

**Town of Castleton
Select Board Meeting
Minutes of September 8th, 2014
Town Offices**

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

OTHERS PRESENT: Charles Jacien, see attached list

Meeting called to order at 7:05pm by Chairmen J. Bruno with the Pledge of Allegiance

DISCUSSION WITH TOWN ATTORNEY: 556 MAIN STREET

T. Parisi stated a concern about the wording and methodology used by the board concerning the sale of 556 Main St. This was brought to his attention by an email from G. Kupferer who is representing a possible buyer. J. Bruno asked how could there be a price mentioned when it will be sold at auction. He also noted that the minimum bid of \$50,000.00 is noted in the contract with the auctioneer. J. Bruno stated that Title Insurance only protects the attorney and is not necessary when the property has been in the possession of one owner for many many years.

J. Hale was concerned about the appeal process if there was a problem with the wording of the public notice.

T. Ettori asked if the closing would be 30 or 90 days from day of sale. T. Parisi stated the closing would be 45 days from date of auction. Thirty (30) days would be for public notice and 15 days later the closing would take place.

J. Hale noted that the building would not be "sold" the day of the auction.

J. Bruno stated that this is just a last ditch effort by a certain group of people to delay the sale of 556 Main St. There is, indeed, a price stated in contract. It is represented as the minimum sale price of \$50,000.00.

J. Hale asked why there was a purchase and sale agreement from the auctioneer. J. Bruno stated that the auctioneer will be receiving a buyers premium which makes him a party to the sale of the property.

MOTION:

J. Hale made a motion to add language from letter of G. Kupferer to T. Parisi regarding the Title Insurance. "The terms of the auction sale should include references to approval under 24 VSA §1061 and also reference the right of first refusal to the Castleton Historical Society". Seconded by B. Spaulding.

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B. Spaulding does note that there is a price in the advertisement, the terms of the sale would be “auction”, all and any bids will be considered by the board, and so is the right of first refusal.

J. Hale mentioned that there is no price value for the real estate.

J. Bruno stated that it was appraised. J. Bruno stated he felt it was just another stall tactic by certain people and that a title search would be waste of the town's money and time.

VOTE ON MOTION:

T. Ettori and J. Hale in favor. R. Combs, B. Spaulding, J. Bruno not in favor. Motion fails.

Minutes for Approval- Aug. 25th, 2014

Motion made to approve minutes of Aug. 25, 2014 by J. Hale. Seconded by B. Spaulding.

J. Hale asked that last names be used at all times. On page of minutes it should state “ all draw downs” on bond proceeds.

Vote: All in favor. So voted.

WARRANTS FOR APPROVAL MOTION

T. Ettori made a motion to approve warrants 0908 for \$553,802.47, 0904 for \$14,697.35, 0829 for \$5,816.42, 0828P for \$13,847.35. Seconded by B. Spaulding. All in favor. So Voted.

MOTION:

T. Ettori made a motion to approve warrants 0904.1P for \$564.44 and 0828.1P for \$565.00. Seconded by J. Hale. R. Combs abstained. All others in favor. So voted.

MOTION

B. Spaulding made a motion to approve Purchase Order # 035856 for \$5,378.00 to Lafayette Highway Specialities. Seconded by R. Combs.

C. Jacien stated this was for work done on Birdseye Rd. from the weather event which took place on July 13, 2014. This was a FEMA event and there is money in house from a grant. It was stated that new and used parts were used for project.

VOTE: All in favor. So Voted.

POLICE CHIEF CONTRACT APPROVAL

MOTION:

R. Combs made a motion to ratify the police chief's contract. Seconded by B. Spaulding.

J. Buno asked what the board intended to do with contract after one year? There was a “chunk

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bonus” and yearly increase mentioned. He asked if these were in the old chief’s contract.

J. Bruno stated that the contract that was faxed to P. Mantello was the same exact contract offered to the old chief except the name, date and salary was changed.

T. Ettori stated that P. Mantello was offered a one year contract at \$54,000.00/yr with an increase of 3%, which was set by board, and it should stay the way it is.

J. Hale stated that the cost of living increase does not come into play with current contract so it should not need to be addressed until next contract discussion.

