

**Town of Castleton
Select Board Meeting
Minutes of November 25, 2013
Castleton Town Offices**

MEMBERS PRESENT: John Hale, Wenger Rehlen, Ed O'Shea, Cristine Smith

MEMBERS NOT PRESENT: Thomas Ettori

OTHERS PRESENT: Charles Jacien; see attached list

Meeting called to order at 7:00 by C. Smith with the Pledge of Allegiance

Minutes for Approval-November 11th, 2013

MOTION

Motion to approve the minutes of November 11th, 2013 by J. Hale. Seconded by E. O'Shea.

On page 1, the warrant should read "1111R" instead of "1111E." On page 3, the outcome of the motion regarding 556 Main was as follows: Chairman T. Ettori, C. Smith, J. Hale, and E. O'Shea voted yes. W. Rehlen voted no. Motion carries 4 to 1. In addition, the motion was seconded by E. O'Shea, not W. Rehlen.

Vote on the Motion

All in favor of approving the minutes as amended.

Warrants for Approval

MOTION

E. O'Shea made a motion to approve warrant 1125R for \$4,106.50, 1125 for \$66,988.47; 1121 for \$4,702.47; 1114 for \$4,564.87; 1121P for \$12,278.00; and 1114P for \$11,987.83. Seconded by J. Hale.

All in favor. So voted.

Fire District #1 Road Cut Discussion

S. Bourque from Marble Valley Engineering stated that since the September meeting, she has worked with E. O'Shea to try and secure a performance bond but was unsuccessful, so the other option is to put the project out to bid, have the low bidder obtain the permits, and the construction company would have to secure a performance bond between themselves and the town. She stated she is here to discuss the special conditions. She outlined the conditions and reviewed the document. An overview is as follows: The low bidder will secure a performance bond between the contractor and the town of Castleton. The "owner" referred to in the document is the water district. The district and contractor will be co-applicants for permits. The performance bond will extend for 1 year for warranty purposes.

C. Smith asked is a request for warranty response would go to the engineer and if they are expected to be an objective liaison. S. Burke stated that it would go to the engineer. R. Bergeron stated that the

town could get an independent engineer in case of a disagreement, but that the state acts as a mediator in most cases.

J. Hale stated that the town should feel comfortable taking unilateral action. R. Bergeron stated that the town could, but often times, the bonding company would want an expert opinion, so they will call on the state for arbitration and mediation. He stated that historically, in projects, performance bonds cover the owner and contractor, and if the town wasn't happy, that would require a lien, which is different from this setup.

E. O'Shea asked when the board could get copies of the contract documents. S. Bourque stated that she would supplement the original application with the contract documents.

J. Hale asked if the specifications require replacing the thickness of the pavement. S. Bourque stated that they are not looking to replace in-kind. J. Hale stated that the board was clear that it was necessary to replace the thickness of the existing pavement.

Town Manager Jacien stated that it may be a good idea to have the town's engineer look at the plans to add a comfort level.

S. Bourque stated that she would like to have board feedback before December 13th.

C. Smith stated that she wanted to wait for T. Ettori to be present before any decisions are made.

Town Manager Jacien stated that he would come back for a budget to have the plans looked at by the engineer.

W. Rehlen expressed concerns about compaction. S. Bourque assured him that everything would be restored to grade. S. Burke also requested the special conditions be approved.

MOTION

J. Hale made a motion to approve the approach and concept outline in pages 1 and 2, "Special Conditions." Seconded by E. O'Shea. All in favor. So voted.

Citizens' Concerns

None

Town Manager's Update

Exit 5 Park and Ride: The Town will be receiving a grant for \$32,000 to install four solar power lights at this location. The Manager is working with the state to install a stamped concrete median strip to replace the crumbling black top.

New Accounting Clerk: Lois Witt has been hired to fill this part time position

Fire Department USDA Bond: Staff is working on the financial information that is needed for this application. An onsite meeting will take place with the agency on December 10th.

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Health Care: The town will utilize an approved work around bypassing the exchange and purchasing the policy directly from BCBS. The union has approved this.

Budget Meeting: A budget meeting will be held December 6th at 6PM at the Town Offices.

Select Board Concerns

None

Adjournment:

MOTION

Motion to adjourn by J. Hale. Seconded by E. O'Shea. All in favor. So voted.

The meeting was adjourned at 7:45 P.M.

Submitted by Brittany Gilman

Date of Approval