

**TOWN OF CASTLETON  
SELECT BOARD MINUTES  
Monday, November 11, 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; Tracey and Christine Sheldrick; Jayne and Larry Nicklaw; Dave Blow, Castleton University Professor; Caton Deuso; Bailey West; Tommy Bailie; Noelle Cave; Katherine Dowette; Molly Marcy; Jamilla Buzzell; Jacob McCarthy; Will Buck; Adam Osha; Benjamin Powell Jr.

**CALL MEETING TO ORDER**

The meeting was called to order by Select Board Chair, Mr. Leamy at 7:00 pm

**PLEDGE OF ALLEGIANCE**

Mr. Leamy led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

**Mr. Holzworth made a motion to approve the agenda. Mr. Combs seconded the motion. All were in favor and the motion passed.**

**WELCOME PROFESSOR DAVID BLOW & CLASS**

Mr. Leamy greeted Professor Blow and his journalism class.

**MINUTES FOR APPROVAL: 10/28/19**

**Mr. Mark made a motion to approve the minutes of 10/28/19. Mr. Holzworth seconded the motion.**

It was noted that the minutes had only just been received and no one had an opportunity to read them. The motion was withdrawn.

**Mr. Holzworth made a motion to table the minutes of 10/28/19 until the next meeting. Mr. Combs seconded the motion. All were in favor and the motion passed.**

**HOLIDAY PARADE, LIGHTING OF THE TREE, OUTDOOR VENDORS**

Ms. Nancy Trudeau shared with the Select Board details about the events planned for December 7, 2019. Events will begin at 4pm in the Village of Castleton, at 5pm there will be a tree lighting ceremony at the Castleton Library, at 5:15pm the lighted parade to the Fire Department will begin, the Holiday Market will stay open while the parade is going. Currently there are 12 vendors for the market, Kinder Way will be selling mulled cider and hot cocoa and Third Place will have their outdoor area lit and will also be selling food and beverages.

**CITIZENS COMMENTS**

Ms. Trudeau shared that on December 14, 2019 the Town will be participating in an event at the Hillside Cemetery as part of Wreaths Across America. Wreaths Across America is a program in which wreaths are provided to Cemeteries for placement on the graves of veterans. There are approximately 320 veterans in the Hillside Cemetery and there are wreaths for each grave. The event will begin at 11am with an

introduction from the Town Manager and then instruction on how to place the wreaths on each grave will be given. Ms. Trudeau hopes to see Castleton University students and local children participating. The Legion has also been assisting with this event.

Mrs. Jayne Nicklaw asked the Select Board who was responsible for people's safety regarding vicious dogs.

Select Board Chair Mr. Leamy responded that the Police Department is.

Mrs. Nicklaw proceeded to share with the Board a timeline of events in which Mrs. Nicklaw and her dogs have been attacked by her neighbor's dog. Mrs. Nicklaw showed several photographs to the audience. Mrs. Nicklaw would like to know when the Town is going to have this dog put down, she has copies of all of the Dog Warden reports.

Mr. Leamy explained that the Select Board had received a letter from the Police Chief and they would like an opportunity to read this letter and then they would invite Mrs. Nicklaw and the Police Chief to a meeting.

Mr. Combs agreed that they were familiar with some of the information but that they needed to review the new information.

Mr. Spaulding would also like to hear from the other dog owner.

#### **ANIMAL ORDINANCE REVISION FOR SIGNATURE**

Mr. Leamy clarified that the Animal Ordinance revision was not related to the previous discussion.

Town Manager Jones explained to the Select Board that he had added Hillside Cemetery to the Ordinance as requested in the last Select Board Meeting.

However, Mr. Jones asked the Board for their guidance regarding the fine schedule. Vermont statute states fines can go up to \$800, he noted that the Select Board could increase the current maximum of \$500.

Mr. Mark asked that the language include per offense so that it was clear that although the fines were progressive up to \$500, if the actions persisted after reaching the maximum amount, each additional offense would be fined \$500.

It was decided that the fine schedule would stay the same and Mr. Jones will provide the Select Board with a clean copy to include the clarification of "per offense."

#### **OPIOID LEGISLATION**

The Select Board received a letter from the Office of the Attorney General inviting the Town to join a Negotiating Class involving opioid related litigation. This will provide a way to participate in recent efforts to settle on-going litigation against manufacturers, distributors, and large pharmacies that created the opioid epidemic. The Negotiation Class will provide the opportunity for the Town to participate without having to file a lawsuit, hire attorneys, and incur additional attorneys' fees. Vermont cities and towns will automatically be enrolled in the Negotiation Class unless they opt out by November 22, 2019.

