

**TOWN OF CASTLETON
SELECT BOARD MINUTES
Monday, April 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; Robert Spaulding, Member; Michael Jones, Town Manager; Eliza LeBrun, Recording Secretary; Heath Goyette, Fire Chief; Ms. Loughan, CATV Camera Operator; Gary and Linda Boutin; Christine Smith; Hope Rogers; Scott Wilbur (sp).

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.

APPROVAL OF AGENDA

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

LIQUOR LICENSE: SUNRISE, PLEASE RE-APPROVE FOR FIRST CLASS

Mr. Mark made a motion to amend the motion approved at a previous meeting and change Second Class to First Class Liquor License for Sunrise Family Restaurant, LLC d.b.a. Sunrise Family Restaurant. Mr. Spaulding seconded the motion. All were in favor and the motion carried.

MINUTES FOR APPROVAL – March 25, 2019

Mr. Holzworth made a motion to approve the Minutes of March 27, 2019. Mr. Combs seconded the motion.

The following errors were identified for correction:

1. Page 7, 2nd paragraph from the bottom, beginning *“During the debate...”*; Mr. Spaulding felt that the statement was incorrect. Mr. Mark explained that the statement had been approved by the Select Board at the previous meeting for publishing by the Town Manager. The statement whether correct or not, could not be retracted.
2. Page 8, 7th paragraph from the top, sentence beginning *“Mr. Spaulding cited...”*; change *“Vermont Statute HS.203”* to *“Bill H59, section 203”*.
3. Page 9, 1st paragraph, 4th sentence; remove *“employee handbook”* and replace with *“personnel policy”*.

Select Board Chair, Jim Leamy called the vote for approval of the Minutes of March 25, 2019 with the listed corrections.

All were in favor and the motion passed.

CITIZEN'S COMMENTS

There were no citizen's comments.

BRIDGE COMMITTEE

There was no discussion as there was no representation by the Bridge Committee. Mr. Jones will contact the committee tomorrow.

MHG SOLAR

Thomas Hand of MHG Solar shared with the Select Board that the company has a number of projects in permitting and received permits from Manchester to Poultney, in gravel pits and slate quarries. MHG is interested in leasing from the Town of Castleton owns to build a 500kWac solar project on a piece of land at the Town Transfer Station on Staso Landing.

MHG will work with the Town to select a location that both agree on. There is concern from the Board that there may still be gravel available to mine and the loss of staging areas. Mr. Hand explained that the area drawn on the map was done to start the conversation with the Town to locate a useable area.

Mr. Jones stated that the Town is in the process of renting an excavator in May to get the area ready to crush stone. The Town will be drilling bore samples to determine if there is still gravel under a layer of clay in several locations before relinquishing anything to MHG.

Both the Town Manager and Mr. Hand agreed that they would “walk the ground” to get a better idea of the area and look at the site of the old landfill.

Mr. Mark asked MHG who came up with the tax amount of \$4,000 listed as an additional benefit to the Town. Mr. Hand explained that the number was estimated based on the educational rate set by the State and the property tax rate set by the Town, it is a rough estimate.

MHG clarified that in the lease there is an obligation to remove the system at the end of the project life. It was clarified that the system would also be removed by MHG if the company decided to move on, or close.

The Select Board will wait for results from the Town Manager after core samples have been taken and the “ground has been walked.”

WINDY HOLLOW MOBIL HOME PARK: GRANT

The Select Board Chair explained that the Select Board had previously approved the Grant Agreement but did not sign the resolution so the project could not move forward.

Mr. Mark made a motion to sign the Grant Agreement Resolution for the Windy Hollow project. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

It was noted that once the signed document has been submitted to the State of Vermont it can be entered into the GEARS system and the project can move forward.

GRANT AWARD STORMWATER TRANSFER STATION/STASO ROAD

Mr. Jones explained that the Town had applied for a grant under the Transportation Alternatives Program. This scoping study will help determine if there is a problem with salt and sand runoff from the Town Shed across the brook and into the river. This study would determine if the salt and sand runoff are contributing factors to contaminates.

