tax calculation for the homestead educational assessment at \$1.4886 and the educational property tax calculation for the non-residential educational assessment at \$1.6387. Mr. Holzworth seconded the motion. All were in favor and the motion carried.

Mr. Combs made a motion to approve the Resident Total Tax Rate at \$1.9177. Mr. Holzworth seconded the motion. All were in favor and the motion carried.

Mr. Combs made a motion to approve the Non-resident Total Tax Rate at \$2.0676. Mr. Holzworth seconded the motion.

Mr. Mark would be interested in what percent of non-residential rates were businesses, vacation homes, etc. Mrs. Combs recommended that the Board contact Mary Jo for a copy of Form 411 as it will provide the answers.

All were in favor and the motion carried.

Mr. Combs made a motion to set the low penalty for late homestead declaration filing at 3%. Mr. Holzworth seconded the motion. All were in favor and the motion carried.

Mr. Combs made a motion to set the low penalty for late homestead declaration filing at 3%. Mr. Holzworth seconded the motion. All were in favor and the motion carried.

PAVING BID

Town Manager, Mike Jones recommended that the Board award the paving bid to Wilk Paving Inc.

Mr. Holzworth made a motion to award the paving bid for Drake Road, Sand Hill Road, Depot Terrace and the Crystal Beach Parking Lot to Wilk Paving Inc., for a total not to exceed \$181,457.72. Mr. Spaulding seconded the motion.

It was clarified that the Highway Supervisor would be overseeing the paving.

All were in favor and the motion passed.

HEAT PUMP FD/ PD/ TRANSFER STATION

Town Manager, Mike Jones recommended that the Heat Pump bid at the Police Department be awarded to McClure Construction.

Mr. Combs made a motion to award the Heat Pump bid to McClure Construction in the amount of \$2,200.00. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Mr. Jones noted that the bid received from Allen Brown did not include a rebate from Efficiency Vermont as the other two (2) bids did. Mr. Brown was present and asked if all the bids included removal of the old unit, drywall and siding. Mr. Brown also noted that he could not guarantee the rebate amount as they change and depending on when the work would take place, Mr. Brown could not afford to give a deduction to his cost and then not get the rebate from Efficiency Vermont, however, if one was available, it would be applied at the completion of labor.

The Town Manager will come back in August for the Fire Station and Police Department bids, he will have a site visit with all of the bidders to review the location of the heat pump unit, whether it would be outside or inside the building as it was not specified.

Mr. Combs made a motion to reconsider awarding the Heat Pump bid to the Police Station at this time. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

WWTF QUOTES FOR NEW GRINDER PUMPS & GENERATOR MAINTENANCE

The Town Manager supports the recommendation by Mr. Jeff Jordan, Assistant Chief Operator at WWTF. Mr. Jordan contacted three (3) companies for quotes on the yearly generator maintenance program. Mr. Jordan recommends using Brook Field Service as their bid was \$2,880.00

Mr. Mark asked if it was possible to get the discount by paying the invoice by July 31, 2019. Town Accountant, Mrs. Combs stated it was not as the invoice had not been included in the current payables.

Mr. Combs made a motion to approve purchase order #043592 to Brook Field Services in the amount of \$2,880.00 for the annual preventative maintenance agreement for the generator at WWTF. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Mr. Holzworth made a motion to approve purchase order #043593 in the amount of \$8,445.00 to A-1 Sewer and Drain Services, Inc for six (6) Gould grinder pumps to be used as spares per the maintenance program. Mr. Mark seconded the motion. All were in favor and the motion passed.

BIRDSEYE PROPERTY UPDATE

Mr. Jones reported that there has been a search for the deed to the Birdseye property, but none has been found yet. However, Poultney did reduce the fair market value of the property to \$11,400. At this time, all documentation found infers that Fire District #1 may be the owner.

Mr. Leamy believes that as it appears to be owned by Fire District #1, they should have to pay the taxes.

Mr. Jones will move in that direction.

MANAGER'S UPDATE

The Town Manager asked to wait on any item requesting any assignment of funds per his manager's update.

The listed action item for the hazmat funds had already been discussed with Chief Mantello.

Item #2e regarding Ed Balch, Mr, Leamy would like to discuss in executive session.

Mr. Jones explained that the catch basin in front of Tom's Bait & Tackle had not been placed per the plans as it had been decided it was not necessary. Now due to the paving, there is pooling which is not reaching the catch basin further away. VTRANS is requiring that the catch basin be put in per the plans.

