

**TOWN OF CASTLETON
SELECT BOARD MINUTES
Monday, July 8, 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; Hope Laughlin, Peg Camera Operator; Larry Smith, VLCT; Trevor Whipple, VLCT; Jill Muhr, VLCT; Pam Fecteau, VLCT; Wade Masure, VLCT; David Clark; Cornell Dawson; Joe Bruno.

ASBENT: Robert Spaulding, Member;

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. Mark seconded the motion. All were in favor, the motion passed.

MINUTES FOR APPROVAL – June 24, 2019

Mr. Combs made a motion to approve the minutes of June 24, 2019. Mr. Holzworth seconded the motion.

Select Board Vice Chair, Richard Combs identified the following issue.

1. Page 2, 3rd paragraph from the top, remove = and place a period after vehicles.

Select Board Parliamentarian, Joseph Mark identified the following issues.

1. 2nd page, 3rd sentence under Appointments, the second sentence in the motion should read; “Mr. Mark seconded the motion.”

Select Board Chair, Jim Leamy asked for the following clarification to be added.

1. 5th page, final sentence in motion before Adjourn, add “as he felt the increase in compensation was excessive.” After Mr. Leamy voted against the motion.

All were in favor and the motion passed.

CITIZENS COMMENTS

Mr. Bruno presented a clock to the Select Board that had been awarded to Ellen Huntley in 2008. Ms. Huntley has since become ill and her home was sold so Mr. Bruno asks that the Select Board consider displaying the clock in the Treasurer’s Office.

Mr. Holzworth made a motion to display the clock belonging to Ms. Ellen Huntley in the Treasurer’s Office. Mr. Mark seconded the motion. All were in favor and the motion passed.

Mr. Clark approached the Select Board with a question about the boat docks and slips at Crystal Heights. Mr. Clark recently purchased a home that has boat dock deeded with it, however, the area by the docks is heavily overgrown and there is a tree down so that he cannot access his dock. As the Town owns the land, Mr. Clark would like to know how to proceed with getting the area cleared. There also appears to be an issue with "squatters," people who do not live in Crystal Heights who have parked their boats at docks and slips which do not belong to them. Mr. Clark's dock has an assessed value which he is paying the Town for without access to the property.

Discussion was held as to how the matter could be resolved. It was recommended that the Agency of Natural Resources be contacted. The Town Manager had to send up a Castleton Police Officer to deal with the issue of "squatters" last year as well. Mr. Jones will continue to investigate the issue.

Mr. Cornell Dawson of West Crystal Haven presented a drainage issue to the Select Board. Several years ago at the Crystal Haven Common Area, the Town put in a culvert. This past spring and summer the culvert has not drained, leaving the common area wet. Mr. Dawson would like to know if the Select Board would consider extending the drain to the lake.

VLCT PRESENTATION

Members of the Vermont League of Cities and Towns gave a presentation to the Select Board regarding the services offered by VLCT in response to the Town looking into another insurance vendor. The Town of Fair Haven did switch from VLCT to another vendor and appear to be spending less money. Per Pam Fecteau, _____; the Town of Fair Haven had developed some workers compensation claims which affected their experience mod. The new insurance vendor was able to start the Town of Fair Haven at a lower experience mod, saving them approximately 50%. Currently the Town of Castleton has a very low experience mod so is already well off. Ms. Fecteau feels that VLCT will be competitive with the new rates. She also shared that Castleton is a charter member of VLCT. VLCT is a company that specializes in Municipalities, they do not give coverage that Towns do not need.

Wade Masure, Loss Control Consultant; explained that his role is to assist with loss control efforts, to ensure that Castleton is prepared for VOSHA inspections. Mr. Masure also assists with Commercial Motor Vehicle coverage. When there are changes to laws and regulations, it is the League's job to keep the Town of Castleton up to date. Mr. Masure provides Hazard Id Surveys which make recommendations for changes or upgrades. The Highway Department has used the VLCT safety grant program to help as well. VLCT will provide trainings upon request. The last few years have seen claims decreasing and currently there are no claims.

Mr. Jones shared that this year, the Town used the safety grant to train fire fighters on aerial equipment. Mr. Jones confirmed that when needed, Mr. Masure has been available.

Jill Muhr, Human Resources Consultant; explained that some Towns are too small to have a Human Resources department. It is Ms. Muhr's job to answers to those Towns when they call for assistance or with questions. She noted that the Town of Castleton has used HR Audit to make sure that all records and personnel policies are legal and up to date. There is no additional cost for any of these services. VLCT can assist with job descriptions and interview questions, there is also online information available. VLCT also has a program called EPL or Employment Practices Liability, if a Town is sued, by an employee or ex-employee, has issues with returning to work, etc; EPL will refer you to one of five attorneys. These referrals

guarantee three free hours of legal consultation, if you follow these attorney's advice and are still sued, the \$2,500 would be waived.