**Mr. Mark made a motion to not opt out of the Negotiation Class. Mr. Holzworth seconded the motion.**

Discussion was held regarding opting out and possibly filing a suit against these entities individually.

**Mr. Holzworth voted against the motion, the remaining Board Members voted in favor of the motion. The motion passed.**

#### **TOWN REPORT PRINTING**

Three bids were received for the printing of the Town Report. The Town Manager recommended Repro as they were the least expensive bid and were also the company the Town used in the previous year.

**Mr. Combs made a motion to award the printing of the Town Report to Repro for a cost not to exceed \$825.00. Mr. Holzworth seconded the motion. All were in favor and the motion passed.**

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

Mr. Jones had nothing to update the Select Board on this evening.

#### **SELECT BOARD COMMENTS**

Mr. Combs noted that now that the AFSCME contract was approved and signed by members, it would be important to start to review job descriptions and the personnel policies as it has been past practice to give non-union employees the same benefits that the union employees enjoyed.

Mr. Mark agreed and noted that the NEPBA job descriptions were very outdated.

#### **WARRANTS FOR APPROVAL**

**Mr. Combs made a motion to approve check warrant #1119R in the amount of \$38,790.00, check warrant #1111 in the amount of \$80,490.81, check warrant #1107 in the amount of \$19,176.06, check warrant #1031 in the amount of \$6,232.64, check warrant #1107P in the amount of \$17,561.76 and check warrant #1031P in the amount of \$14,753.57. Mr. Spaulding seconded the motion.**

Mr. Holzworth asked what the Reserve Transfer of \$21,612.76 on November 19, 2019 was for. Mr. Combs explained that every few months there must be a transfer made into the reserve accounts for different departments. Mr. Jones will find out what exactly this was for and will share with the Board.

**All were in favor, and the motion passed.**

**Mr. Holzworth made a motion to approve check warrant #1106P in the amount of \$682.97 and check warrant #1030P in the amount of \$682.97. Mr. Mark seconded the motion. Mr. Combs recused himself from the vote. Those remaining were in favor and the motion passed.**

#### **PURCHASE ORDER FOR APPROVAL**

**Mr. Mark made a motion to approve Purchase Order #044083 to the Castleton Fire Department for the purchase of Annual Points in the amount of \$9,000.00. Mr. Spaulding seconded the motion.**

Mr. Spaulding asked why this did not happen at the beginning of the fiscal year. It was noted that the payment was made at the end of the calendar year and approval would need to be done now to make sure that the payment would be ready on time.

**Mr. Combs recused himself from the vote. Those remaining were in favor and the motion passed.**

**Mr. Holzworth made a motion to approve Purchase Order #044089 to H.P. Fairfield in the amount of \$5,500.00. Mr. Mark seconded the motion.**

It was noted that the item being purchased had already been received by the Town. The Town Manager acknowledged that he was aware and not sure how it happened. Mr. Jones also pointed out that the Town had received \$4,400.00 in a grant for this item, so the Town's true cost was only \$1,100.00. This was a single source grant so there were no other bids requested.

**All were in favor and the motion passed.**

#### **RECAP/FOLLOW UP**

Mr. Jones is waiting for revised paperwork from People's United Bank to show the interest payment for the new Plow Truck as the initial payment was made immediately and not per the bank's schedule.

#### **EXECUTIVE SESSIONS**

**Mr. Combs made a motion to enter Executive Session at 7:48 pm to discuss personnel under the provisions of Title 1, Section 313 (a) (1) of the Vermont State Statutes with the Town Manager. Mr. Holzworth seconded the motion. All were in favor, and the motion carried.**

**Mr. Mark made a motion to exit Executive Session at 8:08 pm with no action taken. Mr. Holzworth seconded the motion. All were in favor, the motion carried.**

**Mr. Combs made a motion to enter Executive Session at 8:09 pm to for the purpose of discussing labor relations and contracts under the provisions of Title 1, Section 313 (a) (1) of the Vermont State Statutes with the Town Manager. Mr. Holzworth seconded the motion. All were in favor, and the motion carried.**

**Mr. Mark made a motion to exit Executive Session at 8:15 pm with no action taken. Mr. Holzworth seconded the motion. All were in favor, the motion carried.**

#### **ADJOURN**

**Mr. Combs made a motion to adjourn the Select Board Meeting at 8:16 pm Mr. Holzworth seconded the motion. All were in favor and the motion passed.**

Respectfully submitted; Eliza LeBrun, Recording Secretary