Discussion was held regarding other issues of water pooling and catch basin issues at other properties along the newly paved sidewalk. Discussion was held regarding the driveways by the American Legion and Beverage King, as well as between the hair salon and the physical therapy buildings.

SELECT BOARD COMMENTS

Mr. Holzworth asked when the meeting with Traveler's Insurance was scheduled? Mr. Jones noted that it would be in August.

Mr. Spaulding asked if the per ton cost at the Transfer Station had ever been determined. The Town Manager responded that there is data when the garbage is brought somewhere and what it costs. Mr.

Spaulding would like to make sure that the cost for the Rutland County Solid Waste, the driver and vehicle are included in that cost.

Mr. Spaulding also asked if there were any recommendations on how to keep Hubbardton trash separate from Castleton trash. Mr. Jones responded that there was data to track the garbage but no way to physically keep it separate. Mr. Spaulding wants to know how much it costs for Hubbardton trash, he believes it is imperative for the Town to know. Mrs. Combs interjected that Hubbardton pays a percentage as determined by the both Select Boards.

Mr. Mark asked about a plaque noted in the February 25, 2019 minutes. He also asked about a clock for the coopola. Mr. Jones stated that the plaque is currently at Initial ideas. Mr. Mark felt it was good to recognize those who donated, perhaps there should be some recognition for the donations made to the Fire Department. Mr. Mark also asked what the status of the Weathervane was, as in the minutes, Mr. Bruno had asked Mr. Spaulding to follow up as the Lyon's were willing to pay for it. Mr. Spaulding will look into this.

Mr. Spaulding made a motion to have one (1) regular meeting in August and one (1) meeting to sign warrants only. Mr. Holzworth seconded the motion.

Discussion was had on whether or not having only one (1) meeting in August was a good idea. It was noted that there was a chance that there would be other items that may come up to be addressed. It was also mentioned that the Sewer Commissioners had not yet met.

Mr. Leamy, Mr. Spaulding, and Mr. Mark voted in favor, Mr. Holzworth and Mr. Combs voted against the motion. The motion passed.

It was noted that should circumstances arise, a regular meeting could be called.

WARRANTS FOR APPROVAL

Mr. Combs made a motion to approve check warrant #0722 in the amount of \$311,259.97, check warrant #0718 in the amount of \$6,226.68, check warrant #0711 in the amount of \$19,699.32, check warrant #0709 in the amount of \$20,104.28, check warrant #0718P in the amount of \$18,464.29, and check warrant #0711P in the amount of \$19,418.05. Mr. Holzworth seconded the motion.

Mr. Spaulding wanted to bring the Rutland County Solid Waste cost to everyone's attention.

All were in favor of the amended motion and the motion passed.

Mr. Holzworth made a motion to approve check warrant #0717P in the amount of \$682.97 and check warrant #0710P in the amount of \$682.97. Mr. Spaulding seconded the motion. Mr. Combs recused himself from the vote. Those remaining were in favor and the motion passed.

Mr. Holzworth made a motion to approve check warrant #0709P in the amount of \$342.62. Mr. Spaulding seconded the motion. Mr. Leamy recused himself from the vote. Those remaining were in favor and the motion passed.

PURCHASE ORDER FOR APPROVAL

Mr. Combs made a motion to approve purchase order #043539 in the amount of \$2,565.00 to All State Asphalt Inc. Mr. Holzworth seconded the motion.

It was clarified that this was for dust control at Crystal Beach and elsewhere in Town.

All were in favor and the motion passed.

Mr. Combs made a motion to approve purchase order #043588 in the amount of \$4,065.04 to Pump Service and Supply of Troy. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

EXECUTIVE SESSIONS

Mr. Holzworth made a motion to enter Executive Session at 8:15 p.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. Combs seconded the motion. All were in favor, and the motion carried.

Mr. Holzworth made a motion to exit Executive Session at 8:36 p.m. with no action taken. Mr. Spaulding seconded the motion. All were in favor, the motion carried.

Mr. Holzworth made a motion to enter Executive Session at 8:37 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. Mr. Combs seconded the motion. All were in favor and the motion passed.

Mr. Holzworth made a motion to exit Executive Session at 9:00 p.m. with no action taken. Mr. Combs seconded the motion. All were in favor and the motion passed.

ADJOURN

Mr. Holzworth made a motion to adjourn the Select Board Meeting at 9:01 p.m. Mr. Combs seconded the motion. All were in favor and the motion passed.

Respectfully submitted; Eliza LeBrun, Recording Secretary