

**TOWN OF CASTLETON  
SELECT BOARD MINUTES  
Monday, July 26, 2021  
Town Office  
Zoom Virtual Public Meeting  
Select Board Meeting  
Start Time : 07:09 PM**

**Meeting Recording:**

**[https://us02web.zoom.us/rec/share/xl7H9nl6bwIUhohLDx-gGxOW2sadApGNEd7QNuUYv59\\_MMZCgwjNy4Y2BuvoSql2.46rutsqRPNHe-R5F](https://us02web.zoom.us/rec/share/xl7H9nl6bwIUhohLDx-gGxOW2sadApGNEd7QNuUYv59_MMZCgwjNy4Y2BuvoSql2.46rutsqRPNHe-R5F)**

**PRESENT:** Jim Leamy, Chair; Richard Combs, Vice Chair; Joseph Mark, Select Board Parliamentarian and Secretary; Robert Spaulding, Member; Michael Holden, Member; Michael Jones, Town Manager; Peter Mantello, Police Chief, Nancy Mark, Library Trustee, Jayne Nicklaw, Resident, Eliza LeBrun, Recording Secretary;

**CALL MEETING TO ORDER**

The meeting was called to order by Select Board Chair, Jim Leamy at 7:09p.m.

**APPROVAL OF AGENDA**

**Mr. Holden made a motion to approve the agenda. Mr. Combs seconded the motion.**

Discussion: There was no discussion and there was no vote on the motion.

**APPROVAL OF MINUTES:**

Mr. Spaulding asked for minutes. Mr. Jones stated they were emailed. Mr. Combs added that hard copies were in their mailboxes.

**There was no motion or second to approve the minutes of July 12th.**

The chairman stated there was a motion to approve the minutes from July 12<sup>th</sup> and asked if there were any comments from board members.

The following changes were noted:

- **Mr. Mark:** "Middle of First page under approval of minutes CDERAC is misspelled twice".
- **Mr. Mark:** Second line from the bottom reads "Mr. Combs made a motion that the Town of Castleton accept "at's" allocation and it should read "it's" allocation".

- **All were in favor to approve minutes of July 12, 2021. Motion passed 5-0.**

**CITIZENS COMMENTS & CONCERNS**

Nancy Mark from Library Board of Trustees advised that they [Board of Trustees] are applying for a grant from the General Assembly & Department of Buildings and General Services. The grant is being written for repair and restoration of the three chimneys at the library. Mrs. Mark shared that some of these needed repairs were identified a few years ago during a site inspection by the Vermont League of Cities and Towns. which focus' on construction, infrastructure and needed projects. The library has funds earmarked for preservation of the library from annual surplus as well as from a 1972 grant from the Vermont Department of Preservation and Trust in the amount of \$10,000. is applying for a Building Communities Grant is a \$36,000 matching grant and the library has the matching funds required for this grant. Mrs. Mark requested the Selectboard to write a letter supporting the library pursuing the grant to send along with the grant application.

Mrs. Mark asked the letter be addressed to the Commissioner of Buildings and General Services, Jennifer M. Fitch, PE.

**Mr. Combs made a motion to ask the Town Manger to write a letter in support of the library addressed to Jennifer Fitch, PE., Commissioner of Buildings and General Services for the Building Communities Grant program and that the Chairman sign it. Mrs. Mark further requested the letter reference that it is a matching grant and that the library will provide those matching funds. The letter will be signed by the Chairman Leamy of the Selectboard. Mr. Holden seconded the motion. All in favor, Mr. Mark recused himself, motion carried 4-0.**

Jayne Nicklaw of 999 Blissville Road, Castleton, Vermont brought forth a complaint of flying rocks from Camara Slate located behind her house two weeks ago. Fly rock has landing all over her property and caused damage to houses in 2003, 2006, and now again in 2021. Jayne advised that fly rock landed on her property and went through the roof of a neighbor's home. She stated the "this town needs to step it up" so the quarries are following rules and regulations. Mr. Leamy questioned Ms. Nicklaw as to the basis of her complaint and advised her to file complaints with appropriate departments. Suggested to cite the appropriate zoning regulations that are in violation. Ms. Nicklaw also complained about illegal dumping. Mr. Leamy also advised her to file a complaint with the health officer for further investigation. She made a complaint that Jim didn't follow up a previous complaint about tires being dumped on private property. Public Safety would be handled by the Police Department, in which she has already contacted. Ms. Nicklaw asked if there was a written copy of what the Selectboard handles or is in charge of. Mr. Leamy advised her to visit the Town Clerk for a copy of the Vermont State Statutes. Mr. Spaulding asked Ms. Nicklaw who from the State has contacted her. Chief Mantello joined the conversation at this time and added that the Department of Public Safety/State Police was investigating. He has spoken with Captain Peterson, lead State Police Officer under the commissioner that authorizes licenses/permitting. Chief Mantello's goal in the next week is to see where Public Safety and Fire Service is in their investigation of the matter, He also advised that there are a number of agencies involved and the investigations are not yet complete. Chief Mantello advised that a representative from Mine Safety and Health Agency (MSHA) has also been down to the quarry investing and he has not talked to them since they were down here in Castleton investing the incident.

