

**TOWN OF CASTLETON
SELECT BOARD MINUTES
Tuesday, May 28, 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; Peg Camera Operator; Celia Hunt; Kenneth Lenz; Chris Forrest; Laurie Kilchowsky; Shawn Gallipo; Brenda Laughlin

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. Combs seconded the motion.

A request to add Public Comment after Approval of Meeting Minutes was made.

All were in favor, the motion passed.

MINUTES FOR APPROVAL – May 13, 2019

Mr. Combs made a motion to approve the minutes of May 13, 2019. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

PUBLIC COMMENTS

Mr. Lenz noted that there is increased speed and vehicle travel along Drake Road. Mr. Lenz was advised to speak with Police Chief Mantello tomorrow about this.

A concern regarding debris in the river near Dewey Field was noted. Mr. Jones will address this in the Manager's Notes.

FLOAT BRIDGE LAKE ENCROACHMENT APPLICATION FEE

Mr. Jones explained that he had done a poll of the Select Board and they had agreed to pay the application fee of \$300.00 to the State of Vermont to move forward on the project. The Select Board just needs to ratify their decision.

Mr. Combs made a motion to pay \$300 to the State of Vermont for the Float Bridge Lake Encroachment Application. Mr Holzworth seconded the motion. All were in favor and the motion passed.

COIN DROP REUEST: CASTELTON COMMUNITY CENTER, CASTLETON VILLAGE SCHOOL

Mr. Combs made a motion to approve a coin drop for the Castleton Community Center on July 20, 2019 with a rain date of September 7, 2019. Mr. Mark seconded the motion. All were in favor and the motion passed.

Mr. Combs made a motion to approve a second coin drop for the Castleton Village School on August 3, 2019. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

POLICE UPDATE: CHIEF MANTELLO

Chief Mantello gave a brief overview of the April Monthly Report. Chief Mantello noted that there were more property watches, but otherwise nothing stood out. Criminal arrests were down to 3. The Police Department has picked up more directional patrols. There were only 3 calls to Castleton University in April.

Mr. Combs noted that a citizen had shared her appreciation of the Castleton Police Department with him.

Chief Mantello noted there were only 3 vehicles towed. It was discussed that when a tow is called for a vehicle, even if the owner shows up, by law, some form of fee needs to be paid to the towing company.

TRANSFER STATION FEES: UPDATE FOR JULY 1ST

Mr. Jones explained that by June 10, 2019, he will get recommendations to the Select Board on changes to the Fee Structure. This will provide the Board with time to vote and make changes to documentation to be distributed to the voters by July 1.

The Transfer Station should be cost neutral but is falling short in recycling. In the last two months, the Transfer Station is in the negative. Mr. Jones noted that he has heard that companies are beginning to charge for recycling. There was discussion over whether this was legal, Mr. Jones will look into this more.

Plastic bags cannot be recycled, and Transfer Station staff are having to go through all of the recycling to remove all plastic wrap, bread bags, grocery bags, etc. Mr. Jones shared that the Lyons Club is looking at building a shelter to go over a Baler for the plastic. The Baler is a \$12,000 piece of equipment, but it is paid for through the bales of plastic. 40 bales are about \$1,000. The company that installs the Baler will come and pick up the bales.

Mr. Combs asked Mr. Jones to gather the following items prior to the next meeting;

- How many permits are sold?
- How much do we realize on stickers?
- What do we bring in compared to other Municipalities?

EXTERMINATOR QUOTES FOR TRANSFER STATION

Mr. Jones shared that 3 quotes were received for the bid to remove the pest issue at the Transfer Station. The first quote was not considered as it was something that the Town could do themselves. The other 2 bids were from Orkin in the amount of \$2,390.40 and Critter Control in the amount of \$2,000.00.

Orkin has an annual fee of \$1,507.40 after the initial service is provided. Orkin's bid stated that the initial setup would be for 3 months, then they would come back 1 month after and if they need to come back the following year, they will charge the Town. Critter Control has an annual fee of \$3,980 which includes the initial service fee.

Mr. Jones recommends that the Select Board use Critter Control.

Mr. Spaulding made a motion to hire Critter Control for \$2,000. Mr. Mark seconded the motion. All were in favor and the motion passed.

OLD FIRE STATION: USE OF PROCEEDS FROM SALE

Mr. Jones asked the Select Board what they would like to do with the proceeds from the sale of the old Fire Station. Mr. Jones will use some to pay the associated legal fees. Mr. Combs asked what the Select Board could use the money for. Mr. Jones will investigate this and bring more information to the Select Board on June 10, 2019.

SIGNING OF DRUG AND ALCOHOL POLICY: TOWN COMMERCIAL MOTOR VEHICLE DRIVERS

Mr. Mark had suggested that the Drug and Alcohol Policy be put on Town letterhead with a signature page for the Select Board as well as several other changes. However, Mr. Mark did not keep the original changes so he is not sure if they were made. Mr. Jones will have Mrs. Stewart prepare a copy showing the changes in red for the regular meeting on June 10.