Mr. Holzworth made a motion to accept the grant award of \$26,400 for a scoping study of the Staso Road area to address stormwater management. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

COIN DROP POLICY UPDATE

Mr. Combs made a motion to approve the Coin Drop Policy draft as presented by the Town Manager today. Mr. Holzworth seconded the motion.

Mr. Mark pointed out that the Board had discussed limiting each organization to one coin drop but did not see that listed in the draft policy. Mr. Mark is also concerned about children in the roadway. Mr. Mark would like to amend the motion to include the statements; “No children under the age of 16 may solicit in the roadway” and “Each organization will not be granted more than one coin drop per year.”

Mr. Combs recalled that there had been discussion in a previous Board meeting about children under 16 in the roadway and the Town Manager had suggested that it be allowed with adult supervision.

Mr. Jones pointed out that it would be nice to have the children thank the driver’s donating.

Ms. Christine Smith also thinks that the kids should be involved, perhaps the kids could wear the safety vests. Ms. Smith also suggested changing the age to 10 years old.

Mr. Goyette also suggested language to restrict those children in the roadway to only children directly involved with the organization.

It was agreed to add “Children ages 10 to 16 years old may solicit under the supervision of an adult within 3 feet.”

Mr. Goyette recalled that in previous years, the Town had allowed organizations to have more than one coin drop if not all the spots had been filled by the cutoff date. Ms. Smith also recalled this.

Mr. Combs recommended adding “If there has not been a total of six (6) applicants by April 30th, then the Select Board will consider additional coin drops for the 8th grade class and the Fire Department, in that order.”

Organizations can find this information on the Town of Castleton website. It was recommended that the information be shared with the Recreation department.

Mr. Leamy called the question of the original motion to include the recommended language.

All were in favor and the motion passed.

MANAGER’S UPDATE

Town Manager, Mike Jones presented his Town Manager’s Report to the Select Board.

Mr. Combs had questions about the report regarding Sand Lot Solar. Mr. Jones explained that due to the exclusivity clause listed in the Green Lantern Solar contract which the Town has already signed, legal counsel recommended that the Town not enter into a contract with another solar company. However, it

was determined that the Town can have more than one contract for solar but the net metering credits cannot be applied to the same meters that are included in signed contracts within the Town. At this time, the only remaining meters available for credits are those located at Crystal Beach and the pump stations. At this time, the Town needs to see if Sand Lot Solar will remove those locations already receiving credits and add the ones which are not. Mr. Jones believes that if combined, this could save the Town an estimated \$9,000-\$10,000 a year.

The Select Board would like the Town Manager to speak with Sam Carlson about removing the exclusivity clause on the Waste Water Treatment Plant meter and find out when he thinks the next solar array is going to be built.

Mr. Jones asked the Select Board to consider authorizing him to purchase salt using the remaining funds from the winter salt carryover. There is currently \$21,940 remaining which can be used to purchase the salt at this year's rate. It is anticipated that next years cost for salt will increase. The purchased salt would be stored off site until needed.

Mr. Combs made a motion to authorize the Town Manager to purchase as much salt as \$21,940 will allow. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Mr. Mark asked about the visit by the Agency of Natural Resources on April 2, 2019 which the Town Manager listed. It was noted that there is a 20year inspection due this year. Policies and procedures have been updated to comply with the current regulations. The initial estimated cost of the necessary upgrades for the 20year inspection was \$2.7 million, however, the Town would have until 2023 to complete the upgrades.

The Town Manager asked the Select Board to consider forming three (3) committees to help coordinate services and projects within the Town. The three committees suggested were; a Public Safety Committee, a Public Works Committee, and a Community Development Committee.

Mr. Mark would like to see a mission statement for each committee. He also recommended phasing into the Committees.