#### **POLICE UPDATE: CHIEF MANTELLO**

A copy of June monthly police report was provided to the Selectboard. Property watches are down. Criminal arrests increased in June (beginning of summer, DWI's, assault, etc). Traffic violations increased. The Police Department moved the speed cart. Mr. Holden asked if the speed cart records speeds for review. Chief Mantello stated it does not record speeds. Mr. Combs asked if the Town owns two radar carts, which Chief Mantello confirmed that the Town does own two speed carts. Chief Mantello stated that in the future he would like to get a couple of the mounted speed feedback devices like West Rutland has in their town. Officer Szarejko and Scott Stevens conducted a Stop the Bleed session for the school district and Probation and Parole. Officer Hayes passed his National Standard test for EMT, and Officer Webster must retake the test. Chief Mantello advised that a Governor's Highway Safety Grant was awarded, and the Police Department was able to purchase two (2) new in car mounted computer aided dispatch systems. The Town was awarded a PACIF grant and there is a breakdown of what each department.

Mr. Combs received additional complaint on Rice Willis Rd regarding quarry blasting and lack of warning whistle. Chief Mantello advised he wants complainant to fill out report. Mr. Combs and Chief Mantello agreed they would discuss the complaints in more in detail tomorrow. Chief Mantello stated many residents were upset regarding the recent blasting as they had no knowledge of the event and rocks were blown all over. Ms. Nicklaw stated she is surprised that no one was injured or killed.

Mr. Spaulding asked was a bollard was. Mr. Jones provided description; steel tubes filled with concrete and are to protect the new electrical junction box at the Transfer Station.

Mr. Mark asked Chief Mantello who has been writing the grants that brings the money to the Town. Chief Mantello advised that Officer Justin Szarejko writes the grants. Mr. Mark wanted to express his gratitude for bringing that money to the Town. Mr. Jones will draft a letter from the board. A couple of the board members stated that they have personally thanked Officer Szarejko in the past.

**TAX MAP: Franco Rossi contract (purchased business we have already contracted with)**

Mr. Jones stated CAI (Franco Rossi) agreed to keep the same services as previous company. The \$3,500 fee is in the budget to cover tax mapping. Mr. Holden made a motion approve the contract for CAI not to exceed \$3,500 and authorize the Town Manager to sign the contract. Mr. Spaulding seconded the motion. Mr. Mark questioned the second point on the maintenance contract in regard to additional fees. Discussion followed. The Board asked Mr. Jones to get clarity on fees. Consensus of the Board was to hold over the motion until Mr. Mark's points are clarified.

**GRAND LIST 411**

Brief discussion in regards to report. No action needed.

**ERRORS AND OMISSIONS**

Assessor Mary Jo Teetor provided one error.

Mr. Combs made a motion to approve the assessors request to fix an error in the amount of \$4,500 less than the property is currently assessed for on the property of Barbara Cheney, Parcel # 435100007. Mr. Spaulding seconded the motion. All in favor. Motion passed 5-0.

**SET TAX RATE**

Mr. Combs made a motion to set the municipal tax rate for the fiscal year 2021-2022 to \$0.4083 and set the local tax agreement rate at \$0.0059. Mr. Spaulding seconded motion for discussion. Discussion followed. Rate decreased. All in favor. Motion passed 5-0.

Mr. Combs made a motion to accept the Education Tax rate for Fiscal Year 2021-2022 for homestead rate of \$1.5338 and non-homestead rate of \$1.7197. Mr. Spaulding seconded the motion for discussion. All in favor. Motion passed 5-0. Discussion: State sets this rate, formality by Board to accept it.

Mr. Combs made a motion to set the low penalty for late filing of the homestead declaration at 3% and the high penalty for late filing of the homestead declaration at 3%. Mr. Holden seconded the motion. No discussion. All in favor. Motion passed 5-0.

Mr. Jones commented for the record: The total combined tax rate for residents of the Town of Castleton is \$1.940, a decrease of \$0.463 and the non-resident combined tax rate is \$2.1339, a decrease of \$0.0485 over last year's rates.

**UNLICENSED DOG REPORT**

Lists of unlicensed and licensed dogs was provided by Town Clerk, Nedra Boutwell. Discussion followed. List is referred to Constable for follow up, last year Constable declined to follow up. The Board will provide list to Animal Control Officer as he can act on with the assistance from the Castleton Police. Total

unlicensed dogs are 86. Municipal complaints can be acted on by ACO. Mr. Jones was asked to find out consequences for not registering dogs. Mr. Leamy believed that as last resort dog the dog would be destroyed. The Board agreed they do not want to destroy dogs for being unlicensed.

### **MANAGER'S REPORT**

Mr. Jones provided the Select Board Members with the Manager's Report.

