

Select Board, April 28th, 2014

**Town of Castleton
Select Board Meeting
Minutes of April 28th, 2014
Castleton Town Offices**

MEMBERS PRESENT: Joe Bruno, Thomas Ettori, Bob Spaulding, Richard Combs

MEMBERS NOT PRESENT: John Hale

OTHERS PRESENT: Charles Jacien via telephone, See attached list

The meeting called to order at 7:03 by Chairman J. Bruno with the Pledge of Allegiance.

Minutes for Approval-April 14th, 2014

MOTION

Motion to approve the minutes of April 14th, 2014 by R. Combs. Seconded by T. Ettori.

All in favor. So voted.

Warrants for Approval

MOTION

B. Spaulding made a motion to approve warrant 0428R for \$180.00, 0428 for \$101,998.91; 0424 for \$4,909.366; 0417 for \$4,744.80; 0424P for \$11,897.15; and 0415P for \$11,838.29. Seconded by T. Ettori.

All in favor. So voted.

MOTION

B. Spaulding made a motion to approve warrant 0424.1P for \$563.23 and 0415.1P for \$563.23. Seconded by T. Ettori. R. Combs recused himself.

All in favor. So voted.

Request for Approval-State Policing Contract

Chairman J. Bruno stated that this contract was signed last year for a total of 259 hours, which amounts to 37 six hour shifts. The town was reimbursed the \$7000.

MOTION

Motion by T. Ettori to approve the State Park Contract dated 4-21-14. Seconded by R. Combs. All in favor. So voted.

Request for Town Green Use-Castleton Women's Club

MOTION

Motion to approve the use of the town green by the Castleton Women's Club on Saturday, August 16th, 2014 by R. Combs. Seconded by B. Spaulding. All in favor. So voted.

Notice of Sale/Auction Discussion/Approval-556 Main Street

Town Manager Jacien was contacted via phone for this discussion. He stated that the public notice of

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sale has been reviewed by T. Parisi. He stated that it will be advertised for 30 days prior to the sale. He stated he did speak with the auctioneer today and needs some specific direction.

Chairman J. Bruno asked what the cost of the auctioneer is. Town Manager Jacien stated that he was waiting for a sample contract.

Chairman J. Bruno stated that although J. Hale was not present, he feels the board needs to keep moving forward, particularly because the board reserves the right to reject the bid as well as set a minimum bid. Town Manager Jacien noted that the historical society would still have the right of first refusal. He stated he would like to send a letter to the historical society to see if they are still interested. He also noted that Representative Bob Helm contacted him about the sale today, which he was completely blindsided by.

Chairman J. Bruno stated that J. Hale was proposing that the town renovate the property, then try to find someone to rent or lease it. He stated he was blindsided by that as well. He stated that he believes the feeling of the board is against this idea and wants to proceed with the sale.

Town Manager Jacien stated that the auctioneer Thomas Hirchak was recommended by B. Gilbert. He asked if there was any objection to obtaining a sample contract, to which there was none.

T. Ettori noted that the board can't really ask the historical society ahead of time if they are interested because it could be based on the price. He also stated that the 30 day window that the historical society has the right of first refusal should be noted on the public notice of sale.

Chairman J. Bruno noted that the historical society has the choice to purchase the property for \$2500 less than the highest bid.

K. Thornblade stated that she believes the statute calls for a 30 day warning after a buyer is established. R. Combs stated that he feels that is satisfied in the public notice of sale.

Town Manager Jacien stated that the public notice of sale will be posted as of May 5th.

N. Cameron asked if the 30 day period the public has to contest is after the historical society has the right of first refusal or if the periods run concurrently. R. Combs stated he thinks they would run concurrently.

L. Squier asked if the board could ask that the façade of the building be preserved. Chairman J. Bruno stated that they could. R. Combs stated that is the board intent, but he is not sure how much legal ground they have.

B. Spaulding asked what would happen if the historical society waits 28 days to refuse or accept, then people only have two days to organize signatures if they want to contest.

Pay Range (non-union) Schedule Discussion

Chairman J. Bruno stated that he has received information stating that compensation for the assistant town clerk is set by the town or the Select Board. He referenced title 24VSA Section 932 and 933. He stated that he believes that he should have been brought up at the town meeting.

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K. Thornblade stated that she feels Chairman J. Bruno is interpreting the law. She stated that the Secretary of State's opinion is that it is part of the budget, and the town approved the budget, so she should set the rate.

T. Ettori stated that he agrees with K. Thornblade regarding the budget—the money is there for the assistant for last year's budget. He stated that looking at this year's budget, it was only voted on as a total amount, so the Select Board would set the pay rate.

R. Combs asked if the budget this year would allow for a pay raise. K. Thornblade stated it would. R. Combs responded that he has no problem with that.

Chairman J. Bruno asked if the clerk's office would be open Fridays if she had more money for the assistant. K. Thornblade stated that she is not bargaining over that. She stated she only has enough money to pay the assistant for one day per week.

