

TOWN OF CASTLETON
SPECIAL SELECT BOARD MINUTES
Monday, January 21, 2019 at 7:00pm
Castleton Town Offices
263 VT – 30
Bomoseen, VT 05732

PRESENT: Joe Bruno, Select Board Chair; Richard Combs, Select Board Vice Chair; Zack Holzworth, Select Board Secretary; Jim Leamy, Select Board Member; Michael Jones, Town Manager; Eliza LeBrun, Recording Secretary; Nedra Boutwell, Town Clerk; Janet Currie, Planning Commission Chair; Joe Mark; Patricia Schroeder; Julius Riemersma; Patrick Keller; Normandine Keller; Nancy Mark; Martha Molnar; Mary Droege; Tyrrell Hanley; Sue Day; Ted Day; Bonnie Hanley.

ABSENT: Robert Spaulding, Select Board Member

CALL MEETING TO ORDER

The meeting was called to order by Mr. Bruno at 7:00p.m.

PLEDGE OF ALLEGIANCE

Mr. Bruno led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

MINUTES FOR APPROVAL – JANUARY 14, 2019

Mr. Holzworth made a motion to approve the meeting minutes of January 14, 2019. Mr. Leamy seconded the motion.

Select Board Vice Chair, Richard Combs identified the following errors for correction.

1. Page 1, The header should read Castleton Town Offices.
2. Page1, Discussion was held as to whether the address should be Castleton or Bomoseen. At this time, it should read Bomoseen.
3. Page 1, first paragraph, fifth line, the spelling of Ted and Martha Molnar, the last name should be "Molnar".
4. Page 4, section 1.b., third sentence should be changed to read; "The preliminary number received for the cost of a geotechnical engineer was \$2,500."
5. Page 4, section 1.d., second sentence should be changed to read; "Route 30 is a State road, however, the sewer and manhole are owned by the Town, therefore, the Town would be responsible for the cost of the adjustment, if needed."
6. Page 6, section 11.c., third line up from the end of the paragraph, replace "Brook Line" with "Brookfield".

Mr. Holzworth made a motion to approve the meeting minutes of January 14, 2019 with the listed changes. Mr. Leamy seconded the motion. All were in favor and the motion passed.

PETITIONS FOR APPROVAL: ALL PETITIONS CERTIFIED BY TOWN CLERK

It was noted that the Select Board had already approved the appropriation request for the July 4th Parade and Annual Fireworks display, therefore, no motion was required.

Mr. Combs made a motion to accept and approve for the warning the petition for the Comprehensive Energy Plan. Mr. Holzworth seconded the motion.

Mr. Combs was concerned with the language regarding pipelines. Mr. Leamy pointed out that this was a resolution, it was advisory only and the decision would rest with the Public Service Board.

All were in favor, the motion passed.

Mr. Holzworth made a motion to accept the petition to withdraw the Town from the Rutland County Solid Waste District contract. Mr. Combs seconded the motion.

Discussion was held over whether the Select Board had enough information about the difference in price and services between the Rutland County Solid Waste District and the Solid Waste Alliance Communities. Select Board Member, Robert Spaulding has been working to gather information about this, however, he was not able to attend this evenings meeting. Mr. Bruno noted that having this article on the Warning allows the community a chance to show their interest and this was not a binding petition.

Mr. Leamy suggested changing the “withdraw” to “investigate.” The Board agreed that they would not make the decision to withdraw without investigating both cost and services and the language would not need to be changed.

Richard Combs recommended to the Select Board that they add “allow the Select Board to” before the word withdraw. The Select Board members agreed with the change.

Resident, Ted Day asked if the public would have an opportunity to see information about the differences between the two (2) entities. Mr. Bruno explained that at this time, the Board is still gathering information about the two (2) entities, so there is nothing to show the public yet. Resident, Susan Day asked why the petition was needed. Mr. Bruno explained that the decision to withdraw from the Rutland County Solid Waste District must go before the voters because when we joined the Rutland County Solid Waste District was voted on at a previous Town Meeting.

Resident, Mary Droege mentioned that she felt that the language was confusing and possibly inserting “if” (if it’s less expensive) or more neutral language to recommend the Town go with the less expensive option, whatever that is.

Town Manager, Mike Jones pointed out that the Solid Waste Alliance Communities may be less expensive but was unsure if the services were comparable.

Mr. Holzworth made an amendment to the previous motion to withdraw from the Rutland County Solid Waste District contract by adding the words “allow the Select Board to” before the word withdraw. Mr. Combs seconded the motion. All were in favor and the motion passed.

WARNING: APPROVAL AND SIGNING

Mr. Combs made a motion to approve the 2019 Town Meeting Warning as presented with article 51, not including Prior Year budget numbers. Mr. Leamy seconded the motion.

Mr. Combs made an amendment to his prior motion to include the words (not included in the budget) after article 49. Mr. Holzworth seconded the motion.

Discussion was held regarding whether to list the prior year budget number after each money article listed on the Town Meeting Warning. The Town Clerk noted that last year she had some complaints and questions about this, and she decided to call the state. Mrs. Boutwell contacted the Secretary of State's office for guidance. The Elections Administrator responded by email citing Vermont State Statute Title 17, section 2666. Improper influence. *"Neither the warning, the notice, the official voter information cards, nor the ballot itself shall include any opinion or comment by any town body or officer or other person on any matter to be voted on."* The elections administrator stated that she thought that including the prior year appropriation could be considered a "comment" under the statute. However, the elections administrator directed Mrs. Boutwell to contact the Vermont League of Cities and Towns for more information. Mrs. Boutwell did contact the Vermont League of Cities and Towns; however, they would not speak to her, they would only speak to the governing body. Mrs. Boutwell stated that she did inform the Select Board of this last year.

Resident, Joe Mark asked why some of the articles listed on the warning are written "Shall the Town appropriate" and others are written "Shall the Town deem necessary and appropriate." Mr. Bruno explained that the way the articles are written cannot be changed from the way they are submitted to the Town Clerk.

The vote was called.

Mr. Combs and Mr. Holzworth voted in favor of the motion, Mr. Bruno and Mr. Leamy voted against the motion. The motion failed.

Mr. Combs made a motion to approve the 1st version of the 2019 Town Meeting Warning as presented with article 51, and to include the words (not included in the budget) after article 49. Mr. Leamy seconded the motion. All were in favor, the motion passed.

EXECUTIVE SESSIONS

Mr. Combs made a motion to enter Executive Session at 7:30p.m. to discuss Real Estate under the provision of Title 1, Section 313 (a) (2) of the Vermont State Statutes with Ms. Janet Currie and the Town Manager present. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Mr. Holzworth made a motion to exit Executive Session at 7:35p.m. Mr. Combs seconded the motion. All were in favor, the motion passed. No action taken.

Mr. Holzworth made a motion to enter Executive Session at 7:45p.m. to discuss contract negotiation under the provision of Title 1, Section 313 (a) (1) of the Vermont State Statutes with the AFSCME Union members and Town Manager present. Mr. Combs seconded the motion. All were in favor, and the motion passed.

Mr. Leamy made a motion to exit Executive Session at 9:00p.m. Mr.Holzworth seconded the motion. All were in favor, and the motion passed. No action taken.

ADJOURN

Mr. Leamy made a motion to close the Select Board meeting at 9:01 p.m. Mr. Holzworth seconded the motion. All were in favor, and the motion passed.

Respectfully submitted; Eliza LeBrun, Recording Secretary