

**TOWN OF CASTLETON**  
**SELECT BOARD MEETING**  
**Minutes of September 10, 2018**  
**TOWN OFFICE**

**MEMBERS PRESENT:** J. Bruno, R. Combs, J. Leamy, R. Spaulding

**MEMBERS ABSENT:** Z. Holzworth

**OTHERS PRESENT:** See attached listing

**MEETING CALLED TO ORDER** by J. Bruno at 7:00pm.

**APPROVAL OF AGENDA**

**MOTION:** R. Combs made a motion to amend the agenda to add an Executive Session for Personnel after the listed Executive Session for Real Estate. R. Spaulding seconded. All in favor. Motion Carried.

**MOTION:** J. Leamy made a motion to approve the Agenda with the amendment. R. Spaulding seconded. All in favor. Motion Carried.

**APPROVAL OF MINUTES – AUGUST 27, 2018 & SEPTEMBER 3, 2018 SPECIAL MEETING**

**MOTION:** R. Combs made a motion to approve the minutes for August 27, 2018 as written. J. Leamy seconded. All in favor. Motion Carried.

**MOTION:** R. Combs made a motion to approve the minutes for September 3, 2018 as written. J. Leamy seconded. All in favor. Motion Carried.

**POLICE UPDATE: CHIEF PETER MANTELLO**

P. Mantello stated July was a busy month with traffic citations up but arrests down by eight. R. Spaulding inquired about three Police cruisers that were on Main St. over the weekend. P. Mantello stated there was a party with a lot of foot traffic on Elm St. which was broken up by midnight and they were trying to make a well-known presence. He stated Labor Day weekend was busier with fifteen citations issued. He stated the first six to eight weeks of Castleton University in session are the busiest. October 20<sup>th</sup> is homecoming at CU with a home football game and a lot of alumni in town so it will be a busy weekend. He stated the SRO position is going well and the Town has already received the check from the District. Each officer is logging daily activities in the SRO role and have already dealt with six juvenile issues. He stated Ed Hayes will be joining Castleton PD as a full-time officer with the resignation

of Tyler Tavares who will be joining Rutland PD. J. Leamy asked if Officer Tavares had completed his two-year requirement after the town sent him to the academy for certification. P. Mantello stated he had and that Officer Hayes is already certified so he would not need to attend the academy. He stated that Officer Hayes does not currently live in town but is considering moving into the area and that he prefers working in small town departments.

#### **GENERATOR BID**

M. Jones stated there were two bids received, but only one met the deadline. Three vendors were at the site visit; one bid, one bid after the deadline, and one did not bid at all because they had unanswered questions and would not have had a bid in by the deadline. J. Bruno stated he would like the bid put out again to give the other vendors another opportunity to have their questions answered. He would also like to see the quotes bid in the same way as one included installation and one did not so it would be too hard to compare them.

#### **MUNICIPAL PLANNING GRANT**

J. Rosenthal stated the Grant would help to reapply for the two Village Center designations the Town had been seeking and possibly one new one for Hydeville. He stated these are not high priority grants and could be done in house within three months. The State's high priority grants do include Neighborhood Development Designations. The Municipal Planning Grants are due by October 1<sup>st</sup> and must be approved by the Regional Planning Commission by September 30<sup>th</sup>. The Castleton Planning Commission has to formally make a motion to adopt the Grant but the Select Board would need to sign the Resolution, so due to the deadline, the Board should sign the Resolution and if the Regional Planning Commission thinks it's not viable, it can be pulled. The cost of the Grant is a 10% match and the budget is not known yet.

**MOTION:** J. Leamy made a motion to adopt the Resolution whereas, the Municipality of Castleton, VT is applying for funding as provided for in the FY19 Budget Act and may receive an award of funds under said provisions; and whereas the Department of Housing and Community Development may offer a Grant Agreement to this Municipality for said funding; and whereas, the municipality is maintaining its efforts to provide local funds for municipal and regional planning purposes or that the municipality has voted at an annual or special meeting to provide local funds for municipal and regional planning purposes, now, therefore, be it resolved that the Legislative Body of this Municipality enters into and agrees to the requirements and obligations of this grant program including a commitment to match funds. R. Spaulding seconded. All in favor. Motion Carried.

#### **SECURITY CAMERA INSTALLATION PO APPROVAL**

M. Jones presented a PO for the security camera installation in the Town Office. The cameras and install were covered 50% by the PACIF grant; this invoice is for the 50% the Town is responsible for. Discussion followed regarding the balance of the Building Contingency.

**MOTION:** R. Combs made a motion to approve PO# 041973 to the Royal Group for \$4,134.78 for the installation of the security cameras at the Town Office. R. Spaulding seconded. All in favor. Motion Carried.

