

**TOWN OF CASTLETON
SELECT BOARD MINUTES
Monday, April 13, 2020 at 7:00pm
Zoom Web Meeting**

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; Jennifer Jones; Eitan Kilchevsky; Mary Kearns; Professor David Blow and several students from his Introduction to Journalism class at Castleton University.

CALL MEETING TO ORDER

The meeting was called to order by Mr. Leamy at 7pm.

PLEDGE OF ALLEGIANCE

Mr. Leamy led the pledge of allegiance.

APPROVAL OF AGENDA

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

MINUTES FOR APPROVAL: 3/23/20

Mr. Holzworth made a motion to approve the Select Board minutes of 3/23/20 with corrections. Mr. Spaulding seconded the motion.

The following corrections were noted;

- 1st Page, last paragraph, 2nd sentence; change “salary” to “salaried.”
- 1st Page, last paragraph, 4th sentence; start the sentence with “In the” not “The.”
- 3rd Page, second motion at the top of the page; add “Mr. Coombs seconded the motion.”
- It was noted that Mr. Spaulding was present at the meeting of 3/23/20, not absent as indicated.

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

CITIZENS COMMENTS & CONCERNS

Mrs. Jones proposed to the Select Board that there be a Car Parade in May to honor all of the healthcare workers and first responders of Castleton. Mrs. Jones has spoken to Chief Mantello and tentatively selected the date of Saturday May 2, 2020.

Mr. Leamy asked if a Car Parade violated the CDC’s orders relative to COVID-19. Mrs. Jones stated that it did not as Parade participants will remain in their cars, and Parade watchers, should remain in their own homes/yards.

Mrs. Jones noted that the Parade route will be posted for everyone to view once it has been finalized, she would like the Police to lead the procession. Mrs. Jones identified a route beginning at the Hydeville Green and heading east into the Village, looping around at the Car Park, returning down Main Street, turning right on to North Road, then right on to Route 30, ending at the Hydeville Green. An alternate starting location of Castleton University was posed for consideration. The Board asked to finalize the route by the next Select Board meeting on April 27, 2020.

Mr. Holzworth made a motion to approve the request for the Castleton Cruising Parade on Saturday May 2, 2020 with the starting time and route to be determined. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

Mr. Kilchevsky brought an issue with a culvert in front of his home on Little Rutland Road to the Select Board's attention. Currently there are 2 sink holes on Mr. Kilchevsky's property that are caused by the issue with the culvert. Mr. Kilchevsky paid for an engineer from Rutland to come and survey the issue. She recommended that the culvert be replaced.

Mr. Jones added that the Town of Castleton had submitted this culvert to be included in the FEMA reimbursements. This culvert was approved as a project, however, the Town has not yet received any money from FEMA for the project. Mr. Jones also shared that he had applied for a grant to pay for Little Rutland Road, but has not received a decision yet.

Mr. Kilchevsky identified a deed from 2/21/1974 indicating that the Town of Castleton is responsible for repairs to the culvert. Mr. Kilchevsky would like the Town to take care of this culvert with or without the FEMA monies or grant decision.

Mr. Leamy advised Mr. Kilchevsky to continue to work with the Town Manager about the issue.

Mr. Leamy recognized Professor David Blow of Castleton University and his students from Introduction to Journalism. Professor Blow and several students participated in the Select Board meeting via the Zoom web format.

ADOPT ROAD AND BRIDGE STANDARDS

Mr. Jones shared that the Town Road and Bridge documents had changed since last year. Mr. Jones would ask the Select Board to sign Yes to everything on the list and No to the 2 items listed under Non-hydrologically-connected road segments.

Mr. Mark made a motion to approve the Town Road and Bridge Standards for the Municipality of Castleton by selecting Yes for all items listed except the 2 items listed under Non-hydrologically-connected road segments. Mr. Combs seconded the motion. All were in favor and the motion passed.

WWTF DUMPSTER HAULING

Mr. Jones shared with the Select Board that after the last Select Board meeting, Mr. Spaulding had shared the name of a local resident and business owner who had not had an opportunity to bid on the Waste Water Treatment Facility Dumpster Hauling RFQ.

Discussion of the new quote was held and it was determined that the quote met the criteria of the RFQ and was the lowest bid received.

Mr. Holzworth made a motion to award the bid for the Waste Water Treatment Facility 2 rear load dumpster hauling to Seguin in an amount not to exceed \$ 110.00 per month. Mr. Spaulding seconded the motion.