J. Bruno did note that there might be a discrepancy with the comp. time offered in new contract. It is set at 45 hours in new contract and might be 40 hours in old contract. J. Bruno will look into this.

AMENDED MOTION:

J. Hale made a motion to accept the contract as directed with comp time for this contract year. Seconded by B. Spaulding.

J. Bruno will get a copy of the contract from C. Jacien and will look at comp time hours, if it is 40 hours it will remain the same,

M. Combs did request that the board put all the changes in writing so that the changes can be administered. She asked the board to verify that other than the name, date and salary change in new police chief’s contract all the language should mirror the old contract. J. Bruno replied, yes, that is correct.

Vote: All in favor- J. Hale, R. Combs, B. Spaulding, J. Bruno. T. Ettori voted no. Motion carries.

STATE FORESTER INFORMATION- CHRIS STONE

Chris Stone has been the Rutland City forester for 2 years. He has reviewed the report for the 66 acres named Crystal Meadow Block which was written by E. Hanson. This plan has a 10 year life and then another assessment would need to be done. The current plan stated an implementation year of 2015.

C. Stone stated that a plan would be tailored around the objectives that the town had for the property. The objectives could be recreational, enhancing habitat, creating or maintaining a watershed and receive monies from a logging job.

J. Bruno asked if there was a cost to the town for his service. C. Stone stated that this is a free service provided to towns, he noted that there were not a lot of trees in the area that would

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bring in a large amount of money when harvested.

J. Bruno asked what would C. Stone be doing and what would the process consist of.

C. Stone stated he would walk the property again to get a better sampling of the trees and other species, review the town plans and objectives for the property and create a working plan, come back to the town and present different options for the board to review, mark all trees and perimeter of area, assist town to put the sale of timber out to bid, assist with access to the timber, assist with the timber sale contract, details for provision of sale and will make sure that the guidelines set up in contract are followed. He will try to make weekly visits while work is being done and at its completion to ensure that the land is left in the condition stated in the contract.

T. Etori asked about a time line. C. Stone stated he could have some proposals ready in about a month.

C. Immel asked if he would be involved in this process and about any invasive species that were found. J. Bruno stated that he would be kept informed of the process. C. Stone stated that the invasive species would be treated before harvest.

S. Day asked about the acreage for both Crystal Meadows and Coon Hill. J. Bruno responded Crystal Meadows is approximately 65 acres and Coon Hill was about 11 acres.

J. Bruno did ask C. Stone to proceed with the process and looked forward to him returning with his proposals.

APPOINTMENT OF DRB AND PLANNING COMMISSIONERS MOTION:

T. Etori made a motion to reappoint G. Pritchard for 3 years and G. Chader for 4 years. Seconded by B. Spaulding. All in favor. So Voted.

T. Etori made a motion to reappoint F. Giannini to Planning Commission for 3 years. Seconded by J. Hale. All in favor. So voted.

CITIZENS CONCERNS

S. Sequin asked what was going to be done about the Friday and Saturday night partying done on Main Street by college students.

J. Bruno noted that there is just not enough coverage by police and that the board needs to look at the open container policy and also the definition of single family home. There is also a

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permit if more than 25 people will be gathered at a home. J. Bruno was called at 12:30am on 9/6/14 to witness the book burning and very large group of students on Main Street. He also observed at least 100 people at one home.

Roy Newton stated that there should be pressure on the college to create a police force that can go off campus and enforce the law.

N. Cameron noted that there are actually two goals that should be looked at. One is a short term goal of possible having campus security leave campus and help the town police officers. The second being a long term goal of creating a relationship between college, towns people, and towns police force.

H. Steele asked if anyone had videotaped the incident. J. Bruno stated yes, and stated that the video should be sent to D. Wolk, President of CSC. He also suggested that anyone who has a complaint or concern should direct them either by phone or written to D. Wolk and campus security.

P. Glickman asked what the fine was for breaking the 25 people minimum. J. Bruno stated its \$50.00 for the first offense and then prorated for future violations.

S. Day suggested a town forum and invite all concerned and involved parties.

T. Etori stated that was done last year and has fallen to the wayside this year.

MANAGER'S UPDATE

Town Forest: information on the various lands is enclosed the forestlands are clearly in the town's ownership. John Burke is reviewing the CDC files and will have an opinion and some suggestions in the near future, about the common lands near the lake.