### **CITIZENS' COMMENTS**

J. Nicklaw reviewed the history of the complaints she has made against her neighbor, Matt Brown, regarding his dog Diesel and the alleged attacks on her animals by the dog. She is concerned because she has twice witnessed Diesel "almost" jump over the new railings the Town instructed M. Brown to construct to better enclose the dog. She stated she does not believe M. Brown has continued with the training he was supposed to be doing with Diesel to gain better control over him. J. Bruno asked what she would like done as there have been no new incidents and it was previously communicated to her after the last complaint that the Town would not pursue the issue any further since M. Brown had complied with the Town's requests to contain the dog. J. Nicklaw stated the Dog Ordinance states an animal that is vicious should be taken permanently and that is what she would like done. J. Bruno stated nothing will be done further by the Town unless another incident happens, and instructed her to seek a civil suit if that is what she believes needs to be done.

Richard Pontillo who lives on E. Crystal Haven presented a proposition to the Board regarding funding and use of Town Equipment to mud-rake the bay where the dock spaces are so they can be accessed easier. He stated he has already paid for the permit from the State to have the process done and that he and his neighbor, Marybeth, are willing to pay out of pocket the \$6,100 he was quoted by an engineering company to do the work, but was hoping the Town would be willing to pay since it is Town land. He was also seeking permission to have the mud that is raked piled on Town land for a couple of weeks to let the water drain out and then have it spread as clean fill in the low areas that are also on Town land. J. Bruno stated he was concerned that the mud would not have time to fully de-water before freezing weather and it would turn into a mess. He was also concerned about setting a precedent regarding using Town Equipment and that if they granted permission for this, it wouldn't be fair to say no to anyone else. R. Pontillo brought up that many residents with dock spaces in that area are being assessed \$30,000 per year for the dock space and that many cannot even use them because of how built up the mud is in that area without damaging their boats. J. Leamy suggested anyone who disagrees with what they are being assessed grieve it to the assessors. He also stated it was not put in the budget this year which means the money would have to be taken away from something else and suggested R. Pontillo revisit this during budget time next year. R. Pontillo stated he would still be willing to pay out of pocket if he could get the Board's permission to pile the mud on Town land. J. Bruno stated he would like to do a site visit and would also like a sample put in the spot to see how well it actually de-waters for a couple of weeks. R. Pontillo stated the engineering company gave him an estimate of an October-November timeframe that the mud rake is available.

C. Smith agreed with R. Pontillo that this process needs to be done in that area and that it has been an issue for quite a while. She also reviewed the history of her complaints against M. Jones regarding communication with the Planning Commission and stated she feels M. Jones is advertently leaving the Planning Commission out of pertinent emails regarding Grant opportunities. J. Bruno stated he would discuss the situation with M. Jones and the rest of the Board to find a resolution.

D. Wood stated that on July 26<sup>th</sup>, R. Day requested Jeff Biasuzzi's resignation letter be made public. At that time, the Board denied his request because the resignation had not yet been accepted. D. Wood stated that at that time, he requested it be made public after it had been accepted and the Board agreed. His concern was that he had not been able to find the letter as part of public record anywhere and that it was not attached to the Minutes for that meeting. M. Jones stated it is public record and there have been a few residents who have obtained copies.

**MOTION:** J. Leamy made a motion to make Jeff Biasuzzi's letter of resignation an attachment to the Minutes for public record. R. Spaulding seconded. All in favor. Motion Carried.

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

Float Bridge Project: Jethro Doran is concerned about the permit not being extended to October 30<sup>th</sup> stating he may not be able to get the project done before September 30<sup>th</sup>. M. Jones stated that per Patrick, the project could continue with the new permit in the spring if it is not finished by September 30<sup>th</sup> if the permit is not extended. J. Leamy asked if there was a timeline given by J. Doran and why it wouldn't be done by September 30<sup>th</sup> if that was the deadline in the bid. M. Jones stated that was the deadline given, however the contractors who bid knew the Town was filing an extension and built that in to their timeline. M. Jones stated the Notice of Termination letter that was required by VT Dept of Environmental Conservation was just brought up and it took a while to get it signed off by Jack Bowen and sent away. He stated there have been many delays put in the way by the State throughout the whole process. J. Bruno and J. Leamy suggested M. Jones call to find out the status of the extension. J. Bruno stated if the extension is not granted that the project should wait until spring.

Johnson Spooner Rd: Ditch and shoulder work is ongoing and should be done by the end of the week.

Sidewalk Project: The new proposed end date is July 1, 2019. Per Peter Pochop from VTRANS, the South Street segment was removed from the project in 2017, however the design had already been done so the funds used to pay for that portion may need to be repaid. The total for design was roughly \$53,000 and the South Street portion was roughly 25% of that which is what may need to be repaid.