REQUEST FOR INCREASE LIMIT ON BUSINESS CARD: RESOLUTION

Mr. Jones would like to increase the limit on the Town business credit card. The change would not change the threshold for each employee or the purchase policy, just increase the amount of purchases that can be made at one time by different people. Mr. Jones would like to increase the limit from \$3,000 to \$5,000.

Mr. Holzworth made a motion to increase the spending limit on the Town business card. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

TAX SALE: BOWEN PROPERTY

Mr. Jones noted that the letters sent to the IRS for the Tax Sale were sent to an incorrect address. The letters did go to the IRS, but not to the corporate location. This could invalidate the Tax Sale. The Town attorney advised that the Town could invalidate the entire Tax Sale and start over, they could leave it as it is and if the landowner redeems the property it would not matter, or they can leave things as they are and if the landowner does not redeem, they would need to contact the IRS and request a release of the lien or ask the Town to take the property back.

Mr. Jones recommended that they discuss this further in Executive Session.

MHG SOLAR

MHG visited the site and determined it is an ideal site for a 500kw array. MHG would pay the Town approximately \$10,000 a year for the term of the lease. The Town needs to dig down through the layer of hard pack to see the quality of the gravel underneath. Mr. Jones noted that the Town will need to rent an excavator to do bore test holes.

If the gravel is no good or non-existent, would the Select Board like to move forward? MHG needs to know by June 30. The term of the lease is 25 years and MHG will be responsible for removing the array at the term of the lease. Bore samples can be done before the next meeting.

Mr. Mark asked that Mr. Jones look into the taxes associated with the array. Mr. Mark also asked if fast-tracking was an option? Mr. Jones shared that the biologist have already been down and MHG was given the green light. Mr. Mark also noted that all documentation binds the Town to confidentiality, he is not comfortable with that and would like the Town attorney to review.

Mr. Mark made a motion to authorize Mr. Jones to proceed in communication with MHG Solar about a possible contract with the Town if the gravel under the site is of minimal value. Mr. Holzworth seconded the motion. All were in favor and the motion carried.

MANAGER'S UPDATE

Discussion was had over who was responsible to replace a collapsed culvert on the property of Mrs. Kilchowski, on Little Rutland Road. Several years ago, the family had wanted to add onto the house and were told that they would have to put in new drainage pipes from the culvert to the lake. The project was stopped by the Town Health Officer at the time as he determined that there might be seepage from the leech field contaminating the drainage into the lake.

Now the culvert has collapsed, and sinkholes are appearing in the yard of Mrs. Kilchowski. A deed lists the Town as responsible for maintenance and restoration of land which within easement burdens in the event of damage. The sinkhole is getting worse. Mr. Jones believes that the Town is responsible for the maintenance and restoration of the culvert. Mr. Jones will continue to investigate this. Discussion was held. Mr. Spaulding also asked for a quote for the repairs.

Mr. Jones stated that the Town was approved for a grant on Pencil Mill Road.

SELECT BOARD COMMENTS

Mr. Mark asked what the procedure was for letters received from residents requesting seats on commissions. Mr. Combs explained that those should be added as agenda items for the next board meeting.

Mr. Spaulding asked about insurance for the 4th of July as Ms. Molnar had asked if the food vendor Third Place would be covered under the Town's policy for the event if they were to serve alcohol. Mr. Jones explained that they would not be covered, and that Third Place would need to apply for a permit to serve beer on the green.

Mr. Holzworth asked Mr. Jones if he had any news regarding alternate insurance for the Town of Castleton. Mr. Jones stated that the representative would like to schedule a meeting with the Select Board to make a pitch.

WARRANTS FOR APPROVAL

Mr. Combs made a motion to approve check warrant #0527R in the amount of \$650.00, check warrant #0527 in the amount of \$32,687.02, check warrant #0523 in the amount of \$5,572.01, check warrant #0516 in the amount of \$5,973.46, check warrant #0515 in the amount of \$24,825.44, check warrant #0523P in the amount of \$14,771.36 and check warrant #0516P in the amount of \$14,832.14. 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 #0522P in the amount of \$504.16 and check warrant #0515P in the amount of \$504.16. Mr. Spaulding seconded the motion. Mr. Combs abstained from the vote, three (4) voted in favor, the motion passed.

PURCHASE ORDER FOR APPROVAL

Mr. Holzworth made a motion to approve purchase order #043312 to Pace & Hawley for FY 18-19 Annual Audit in the amount of \$10,500. Mr. Combs seconded the motion. All were in favor and the motion passed.

EXECUTIVE SESSIONS

Mr. Combs made a motion to enter Executive Session at 7:40p.m. to discuss Real Estate under the provision of Title 1, Section 313 (a) (2) of the Vermont State Statutes with the Town Manager. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

Mr. Combs made a motion to exit Executive Session for Real Estate at 8:47p.m. with no action taken. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

ADJOURN

Mr. Combs made a motion to adjourn the Select Board Meeting at 8:47p.m. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Respectfully submitted; Eliza LeBrun, Recording Secretary