River Street: M & W Soils completed the core samples a full report is forthcoming. The numerous samples reviled sand and nothing else, no indication of stratified areas or water flow. Ditching was completed on the south side of the road, driveway culverts will be installed in this same area. Trees will be removed and the bank stabilized on the north side, the area will be seeded for winter.

Seminary Street Drainage: A1 discovered a blockage of roots near the sidewalk area in form of the library. This line is well over 100 years old. The culvert under the street and some of this line could be repaired for about \$50,000.

Fire District #1: Once again, the Town has to clean up the mess made from the Districts work. As you may notice crosswalks were, only half painted and the patch is less than adequate. Paul and I are in contact with the Asphalt Maintenance folks at Vtrans. We are looking for guidance on the

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best way to repair this damage. We still have the bond if the District refuses to address these issues, or pass on the blame to the contractor.

Financial Audit: The auditors will be on site during the day on Wednesday, and will be meeting with the library around 5pm to discuss their specific issues.

Repaving: All of the asphalt has been installed the Highway crew is working on shoulders and driveways.

Belgo Road: The ledge at the bend of the road is being hammered away the shoulder work should be completed in a week.

MOTION:

J. Hale made a motion to put out to bid the construction of a box culvert from Seminary St to Main Street. Seconded by R. Combs. All in favor. So voted.

C. Jacien stated that Lisa Beayon requested a coin drop in front of the Federated Church on Main St. on 9/20/14 to support the 8th grade class trip to Washington D.C.

MOTION

T. Ettori made a motion to allow the parents of the 8th grade class to hold a coin drop on 9/20/14 in front of the Federated Church on Main Street from 9am to 2 pm. Seconded by B. Spaulding.

R. Combs noted that Lisa needs to be informed of state guidelines, they have to wear bright vests, no one under the age of 16 can be there and the area needs to be flagged.

VOTE

All in favor. So voted.

OTHER BUSINESS: NONE

SELECT BOARD CONCERNS

J. Hale asked if he needed to reconfirm or change his motion regarding the town clerk's salary.

MOTION

J. Hale made a motion to set the pay rate for the position of assistant town clerk at \$12.50/hr. Seconded by T. Ettori. All in favor. So voted.

J. Hale asked about the \$16,000.00 credit owed to the town. C. Jacien stated the amount owed to the town is approximately \$5,500.00 and J. Bruno stated that it is still being worked out.

R. Combs reported that they should receive the Act 250 permit this week, and if it does than

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they need to move forward with clearing the lot.

B. Spaulding was concerned that finding a contractor to remove needed to go out for bid.

J. Bruno stated that they had two quotes already and asked R. Combs to make some calls to local contractors for more prices.

B. Spaulding asked if the town was notified of any/all projects that were to take place in the town. C. Jacien stated that he does receive notification of any projects.

C. Jacien reported that the monies from the sale of the town buses would not be seen by the town for while. He wanted to find out what strings were attached to the money. The bus drivers were promised a deal after the sale. C. Jacien wanted to be very careful about where and how the money can be applied.

M. Combs stated the town should see the bulk of the money after the first of the year. The balance will be held for residual costs and released sometime next spring.

J. Bruno questioned C. Jacien on any possible noise ordinances pertaining to work on Sundays. J. Bruno stated the noise on Sunday from the construction company working on the bridge on RT 30 was very annoying. C. Jacien said he would contact the project manager about this concern.

P. Glickman inquired about the sewer line hook up on Crystal Heights Rd. C. Jacien reported that design is complete and they are just waiting funding from the state as it is a ½ million dollar job.

R. Ladd asked if there was a date set for start of construction on new firehouse. R. Combs responded date will be set when permits are in place.

MOTION

B. Spaulding made a motion to enter into executive session for personnel and real estate with the board only at 9:13pm. Seconded by T. Ettori. All in favor. So voted.

MOTION

T. Ettori made a motion to exit Executive Session at 9:30 pm with no action taken. All voted in favor. So voted.

Respectfully Submitted,

Valerie Waldron

Date of Approval