The Town Manager suggested starting with the Community Development Committee. This committee could be used to tie different projects together across the Town, working with the Economic Development Committee. This Committee would be responsible for gathering information and determining details which can then be shared with the Select Board. Mr. Jones believes that Select Board members should also be on the Committee. Mr. Jones has spoken to Ms. Currie, Planning Commission Chair and this committee could also tie into the Planning Commissions Steering Committee.

The Town Manager presented a proposal from S. W. Cole Engineering for a site visit and geotechnical engineering services. This proposal would determine the issue with the erosion of the Town Garage slab. Mr. Morgan of S.W. Cole will be onsite tomorrow, April 9, 2019 to dig test sites.

Mr. Mark made a motion to approve the lump sum fee of up to \$2,500 to S.W. Cole Engineering for site visit and geotechnical engineering services. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Mr. Jones also presented the Select Board with a list of four (4) bids for the purchase of 3,000 gallons of equipment fuel. The Town Manager recommended purchasing from the fuel from the low bidder.

Mr. Holzworth made a motion to authorize the Town Manager to purchase fuel from Champlain Valley P & H at \$2.25 per gallon. Mr. Combs seconded the motion. Four (4) Select Board members were in favor, Mr. Spaulding abstained from the vote. The motion passed.

Mr. Jones informed the Select Board that Belden's plans to mobilize for the sidewalk project on April 15, 2019. At this time, there are no plans for road closures. Belden's estimates that the project should be

SELECT BOARD COMMENTS

Mr. Spaulding would like clarification on how the Rutland County Solid Waste District is cheaper than SWAC. Mr. Spaulding pointed out that he had 2 documents from the Town Accountant that showed what the town had spent in the previous year, one document that Select Board used to make their decision and a different version that Mr. Spaulding was given. Mr. Spaulding wants it on record that it is not cheaper to stay with RCCSWD. Discussion was held on how the decision was reached previously.

Mr. Mark would like to see the Conflict of Interest Policy adopted at the last Select Board meeting reformatted with the Town letterhead and lines for the Select Board to sign.

WARRANTS FOR APPROVAL

Mr. Combs made a motion to approve check warrant #0408 in the amount of \$88,497.62, warrant #0404 in the amount of \$5,514.28, warrant #0328 in the amount of \$6,067.02, warrant #0404P in the amount of \$14,466.75, warrant #0328P in the amount of \$15,606.41. Mr. Holzworth seconded the motion. All in favor, the motion passed.

Mr. Holzworth made a motion to approve check warrant #0403P in the amount of \$504.16 and warrant #0327P in the amount of \$534.16. Mr. Mark seconded the motion. Four (4) Select Board Members voted in favor, Mr. Combs recused himself. The motion passed.

PURCHASE ORDER FOR APPROVAL

Mr. Holzworth made a motion to approve purchase order #043061 in the amount of \$4,560.00 to Lake City Fire Equipment. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

BRIEF RECAP & ITEMS FOR FOLLOW UP

Mr. Mark made a motion to approve the use of Crystal Beach on September 27, 2019 for the celebration of Castleton Day. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Mrs. Jones will be submitting a resolution to the State of Vermont regarding the event.

Mr. Jones asked about Tim Gilberts appointment as the Rutland County Solid Waste District representative. The item had been tabled to a later date and therefore was still tabled per Mr. Mark.

EXECUTIVE SESSIONS

Mr. Combs made a motion to enter Executive Session at 8:15 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 motion passed.

Mr. Combs made a motion to exit Executive Session at 8:26 p.m. with no action taken. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Mr. Combs made a motion to enter Executive Session at 8:27p.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. Combs withdrew his motion.

Mr. Combs made a motion to enter Executive Session at 8:27 p.m. to discuss labor relations and contracts under the provision 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 carried.

Mr. Combs made a motion to exit Executive Session at 9:03 p.m. Mr. Holzworth seconded the motion. All were in favor, and the motion carried. No action taken.

ADJOURN

Mr. Combs made a motion to close the Select Board Meeting at 9:06 p.m. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Respectfully submitted; Eliza LeBrun, Recording Secretary