- Item #1C Mr. Jones advised he was unofficially notified (verbally notified and not by an award

letter) that the Town was awarded a VTRANS Bike and Pedestrian Small-Scale TAP Grant for sidewalks from Castleton Corners East to Parsons Hill.

- Page 4- American Rescue Plan Act (ARPA) money – discussion regarding funding, money not yet awarded. Mr. Mark would like to invite public to discuss. Mr. Jones recommends to also invite Planning and CDERAC members as well. No objections.

- Page 5, Item 6E – Paving – Behind schedule due to rain. Can be carried over into 2022 with no price increase. North road is the priority, which is 80% funded by a VTRANS Class II Road grant. A holdover of East Crystal Haven, West Crystal Haven, and Crystal Lane will give plenty of time for the highway crew to prep roads to get ready for paving in the spring. East Crystal Haven is not in center of ROW and will present some challenges. Mr. Jones advised he asked VTRANS Better Roads representatives (Todd Eaton and Stu Johnson) conduct site visits of all roads scheduled to get paved this year and they suggested that the shoulders be widened in some areas of North Road and the shoulders have a 2:1 slope. Mr. Jones advised he will work with Wilk Paving to get to the top of their paving priorities in the spring of 2022 for the roads not completed this fall. Mr. Jones advised that there has been quite a bit of research done already to review deeds on properties along gravel roads scheduled to get paved. He advised there ongoing discussions with landowners along these roads to hear their concerns. Mr. Jones noted that a common concern by some of the residents was increased speed on roads once they are paved.

- Page 6 – Sucker Brook bank stabilization/weed harvesting – there was a one-week delay starting the weed harvesting by Lighthouse Marine, LLC. Bank stabilization along Sucker Brook has not been started.

Mr. Combs asked about Phase 1 on the sidewalk project. Mr. Jones stated that the project is going fairly well, but there were concerns with the lack of a crushed stone subbase for sidewalks. Brief discussion ensued and Mr. Jones advised a cost estimate was being developed for the crushed stone and any additional costs should be absorbed in grant.

### **PURCHASE ORDERS FOR APPROVAL**

**Mr. Combs made a motion to approve Purchase Order #47147 to The Royal Group for the purchase of four camera security system at the Highway Department in the amount of \$4,268.92, 50% to be paid by the VLCT PACIF Grant. Mr. Holden seconded the motion. All in favor. Motion passed 5-0.** Mr. Jones is installing a keypad entry to doors similar to that at Town Office, which can be audited.

### **WARRANTS FOR APPROVAL**

**Mr. Combs made a motion to approve check warrant #0726R in the amount of \$650.00, check warrant #0726 in the amount of \$26,471.53, check warrant #0722 in the amount of \$8,423.01, check warrant #0715**

in the amount of \$34,660.69, check warrant #0722P in the amount of \$20,890.59, check warrant #0715P in the amount of \$21,284.91. Mr. Holden seconded the motion. All in favor. Motion passed 5-0.

Mr. Holden made a motion to approve check warrant #0723P in the amount \$711.51 and check warrant #0716P in the amount of \$711.51. Mr. Mark seconded the motion. Mr. Combs recused himself. All remaining Select Board Members voted in favor. Motion passed 4-0.

#### **SELECT BOARD COMMENTS & CONCERNS**

Mr. Spaulding asked Mr. Holden if he had gotten the total district surcharges collected for the year 2020 by the Rutland County Solid Waste District. Mr. Holden said Tim Gilbert would be at next meeting with the quarterly report.

Mr. Spaulding asked if there were any thoughts on lowering the district surcharge now that one of two buildings is now paid. Mr. Holden did not know and stated he would ask. Mr. Combs asked if the building paid off was the Material Recovery Facility (MRF) and Mr. Holden believed it was.

Mr. Spaulding asked if the Rutland County Solid Waste District meetings were open to the public yet. Mr. Holden did not believe they have had any meetings, but he would find out.

Mr. Spaulding asked for Transfer station financial figures (revenue and expenditures). Mr. Jones stated that if there were any, they would be unaudited but believed that the accountant had provided the financial report through the end of June (unaudited).

Mr. Spaulding asked about the guardrails on Drake Road. Mr. Jones said that it would be done by the Highway Department, and it is on the work plan. Mr. Combs asked if Mr. Jones had spoken with the Fair Haven Town Manager as they also have roads over the highway and may have an arrangement with the State. Mr. Jones hadn't but advised he would investigate it.

Mr. Mark addressed concern of the meeting location on the agenda was not correct. Mr. Holden had pointed it out to Mr. Jones and Mr. Jones then placed a sign on the door of the Fire House.

Mr. Spaulding asked if they were going to review Mike's review. A brief discussion followed, and it was determined the matter had been addressed last meeting. Mr. Spaulding asked for a copy of write up from Mr. Mark.

#### **EXECUTIVE SESSION**

No executive session.

#### **ADJOURN**

Mr. Holden made a motion to adjourn the Select Board Meeting at 8:11pm. Mr. Combs seconded the motion. All in favor. Motion passed 5-0.

Respectfully submitted,

Michael A. Jones  
Town Manager