It was pointed out that as there is no contract, the Town of Castleton can find a new vendor if any problems arise.

All were in favor and the motion passed.

MOWING BID AWARD

Mr. Jones asked the Select Board for another week to gather more bids. As the State of Vermont is not mowing this year, there are several vendors who would like to put in bids. Mr. Jones informed the Board that this will mean that mowing costs will be higher this year.

The Select Board agreed to review the bids at the next Select Board Meeting.

ELIAS PARCELS: 355103-1S & 35510003S: ATTORNEY CORRESPONDENCE UPDATE

Mr. Jones shared correspondence he had received from Mr. Elias's attorney regarding the parcels with delinquent property taxes and delinquent sewer bills with the Select Board. Per the letter, Mr. Elias's property cannot be sold at tax sale for delinquent property taxes. Mr. Jones noted that it is possible to put the properties on the tax sale due to their delinquent sewer bills.

The Select Board agreed to move forward with Mr. Jones' recommendation to include parcels #355103-1S and 35510003S in the tax sale due to delinquent sewer bills.

DESIGNATE FIRE WARDEN

Mr. Holzworth made a motion to appoint Mr. Heath Goyette as Forest Fire Warden for the Town of Castleton from July 1, 2020 to June 30, 2025. Mr. Mark seconded the motion. All were in favor and the motion passed.

RUBY SALT SHED: RENEW LEASE

Mr. Jones informed the Select Board that the 2-year lease with Ruby Construction, Inc. for the use of the Salt Shed is ending. Mr. Jones provided copies of the new lease to the Select Board members.

Mr. Holzworth made a motion to renew the lease with Ruby Construction, Inc. for a 2-year term in the amount of \$4,000 per year. Mr. Spaulding seconded the motion.

Mr. Spaulding believes that there is some redundancy in the section regarding snow removal which should be clarified as to who is responsible for the snow removal, the Lessor or the Lessee.

Mr. Spaulding made a motion to authorize the Town Manager to sign the Lease agreement with corrections. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

LIQUOR LICENSES FOR APPROVAL: DOLLAR GENERAL SECOND CLASS

Mr. Holzworth made a motion to approve the renewal application for a Second Class License to Sell Malt & Vinous Beverages for DG Retail, Inc. dba Dollar General, located at 1499 Main Street, Castleton, VT 05735. Mr. Mark seconded the motion. All were in favor and the motion passed.

APPROVAL TO POSTPONE ALL DOG LICENSING LATE FEES THROUGH MAY 15, 2020

Mr. Jones shared the Town Clerks request to postpone late fees for Dog Licensing through May 15 due to the Stay Home order issued by the Governor. Mrs. Boutwell also informed Mr. Jones that other Towns are postponing late fees as well.

Mr. Spaulding made a motion to postpone all dog licensing late fees through May 15, 2020 in the Town of Castleton. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

PUBLIC WORKS MUTUAL AID AGREEMENT

Mr. Jones shared with the Select Board the Rutland Regional Public Works Emergency Mutual Aid packet. To date, Castleton, Poultney and Fair Haven have not participated in the program. The Town Manager does not see a downside to the program after watching how it was utilized over the last year.

Mr. Mark made a motion to authorize the Select Board to sign the Rutland Regional Planning Commission Emergency Mutual Aid Agreement for the Public Works Departments of its Member Municipalities. Mr. Combs second the motion. Mr. Holzworth voted against the motion. Mr. Spaulding, Mr. Leamy, Mr. Combs and Mr. Mark voted in favor of the motion. The motion passed.

COIN DROP REQUESTS: CASTLETON COMMUNITY CENTER, SEPTEMBER 12, 2020

Mr. Jones shared that the Castleton Community Center has submitted a request for a coin drop on Saturday, September 12, 2020 with a rain date of Saturday, September 26, 2020.

Mr. Spaulding made a motion to approve the Coin Drop of Saturday, September 12, 2020 with a rain date of Saturday, September 26, 2020 for the Castleton Community Center. Mr. Holzworth seconded the motion.

It was noted that neither the Castleton Fire Department or the Castleton Village School 8th Grade Class of 2022 had submitted.

The motion was rescinded and the Select Board decided to wait to make a decision until the Select Board Meeting of April 27, 2020. Mr. Combs will follow up with the Fire Department and Ms. LeBrun will follow up with the Village School.

CANCEL TAX SALE AS CURRENT CIRCUMSTANCES MAKE IT IMPOSSIBLE TO MEET DEADLINES

Mr. Jones recommended that the Tax Sale currently scheduled be postponed until a later date as the public is not permitted to enter the Town Office at this time due to the Governor's Stay Home order, so title searches cannot be completed at this time.

