

**TOWN OF CASTLETON
SELECT BOARD MINUTES
Monday, February 24, 2020 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; Kathryn Paynter, Peg TV;

CALL MEETING TO ORDER

The meeting was called to order by Select Board Chair, Mr. Leamy at 7:15 pm

PLEDGE OF ALLEGIANCE

Mr. Leamy led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

MINUTES FOR APPROVAL: 2/10/20

Mr. Holzworth made a motion to approve the Select Board minutes of 2/10/20. Mr. Mark seconded the motion.

The following correction was noted in the minutes of 2/10/2020:

- Page 4, under WARRANTS FOR APPROVAL, Mr. Combs made the motion.

All were in favor and the motion passed.

CITIZENS COMMENTS

Ms. Currie, Planning Commission Chair shared that the Planning Commission will be meeting with Barbara Pulling of the Rutland Regional Planning Commission to discuss Solar Criteria for the Enhanced Energy Plan. Ms. Currie explained that the Contract with Rutland Regional Planning Commission in the amount of \$2,500 which is listed on the agenda would be to cover services provided by Mrs. Pulling. The Planning Commission has the amount in their budget to cover the contract.

Mrs. Christine Smith approached the Select Board with some concerns about the election from posts on social media boarding on intentional disinformation. Specifically, she cited posts on social media stating that candidate Joe Bruno was not a resident of Castleton. Mrs. Smith is concerned over the appearance of impropriety as these posts originated from the Town Manager's wife. Mrs. Smith noted that no other candidate needs to prove their residency, and as a previous Select Board member and longtime resident of Castleton, she finds it offensive and insulting. Mrs. Smith would like the Town Manager to go onto Social Media and the newspaper to get in front of this and clarify that Mr. Bruno is a resident of Castleton and she feels an apology is owed.

Mr. Jones shared that he has asked his wife to refrain from posting on social media regarding this issue, but he feels she is entitled to her opinion and he does not control her or tell her what to say or what not to say.

Discussion was held on residency.

Mr. Leamy stated that the Select Board does not have anything to do with the voting aspect of Town Meeting.

POLICE UUPDATE: CHIEF MANTELLO

Chief Mantello shared handouts explaining the differences between liquor licenses.

Chief Mantello noted that although calls were up, there was not anything specific that increased. Calls for service from Fair Haven in the last 6 months were 110. Calls for service from Castleton were only 39 in the last 6 months.

The Town Manager also clarified with Chief Mantello that he reviews all Liquor Licenses prior to them being submitted to the Select Board for approval.

SECOND CLASS LIQUOR LICENSE APPROVAL: MIDWAY OIL & PRUNIER'S MARKET

Mr. Holzworth made a motion to approve the request for renewal of 2nd class license to sell malt and vinous beverages by Midway Oil Corporation dba Tennybrook (CKS) located at Route 4A and 30, Castleton, VT 05735. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

Mr. Holzworth made a motion to approve the request for renewal of 2nd class license to sell malt and vinous beverages by P. F. B., Inc dba Prunier's Market located on Route 4A, Bomoseen, VT 05732. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

WATER SOURCE PROTECTION

Mr. Jones shared that he has had conversations with Chris Cresci from Fire District I regarding Water Source Protection for the well down on Mill Street as well as the well on North Road. Based on conversations, MR. Jones went to the Town Clerk for clarification on what land the Town of Castleton owned and what they did not at Dewey's Field. Mr. Jones was able to determine that the Town does not own a portion of land on Dewey Field.

Mr. Crecii came to the Town Manager as they are concerned about protecting the well head and the aquifer at North Road. Part of the area included in the recommended buffer zone of 200ft radius from the well, is on property not owned by the Town. One of the concerns is the PFAS threat to the drinking water.

Mr. Cresci stated that the Fire District did a test for PFAS at the well head, the test is incredibly minute. PFAS is not something that the environment will take care of on its own. There are many side effects that PFAS can cause, even in small amounts. The substance is on many items used in everyday life. When an individual walks thru the protection area, they are carrying the substance. Samples have come back good, but the Fire District would like to maintain the clearance on the other wells.

The state asks for 200 ft from wellhead, currently, there is only 75ft clearance at this time. The Fire District would like to limit the access to the 200 ft buffer area by moving the parking area and posting signs as well as creating fines.

To get rid of the PFAS, you will need to take it out of the water by using 3, 15ft tanks full of charcoal/carbon and pump the water through these tanks before chlorinated and then pump them out. Once the tanks are full of the poison, the tanks would need to be backwashed and the Town would be stuck with the poison. Mr. Cresci feels that smartest thing to do is to leave the PFAS where it is and keep people out of this area.

Fire District One presented a map that showed the well house on North Road as well as the parking area and recommended 200ft boundary. Discussion was held on how to address the requested boundary increase. Fire District One is working with the Town Manager at this time. It was clarified that the state cannot fine the Fire District if a specific action is not taken, at this time.