Trevor Whipple is the recently retired Chief of Police in South Burlington. Mr. Whipple's position with VLCT is brand new. He is available for anything law enforcement related. Mr. Whipple understands that Chiefs do not always have the latest changes from available from the State House. There are also model policies available as well as an online training program.

Larry Smith, Manager of Member Relations; explained that each year the Town of Castleton has been using grants and scholarships from VLCT for equipment and training. EAP programs are also available to employees and families, again there is no additional cost. EAP First is a new program specifically for Public Safety Employees. Mr. Smith noted that if the Town of Castleton moved to the commercial market for insurance, the deductible could increase, and some claims may not be paid.

SIGN, LOCAL EMERGENCY MANAGEMENT PLAN MUNICIPAL ADOPTION

Mr. Jones received feedback from Select Board member Joe Mark and presented an updated Local Emergency Management Plan for adoption. Mr. Jones noted that the location for overnight shelter was changed to the American Legion.

Mr. Mark made a motion to adopt the Local Emergency Management Plan as presented. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

2019 GRANTS IN AID APPLICATION: COON HILL

Mr. Jones asked for the Select Board's approval to provide a letter of intent to participate in the Municipal Roads Grants-In-Aid Pilot Program. Specifically; for Coon Hill as it in critical conditions. The Town would have a 20% match with this grant.

Mr. Holzworth made a motion to allow the Town Manager to submit a letter of intent to participate in the Municipal Roads Grants-In-Aid program. Mr. Mark seconded the motion. All were in favor and the motion passed.

QUOTES FOR SCARIFIER & BUCKET- HIGHWAY DEPARTMENT

The Town Manager recommended that the Select Board accept Quote #1 from Wholesale Distributors for grader replacement blades and carbide bits.

Mr. Combs made a motion to accept Quote #1 from Wholesale Distributors in the amount of \$3,910.00 for grader replacement blades and carbide bits. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

PLANNING COMMISSION APPOINTMENTS

Mr. Holzworth made a motion to appoint Janet Currie to the Planning Commission for a term of 3 years to expire 6/30/22. There was no second, the motion was withdrawn.

Mr. Mark made a motion to appoint Janet Currie to the Planning Commission for a term of 1 year to expire 6/30/20. Mr. Combs seconded the motion. All were in favor and the motion passed.

Mr. Combs made a motion to appoint Eliza LeBrun to the Planning Commission for a term of 1 year as alternate to expire 6/30/20. Mr. Mark seconded the motion. All were in favor and the motion passed.

Mr. Combs made a motion to appoint Joe Bruno to the Planning Commission for a term of 2 years to expire 6/30/21. Mr. Mark seconded the motion. All were in favor and the motion passed.

Mr. Combs made a motion to appoint Val Waldrun to the Planning Commission for a term of 1 year to expire 6/30/20. Mr. Mark seconded the motion. All were in favor and the motion passed.

Mr. Combs made a motion to appoint John Pintello to the Planning Commission for a term of 1 year to expire 6/30/20. Mr. Mark seconded the motion. All were in favor and the motion passed.

Mr. Combs made a motion to appoint Bob Franzoni to the Planning Commission for a term of 2 years to expire 6/30/21. Mr. Mark seconded the motion. All were in favor and the motion passed.

2019 VTRANS ROAD & BRIDGES STANDARDS: ADOPTION & SIGNING

Mr. Jones explained to the Select Board that the previous Town Road and Bridge Standards had expired. This is a change under the new Municipal Roads permit.

Mr. Mark made a motion to adopt the June 5, 2019 Town Road and Bridge Standards. Mr. Holzworth seconded the motion, all were in favor and the motion passed.

TRANSFER STATION NOTICE OF ALLEGED VIOLATION

The Town received a Notice of Alleged Violation at the Transfer Station. A patron was seen dumping items on a burn pile that was not legal while an inspector was present.

Also, the Town has not been reporting the weight of glass for the last two years. It is also not being ground small enough to current standards. If the Town were to start recycling glass, the Town will pay for it. It is most cost effective to crush the glass and use as fill. Jim O’Gorman confirmed this. Every commodity that the Town of Castleton is recycling is costing the Town money. Metal is the only thing that makes money right now. There are no fines at this time, but on response, there will be a chain to the area of the burn pile while staff are not present. If this happens again, the Town could lose its burn permit.

MANAGER’S UPDATE

Mr. Jones requested the Select Board encumber any unexpended money from the Transfer Station operating budget for the fiscal year that just closed 6/30/2019 for the purpose of facility upgrades associated with well documented and ongoing storm water runoff issues.