Mr. Spaulding made a motion to postpone the currently scheduled Tax Sale until further notice. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

MHG SOLAR LEASE AGREEMENT

Mr. Jones wanted to update the Select Board in regard to their concerns over the Confidentiality Clause in the MHG Solar Lease Agreement. At this time, VLCT does not have a policy specifically addressing these

issues and Mr. Jones is still waiting to hear back from them regarding the concerns voiced by the Select Board. The amount of the insurance listed does need to be increased. Mr. Jones does not have enough information at this time to answer the remaining Select Boards questions.

Mr. Holzworth made a motion to table the MHG Solar Lease Agreement until the next Select Board Meeting on April 27, 2020. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

FUEL BIDS

Mr. Jones provided copies of the bids received. Mr. Jones recommended the Select Board choose the low bidder, Champlain Valley at \$1.25 per gallon.

Mr. Combs made a motion to authorize the Town of Castleton to purchase non-highway fuel in the amount of 3,000 gallons at a price not to exceed \$1.25 per gallon. Mr. Mark seconded the motion. Mr. Spaulding recused himself from the vote. All remaining Select Board members were in favor and the motion passed.

MANAGER'S UPDATE

Mr. Jones asked the Select Board to consider approving the expenditure of \$6,600 from Sidewalk operating budget for the Town's matching funds for this grant. Mr. Jones explained the Transportation Alternative Grant application was for pedestrian connectivity, ADA compliance, and crosswalks scoping study was approved. The grant award was for \$26,400 in federal funds and requires the Town pay \$6,600 in matching funds. Mr. Jones noted that if the \$6,600 comes out of the operating budget, he recommends it be taken from the Sidewalks budget (under Highway Department) line 100-5200-56.00 *Other Purchased Services* which currently has \$17,740.41 available.

Mr. Holzworth made a motion to authorize the expenditure of \$6,600 from the Sidewalk budget line 100-5200-56.00 as the Town of Castleton matching funds for the Transportation Alternatives Grant. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

Mr. Jones gave copies of an email that he had received from the Co-publisher/Ad Manager for the Mountain Times soliciting donations for a local COVID-19 Resource Guide. Mr. Jones proposed that the Town could have those businesses that remain open and provide essential services listed. Mr. Jones asked the Select Board if they approve purchasing an ad (\$450, \$650, or \$1200) that would help fund a local COVID-19 Resource Guide for the greater Rutland Area and Central Vermont from Mountain Times. would like me to go forward with a ¼ page ad for \$450, Mr. Jones recommended that the cost come from either Legislating or Managing Municipalities.

Discussion was held among the Select Board regarding spending money on this given how much free information is out there already. The Select Board did not make a motion at this time.

Mr. Jones shared that he had received an invoice from Hale Resources in the amount of \$10,000 to cover costs of the feasibility study for the Assisted Living/Independent Living Facility they would like to build on Town property on Sand Hill Road. The invoice dates go back to December 2017. This invoice came to Mr. Jones from Janet Currie via Jonas Rosenthal. This is believed to be from a grant. Mr. Jones was not included in this grant process. Mr. Jones does not have reservations that there is a grant from which to withdraw money (pass through), but he does not have a copy of grant to give to the board for a decision or for Town

Accountant to follow for payment processing/reimbursement. Mr. Jones does not want to hold up payment to Hale Resources LLC, but does not have any information for the Select Board at the time.

Mr. Holzworth made a motion to authorize payment of invoice #7028 from Hale Resources, LLC in the amount of \$10,000 contingent upon receipt of payment from the State of Vermont prior to that payment. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

Mr. Jones shared that Fair Haven Police Chief Humphries sent a letter requesting \$500 to cover the cost of a ballistic (bulletproof) vest taken from his department when Officer Scott Alkinburgh and Ed Hayes were hired by the Town of Castleton. Mr. Jones spoke to with Chief Mantello and Fair Haven Town Manager Joe Gunter about this about a year ago. Chief Mantello agreed he would pay a pro-rated amount for one of the vests, but not both because Officer Sherri McDermott took her vest with her when she left employment with Castleton PD, but now works for Fair Haven PD. He advised that Officer Szarejko looked it up and 50% of these vests were purchased with a grant and that Sherri's vest, was more expensive than the ones worn by Fair Haven officers. Mr. Jones informed Joe Gunter that Castleton was willing to pay a pro-rated amount of one vest. Officer Scott Alkinburgh no longer works for the Castleton Police Department and took his vest with him to his new department in South Carolina. These vests are worn close to the body and are not intended to pass on from one officer to another. The Castleton Police Department has the vests fitted to the officer, something Mr. Jones is not sure if Fair Haven PD does for their officers. Based on depreciation and the difference in cost between the two style of vests, the amount of money the Town of Castleton would owe Fair Haven is negligible. Mr. Jones asked Chief Mantello to reach out to Scott Alkinburgh to see if his new department purchased him a new vest.