Mr. Mark asked if Fire District One has considered buying the land. Mr. Cresci stated that there is a state grant that FD1 is looking researching.

TAX SALE LIST: APPROVAL

Mr. Jones shared the Proposed Tax Sale List with the Select Board. At this time, there are 53 properties listed with delinquent taxes and/or sewer charges \$500.00 or higher. Properties marked with an asterisk have defaulted on payment arrangements.

Mr. Spaulding asked what the procedure is if the tax sale list is approved.

Mr. Jones noted that if approved, attorneys would be become involved to do title searches to send letters to all stakeholders within 30days. Anyone who enters into a payment arrangement will be removed from the list. Those on the list with an asterisk may not enter into a new agreement, the only way they can be removed from the list would be to pay the past due balances in full.

Mr. Spaulding made a motion to approve the proposed tax sale list as presented. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

RE-APPOINTMENTS EXPIRE MARCH 1st

Mr. Leamy believes that the reappointment of appointed officials should be done by the next board. It was recommended that a date other than March 1 be selected.

RECREATION COMMISSION: LETTER OF INTEREST AND APPOINTMENT

Mr. Leamy shared that there was a letter of consideration from Ms. LeBrun for a position on the Recreation Commission.

Mr. Holzworth made a motion to accept the letter of consideration from Ms. LeBrun and appoint her to the Castleton Recreation Commission for the appropriate term. Mr. Spaulding seconded the motion. All were in favor and the motion carried.

ABANDONED PROPERTY: OBTAIN LEGAL ASSISTANCE

Mr. Jones noted that Ms. Teeter identified 2 properties of which the owners were unknown. All current means of investigation have been exhausted and Mr. Jones would like to request legal assistance.

Mr. Mark made a motion to authorize the Town Manager to seek legal assistance in determining ownership of 2 properties located within the Town of Castleton. Mr. Holzworth seconded the motion.

Mr. Spaulding asked why the properties had been added back into the tax rolls if the owners were not determined. Mr. Jones is not sure at this time.

Mr. Mark questioned the last paragraph in the Conclusion stating that “The longer these 2 parcels sit on the delinquent list the more interest they accrue.” Mr. Mark feels that perhaps this should not be charged until ownership has been determined. Mr. Jones noted that in the past, the Town has worked with the individuals once ownership is determined.

All were in favor and the motion passed.

CRYSTAL BEACH: TRACTOR BID AWARD

Mr. Jones shared the bid results for the Compact Utility Mower Tractor for Crystal Beach. Mr. Jones noted that the Select Board had approved \$10,000 in the budget for this purchase. He recommended going with Kubota Tractor although they are not the cheapest tractor as they are physically closer in location, they will transport the tractor to and from the Town for servicing, and they offer a better warranty.

Mr. Holzworth made a motion to award the bid to TownLine Equipment Sales for 1 compact utility mower tractor for Crystal Beach in an amount not to exceed \$16,070. Mr. Mark seconded the motion.

Mr. Jones noted that there is \$10,000 in carryover available for this purchase. The additional funds would need to be used from the reserve.

All were in favor and the motion passed.

NOTICE: POSTED ROADS & TEMPORARY VEHICLE WEIGHT RESTRICTIONS

The Town Manager noted that this is a standard posting done every year depending on the weather.

Mr. Holzworth made a motion to authorize the posting of the roads as of February 24, 2020. Mr. Spaulding seconded the motion.

Mr. Spaulding asked for clarification on emergency vehicles. Mr. Jones noted that a copy of the statute identified in the end of the posting identifies the emergency vehicles.

Mr. Leamy called the questions. All were in favor and the motion passed.

OFF ROAD DIESEL AWARD

Mr. Leamy identified three bids received for Off Road Diesel, Champlain P&H at \$1.95/gal, Sam's USave at \$2.08/gal, and Local Fuels at \$2.15/gal.

Mr. Holzworth made a motion to award the bid for Off Road Diesel to Champlain P&H in the amount of \$1.95/gallon for the purchase of 3,000 gallons. Mr. Mark seconded the motion. Mr. Spaulding recused himself from the vote. All remaining Board members voted in favor and the motion passed.

WEBSITE OVERHAUL: CIVIC PLUS

Mr. Jones identified Civic Plus as the company the Town is currently using for their website. Mr. Jones pointed out that the website is not user friendly and would like to recommend that it be overhauled. Mr. Jones received a quote from Civic Plus for a full redesign of the website for \$5,500. This amount will include refresher training, and consultation on navigation and structure of our content as well as a complete redesign. Mr. Jones would like to come back to the Select Board with some ideas and recommendations.

Mr. Holzworth believes that the quote is high and would like to see if there are other lower bids. Mr. Jones explained that the cost did seem appropriate as it included the complete overhaul of the current website and was a price from 2 years ago that Civic Plus was willing to honor. Also, staff are familiar with how to use the Civic Plus website for posting and would not have to learn a whole new system.