Sewer Project: Fire District #3 expressed concerns that they were not kept in the loop regarding the Sewer Project on Route 30. There was a meeting between Belden, Aldrich & Elliot, Fire District #3, Jeff Jordan and M. Jones and all parties left in agreement. They have advised it will be two to three weeks before work starts at Castleton Four Corners.

Animal Control Officer: Chris Forrest has received his animal control officer ID number and is working with Chief Mantello for training regarding writing citations, etc. and will be meeting to conduct scenario-based exercises. Some of the gear returned by K. Mullholland is either in disrepair or was missing. M. Jones is going to get pricing together to replace the needed equipment.

Tax Sale Policy: M. Jones sought guidance on what an updated tax sale policy should look like. J. Bruno believed there should be a minimum dollar amount owed. R. Combs suggested a combination of a set timeframe and dollar amount. It will be discussed further.

Transfer Station Re-Certification: M. Jones distributed a copy of the draft for Board review. R. Spaulding asked if it had changed at all. M. Jones stated no he did not believe so.

Coin Drops: M. Jones instructed K. Stewart to contact each remaining group with a coin drop this year to review policy and be sure they understood their responsibilities for the day of their coin drop.

Castleton Bridge Committee: The committee is comprised of University students and the public. They are seeking permission to clear land and install a river walk and picnic area at Dewey Field. J. Bruno suggested Chris Cresci at Fire District #1 be contacted to see what requirements there would be considering the Well Head Protection Act.

Other news: October 1<sup>st</sup> is a Leadership Conference at Castleton University if any of the Board members are interested in attending. M. Jones received two quotes for crack sealing. He is putting them on the agenda for the next meeting so it can be approved before freezing weather. M. Jones distributed two letters he received regarding Unfair Labor Practice.

#### **SELECT BOARD COMMENTS**

None.

#### **WARRANTS FOR APPROVAL**

**MOTION:** R. Combs made a motion to approve Warrants #0910R for \$4,134.78; #0910 for \$334,696.90; #0906 for \$18,303.83; #0830 for \$5,204.43; #0804 for \$362.00; #0906P for \$15,141.04; and #0830P for \$14,660.97. R. Spaulding seconded. All in favor. Motion Carried.

**MOTION:** J. Leamy made a motion to approve Warrants #0905P for \$548.19 and #0829P for \$548.19. R. Spaulding seconded. All in favor. R. Combs abstained. Motion Carried.

#### **EXECUTIVE SESSION**

**MOTION:** J. Leamy made a motion to enter Executive Session for Real Estate 1 VSA 313(a)(2) to include the Board and Town Manager. R. Spaulding seconded. All in favor. Motion Carried.

**MOTION:** R. Spaulding made a motion to exit Executive session for Real Estate 1 VSA 313(a)(2) at 8:50pm with no action taken. R. Combs seconded. All in favor. Motion Carried.

**MOTION:** R. Spaulding made a motion to enter Executive Session for Real Estate 1 VSA 313(a)(2) to include the Board, Town Manager, and Janet Currie. R. Combs seconded. All in favor. Motion Carried.

**MOTION:** R. Combs made a motion to exit Executive Session for Real Estate 1 VSA 313(a)(2) at 9:15pm with no action taken. R. Spaulding seconded. All in favor. Motion Carried.

**MOTION:** R. Combs made a motion to accept the Purchase and Sales Agreement for \$100,000 as is for the Elm Street property (the Old Fire House) and authorize the Town Manager to sign the contract. R. Spaulding seconded. All in favor except J. Leamy. Motion Carried.

Discussion followed regarding the expected timeline of the receipt of the Purchase and Sales agreement and the logistics of ensuring all parties' attorneys received the Agreement timely.

J. Currie discussed the Sand Hill project and sought the appointment of two Select Board members to be part of the group to get the project moving per J. Rosenthal's recommendation. J. Bruno stated it would be discussed.

**MOTION:** R. Spaulding made a motion to enter Executive Session for Personnel to include the Town Manager. R. Combs seconded. All in favor. Motion Carried.

**MOTION:** R. Combs made a motion to exit Executive Session for Personnel at 9:50pm with no action taken. All in favor. Motion Carried.

**MOTION:** J. Leamy made a motion to direct the Town Manager to send the letter of application from John Alexander to the Planning Commission. R. Combs seconded. All in favor. Motion Carried.

**MOTION:** R. Combs made a motion to appoint Mary Jo Teeter as the new Town Assessor. R. Spaulding seconded. All in favor. Motion Carried.

#### **ADJOURN**

**MOTION:** R. Combs made a motion to adjourn at 9:55pm. R. Spaulding seconded. All in favor. Motion Carried.