MOTION

Motion to give the assistant Town Clerk \$12.50 per hour effective April 28th, 2014 by T. Ettori. Seconded by B. Spaulding. All in favor. So voted.

K. Thornblade stated that she feels it is a problem that this has taken so long to be hashed out, and should be retroactive.

Chairman J. Bruno stated that the pay range Town Manager Jacien has proposed gives the manager some flexibility to administer raises.

T. Ettori stated that R. Combs should recuse himself from the discussion. Town Manager Jacien suggested just discussing the listers at this point.

Chairman J. Bruno asked if there is money in the budget to give the listers a raise. Town Manager Jacien stated that there is, and that historically, the listers do not use up their personnel line item. N. Trudo and K. Miller are requesting a raise.

MOTION

Motion by B. Spaulding to allow a pay range of \$11-\$14 an hour for listers. R. Combs seconded.

T. Ettori stated that he disagrees that it ends up being the manager's responsibility to set the rate because it affects the budget.

N. Trudo stated that she has not gotten a raise in 11 years. She noted that Fair Haven has a mechanism for raises and Castleton does not. She also stated that she wants it retroactive to the first of the year.

All in favor. SO voted.

MOTION

Motion by B. Spaulding to make the listers pay range and town clerk salary change retroactive from January 22nd, 2014. Seconded by R. Combs. All in favor. So voted.

Citizens' Concerns

N. Trudo stated that the town owns many acres of land that could be sold and put on the tax list. Chairman J. Bruno requested that she make a list of parcels and present it to the board, as well as bring in the listers card for the properties.

S. Seguin stated that the frontage of the JAMAC property is not very wide, so he is concerned with potentially putting the town office on the same parcel of land as the fire department. He suggested purchasing the acreage that is for sale directly next to the property.

C. Smith noted that at the last meeting, the board asked the town manager to check out rent negotiations for the current town office. Town Manager Jacien stated that he has not spoken with the landlord yet.

L. Squier asked how the sewer extension will be funded. Town Manager Jacien stated that the board will have that discussion. He stated it could be just the users or the whole town. R. Faye stated that any extension to the sewer should be overseen by a town representative. Town Manager Jacien noted that there is money available for either replacing the Route 30 sewer line or extending the sewer.

Manager's Update

FLAGS: Scott Stevens and his crew will donate their time to get the flags up and maintain them all season. This work will get done soon.

MARBLE PLAQUE: Gawet Marble in Ctr. Rutland has been contacted to take the Middlebrook School plaque down and store it until it can be placed in the new building.

USDA Approval: They are still reviewing the building & site plans. By Wednesday I should know what additional information they will need on the Class 3 wetland and Ag soils. This project cannot go out to bid until the funding is approved.

SALE OF 556 MAIN STREET: The public notice for the sale will be posted on May 5 for the necessary 30 day period of time. The Thomas Hirschak Company has been contacted to begin the process for the auction. Chairman J. Bruno brought up a letter received from the historical society about items in the town office. He stated that there was a proposal to put the plaque in the Higley House for the time being. He stated he feels strongly that he does not want it to leave Castleton. He also stated he wants to see about getting a frame for the Beers Map.

R. Combs suggested having Gawet Marble remove the plaque.

K. Thornblade noted that the town charter is still bolted to the wall at 556 Main Street.

Chairman J. Bruno and B. Spaulding will attend the USDA phone conference on Wednesday along with Town Manager Jacien.

Other Business

MOTION

B. Spaulding made a motion to approve PO 035500 to Trudo Construction for \$4400 for the install of a driveway to Tice Pump station. Seconded by R. Combs. All in favor. So voted.

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MOTION

R. Combs made a motion to approve PO 032025 to the VFIS for annual benefits for Castleton First Response in the amount of \$7500. Seconded by B. Spaulding. All in favor. So voted.

Select Board Concerns

B. Spaulding asked about rail road crossing repairs. Town Manager Jacien stated that this involves dealing with the actual railroad companies, not VTrans.

MOTION

Motion by R. Combs to approve PO 035067 for \$1993.93 to Home Depot for lumber and hardware for the bridge decking on Cemetery Road. Seconded by B. Spaulding. All in favor. So voted.

K. Thornblade asked if all records besides the town clerk records from the old town office had been removed. Town Manager Jacien stated that they have not, but garbage has been removed.

K. Thornblade asked what happened to the owl statue. Town Manager Jacien stated that M. Jakubowski took it to the train station.

EXECUTIVE SESSION - Legal; Personnel; Real Estate (if necessary)

MOTION

Motion to enter executive session regarding real estate with the board and the town manager by T. Ettori. Seconded by R. Combs. All in favor. So voted.

MOTION

Motion to come out of executive session by T. Ettori with no action taken. Seconded by R. Combs. All in favor. So voted. The board came out of executive session at 9:00 P.M.

Adjournment

MOTION

Motion to adjourn by T. Ettori. Seconded by R. Combs. All in favor. So voted.

The meeting was adjourned at 9:03 P.M.

Submitted by Brittany Gilman