The Select Board would like to see 1 or 2 Town websites that the Town Manager likes and who they use.

This topic was tabled until the Town Manager is ready to come back to the Board.

RUTLAND REGIONAL PLANNING COMMISSION: PLANNING SERVICES, ENHANCED ENERGY PLAN

Mr. Jones explained that having an Enhanced Energy Plan brings the Town of Castleton to the table with regard to issues with the Public Utility Commission on solar projects that the Town may not have any ability to address. It will also assist in determining who can use the substations. The payment for this is already in the Planning Commission operating budget.

Mr. Mark made a motion to authorize the Chair of the Planning Commission to approve the Town of Castleton's participation in the Planning Agreement with Rutland Regional Planning Commission to develop an Enhanced Energy Plan. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

MANAGER'S UPDATE

Mr. Jones shared that he had spoken to Lois Baldwin and Pete Geist about the Solar Array on the gravel pit. Ms. Baldwin's concerns have been addressed and she is willing to give her stamp of approval as soon as the drawings are complete and provided to her. Once that is completed, the contract can be signed with MHG to move forward with the project.

Mr. Jones noted that he has a call into AmeriClock, but the Clock in the Tower is not changing and there is a 3-year warranty on the clock that runs out in June. The dates are all correct, but the time is not.

Mr. Mark would like to know if it is less expensive to crush our own stone for gravel or to purchase it. Mr. Jones noted that it is less expensive for the Town to crush their own.

SELECT BOARD COMMENTS & Concerns

Mr. Spaulding noted that the Dumpster at the Wastewater facility costs twice as much as any other. Mr. Jones noted he was informed that was because they have been putting hazardous waste materials in the

dumpster. Mr. Spaulding would like to see documentation on this, he asked the Town Manager to please investigate this. Mr. Jones will review this.

Mr. Combs would like to know what goes into that dumpster that we could not have our Town employees put in our own Transfer Station. Mr. Jones stated that he was told it is considered bio-hazardous materials, household garbage is taken to the Transfer Station.

Mr. Spaulding expressed his disappointment that the Slate Valley Unified Union School District had their public meeting tonight the same as the Select Board.

Mr. Spaulding asked if the 3in gravel purchased was sent out to bid. Mr. Jones noted that it had and the Select Board did approve it.

Mr. Spaulding also asked for the dollar figure used to determine the charge to Hubbardton for the Transfer Station? Mr. Jones noted that it was given to him from the Town Accountant and that it was given to her from a Select Board several years ago. It was identified on the first page of the documentation given at he last meeting.

WARRANTS FOR APPROVAL

Mr. Holzworth made a motion to approve check warrant #0224 in the amount of \$43,897.82 , check warrant #0220 in the amount of \$6,065.77 , check warrant #0213 in the amount of \$31,925.22, check warrant #0220P in the amount of \$16,257.97 and check warrant #0213P in the amount of \$17,693.55. Mr. Mark seconded the motion. All were in favor, and the motion passed.

Mr. Holzworth made a motion to approve check warrant #0221P in the amount of \$678.15 and check warrant #0214P in the amount of \$678.15. Mr. Mark seconded the motion. Mr. Combs recused himself from the vote. Those remaining were in favor and the motion passed.

WARRANTS FOR APPROVAL

Mr. Holzworth made a motion to approve purchase order #044534 to Belden Company for the balance of additional days on the sidewalk project in the amount of \$5,770.00. Mr. Mark seconded the motion.

Mr. Spaulding asked for clarification. Mr. Jones explained that due to arguments over the sidewalk and having to bring in attorneys and have the sidewalk resurveyed. All of this was vetted through the Municipal Project Manager and VHP(sp?) for accuracy.

Mr. Leamy called the question. All were in favor and the motion passed.

BRIEF RECAP & ITEMS FOR FOLLOW UP

Mr. Jones noted that the issues with the agreement between the Town of Castleton and Green Lantern have been corrected and the Town Manager will sign the agreement now.

EXECUTIVE SESSION

Mr. Holzworth made a motion to enter Executive Session at 8:42pm for the purpose of Labor Relations /Contracts with the Town Manager pursuant to 1 VSA Section 313(a) (1). Mr. Mark seconded the motion. All were in favor and the motion passed.

Mr. Mark made a motion to exit Executive Session at 9:01pm with no action taken. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

Mr. Mark made a motion to authorize the Town Manager to accept Paul Egan's retirement letter/resignation, and to authorize the Town Manager to begin the search for a new Public Works Director/Road Commissioner and to extend the Select Boards Gratitude to Paul for his many years of service. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

ADJOURN

Mr. Holzworth made a motion to adjourn the Select Board Meeting at 9:05pm. Mr. Combs seconded the motion. All were in favor and the motion passed.

Respectfully submitted; Eliza LeBrun, Recording Secretary