Mr. Leamy wondered if the Select Board could legally encumber funds after the end of the fiscal year. Discussion was held. It was determined that it would be best to contact the auditors for a clear definition.

Mr. Jones recommended that part of the updates to the Transfer Station include some kind of shelter for C&D. When it rains, the Town pays for water weight. Mr. Combs remembers that this is covered in the budget. Mr. Leamy stated that no motion was needed as it was in the budget. Mr. Jones will put this out to bid.

Mr. Jones will solicit bids from engineering firms for the review, study and design of a storm water runoff system for Castleton Meadows Lane, Mahar Road, and Main Street. Mr. Jones also recommends that the money to pay for the selected firm be from the storm water carryover in the highway budget.

The Town Manager explained that the Town will be putting the following 2019 proposed paving projects of Drake Road, Sandhill Road, Depot Terrace and Crystal Beach out to bid. The Town encumbered \$15,000 from last year for paving the Crystal Beach parking lot, Mr. Jones recommends encumbering this amount again. Mr. Jones would also like to encumber any surplus from the Crystal Beach budget for paving to augment the \$15,000.

Regarding the Crystal Haven Common Area, Mr. Jones recommends that the Town engage the abutters, including those who have deeded dock space from the Town to see if they would be willing to form an association and entertain an option to purchase the land. They would be placed on the tax rolls, an agreement signed, with covenants included, so that the association could determine the dock space assignments, as well as work with the Agency of Natural Resources to explore what can be done to clean up the inner cove so boats can actually use the dock spaces that are currently choked out by weeds. They would also be responsible to maintain it which would reduce operating costs to the Town each year. The Town has resisted offers from those who have deeded dock spaces to help pay for the clean-up of the cove and make the \$20,000 each landowner with a deeded dock space gets added to their property assessment each year equitable.

Mr. Mark made a motion to have the Town Manager investigate proceeding with the recommendation of an association. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Mr. Jones noted that speeding along Route 30 North is a problem. Mr. Jones would like to make this area safer for residents, visitors, and other motorists through a combined use of active and passive measures. Active measures may include increased speed enforcement, radar carts, or interactive crosswalks with lights that flash when a motor vehicle approaches and there are people in the crosswalk. Passive measures may be more visible signs and increased education and awareness of the problem over social media platforms.

SELECT BOARD COMMENTS

Mr. Combs asked Mr. Jones if all easements had been received for Sidewalk Phase I. Unfortunately, not all the easements were given so the Town was not eligible to apply for the grant.

The Town Manager sent easements and the new drawings to all of the landowners concerned. However, Mr. Jones would ask the Select Board to hold off on pursuing this as there are several problems with people driving over sidewalks at this time that the Town Manager will be addressing with the Police Department.

WARRANTS FOR APPROVAL

Mr. Combs made a motion to approve check warrant #0709 in the amount of \$48,646.88, check warrant #0708 in the amount of \$50,821.33, check warrant #0703 in the amount of \$5,922.14, check warrant #0628 in the amount of \$6,165.86, check warrant #0703P in the amount of \$17,239.13, and check warrant #0627P in the amount of \$17,737.16. Mr. Holzworth seconded the motion. All were in favor of the amended motion and the motion passed.

Mr. Holzworth made a motion to approve check warrant #0706 in the amount of \$22.85, check warrant #0702P in the amount of \$665.84 and check warrant #0528P in the amount of \$665.84. Mr. Spaulding seconded the motion. Mr. Combs recused himself from the vote. Those remaining were in favor and the motion passed.

Mr. Combs made a motion to approve check warrant #0707 in the amount of \$85.26. Mr. Holzworth 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 #04874 to Capital Technical Rescue and Safety in the amount of \$2,040.00. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

EXECUTIVE SESSIONS

Mr. Mark made a motion to enter Executive Session at 8:41p.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 and Joe Bruno. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Mr. Combs made a motion to exit Executive Session at 9:10 p.m. with no action taken. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Mr. Holzworth made a motion to enter Executive Session at 9:11 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. Combs made a motion to exit Executive Session at 9:12 p.m. with no action taken. Mr. Holzworth seconded the motion. All were in favor, the motion carried.

Mr. Combs made a motion to enter Executive Session at 9:13 p.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. Combs made a motion to exit Executive Session at 9:22p.m. with no action taken. Mr. Holzworth seconded the motion. All were in favor, the motion passed.

ADJOURN

Mr. Holzworth made a motion to adjourn the Select Board Meeting at 9:08 p.m. Mr. Mark seconded the motion. All were in favor and the motion passed.

Respectfully submitted; Eliza LeBrun, Recording Secretary