Mr. Holzworth made a motion to authorize the Town Manager to write a check not to exceed \$93.00 for the reimbursement of a police vest to Fair Haven, contingent on agreement from Fair Haven. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

Discussion was had regarding the purchase of a 60" Bobcat Street Sweeper. Mr. Jones shared a quote for \$6,059.00 from Champlain Valley Equipment, Inc. with the Select Board. Mr. Jones asked the Select Board to defer making a decision until after the April 27, 2020 meeting as he is waiting for another bid.

Mr. Spaulding asked Mr. Jones several questions specific to the Manager's Report:

- Will food composting be put out to bid? Mr. Jones responded that he was going to.
- Is the metal scrapyard still open to the Town as it is not open to the public? Mr. Jones replied that the Town is not hauling anything as the price of scrap metal is so low it is not worthwhile.
- Where the Solar Project on Sand Hill Road? Mr. Jones explained that it was from Ed Davis's house it's the corn field on the left.
- Mr. Spaulding thought that Stretch was going to be preparing the Kubota tractor. Mr. Jones explained that the clutch on the tractor cannot be reached without taking the cab apart and there is a lot more work that needed to be done then initially thought.

SELECT BOARD COMMENTS & CONCERNS

Mr. Spaulding applauded the Castleton Highway Crew for their work on Pencil Mill Road, he thinks it looks fantastic.

Mr. Spaulding asked what the Town was doing regarding the center lines on Drake Road. Mr. Jones shared that Drake Road is on the list for paving and then the road lines will be painted.

Mr. Spaulding noted that he is still looking for a formula from the Town Accountant for the calculations on trash. And Mr. Spaulding would like an updated list of charges from the Town for Rutland County Solid Waste, hi list is missing the last 2 months.

Mr. Leamy cautioned the Select Board of the need to be very careful in spending until 6/30/20 with the shutting down of the economy. Mr. Jones assured the Select Board that he has meet with all department and asked them to hold all discretionary spending.

WARRANTS FOR APPROVAL

Mr. Combs made a motion to approve check warrant #0413R in the amount of \$650.00, check warrant #0331 in the amount of \$36,082.00, check warrant #0413 in the amount of \$121,461.14, check warrant #0409 in the amount of \$13,412.04, check warrant #0402 in the amount of \$8,197.92, check warrant #0326 in the amount of \$31,113.55, check warrant #0409P in the amount of \$13,220.69, check warrant #0402P in the amount of \$13,822.27 and check warrant #0326P in the amount of \$15,012.94. Mr. Holzworth seconded the motion. All were in favor, and the motion passed.

Mr. Holzworth made a motion to approve check warrant #0410P in the amount of \$678.15, #0403P in the amount of \$678.15 and #0327P in the amount of \$678.15. Mr. Spaulding seconded the motion. Mr. Combs recused himself from the vote. Those remaining were in favor and the motion passed.

PURCHASE ORDERS FOR APPROVAL

Mr. Combs made a motion to approve purchase order #044907 to Shi International for the purchase of 4 barcode scanners and accessories in the amount of \$4,452.40, 100% of which will be reimbursed by a Public Safety grant. Mr. Holzworth seconded the motion. All were in favor and the motion passed.

BRIEF RECAP & ITEMS FOR FOLLOW UP

There was no recap.

EXECUTIVE SESSION

Mr. Holzworth made a motion to enter Executive Session for the purpose of Real Estate per 1VSA Section 313 (a) (2) with the Town Manager present at 8:50pm. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

Mr. Holzworth made a motion to exit Executive Session at 9:08pm with no action taken. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

Mr. Holzworth made a motion to respectfully decline the request of a property owner to waive interest and penalties on their delinquent sewer and property taxes. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

ADJOURN

Mr. Holzworth made a motion to adjourn the Select Board Meeting at 9:10pm. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

Respectfully submitted; Eliza LeBrun, Recording Secretary