

Select Board, October 14th, 2013

**Town of Castleton  
Select Board Meeting  
Minutes of October 14th, 2013  
Castleton Town Offices**

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

**MEMBERS NOT PRESENT:** None

**OTHERS PRESENT:** Charles Jacien; see attached list

Meeting called to order at 7:00 by Chairman T. Ettori with the Pledge of Allegiance.

**Minutes for Approval-September 16<sup>th</sup>, 23<sup>rd</sup>, 30<sup>th</sup>, October 7<sup>th</sup>, 2013**

**MOTION**

Motion to approve the minutes of September 16<sup>th</sup>, 23<sup>rd</sup>, 30<sup>th</sup>, and October 7<sup>th</sup>, 2013 by C. Smith.  
Seconded by J. Hale.

All in favor. So voted.

**Warrants for Approval**

**MOTION**

C. Smith made a motion to approve warrant 1014R for \$37,951.62, 1014 for \$115,150.32; 1010 for \$13,027.98; 1003 for \$6,261.12; 0926 for \$6,193.24; 1010P for \$12,098.33; 1003P for \$13,783.89; and 0926P for \$12,265.09. Seconded by J. Hale.

W. Rehlen asked about the Balch Removal charge on David Avenue. Town Manager Jacien stated that was garbage removal for an abandoned property. He also noted that the health officer was involved.

**MOTION**

Motion to approve purchase order 034557 for \$3200 estimate for Main Street Sidewalk paving and \$514 estimate for line striping and rail road crossing, payable to Bendig Paving by C. Smith. Seconded by J. Hale. All in favor. So voted.

**MOTION**

Motion to reappraisal funds to be paid from the reappraisal reserve in the amount of \$167,200 by C. Smith. Seconded by J. Hale. All in favor. So voted.

**Lister Changes**

Town Manager Jacien stated that the proposed changes are based on Board of Abatement decisions. J. Hale noted that the changes were a consensus of the board, as he sits on the Board of Abatement.

**MOTION**

Motion by C. Smith to approve the changes as listed on 10/14/2013. Seconded by E. O'Shea. All in favor. So voted.

**Finalize and Adopt Alcoholic Beverage Control Ordinance**

Town Manager Jacien stated that the ordinance was reviewed by the Chief and a fee structure is in place.

**MOTION**

Motion by C. Smith to approve the ordinance pertaining to outside consumption of alcoholic beverages. Seconded by J. Hale. All in favor. So voted.

**Bond Application Discussion**

Town Manager Jacien stated that J. Facey couldn't give a clear opinion regarding the vote for \$750,000. He stated that J. Facey feels it may not be sufficient and the town should look at another vote to proceed with the project.

Chairman T. Ettori stated that he would set up a meeting with J. Facey for clarification. He stated that the board is going to send out the project to bid so that the true price will be known. He stated that the vote may be moot if the project comes in over \$1 million. He stated that until the board gets a figure, he does not know if there is much sense in proceeding with a vote.

C. Smith asked what would happen if the bids came in at over \$1 million. Chairman T. Ettori stated the board would have to have a discussion at that point since there would not be enough funds.

C. Smith stated she feels it is wise to have a plan going forward.

W. Rehlen urged Chairman T. Ettori to get all the information first hand, and states he feels it may be premature to make plans.

J. Hale stated that if the town is borrowing from the USDA instead of the Vermont Bond Bank, they do not need bond council certification. He stated that he feels the board could sign the bond application with a clean conscience that the board has authorization to apply for the funds. He stated that J. Facey commented that some citizens could challenge the board's decision but that absent that, he would not be concerned with the validity of the bond vote. J. Hale suggested seeking a more senior bond council's opinion.

Chairman T. Ettori stated that until he speaks with J. Facey, he is not looking to start the process all over again with a new bond attorney. He stated that the board has to trust the attorney they hired.

C. Smith requested the whole board meet with J. Facey. Chairman T. Ettori stated that he would set up a work session with no public comment.

E. O'Shea asked J. Hale if he feels J. Facey is not experienced enough. J. Hale replied that he has spoke with other attorney's and feels that J. Facey is a good lawyer but is not an expert in bond council.

Chairman T. Ettori read the list of attorney's available for bond work, of which there are seven. He stated that this list is provided by the bond bank.

K. Miller stated that she has worked with J. Facey and that he is a top of the line attorney. J. Rehlen suggested providing the PEG TV footage to J. Facey for review.

R. Newton stated that he feels citizens should be able to comment during the meeting with J. Facey.

#### **Recreation Commission Update**

M. Clifford stated that she provided a financial sheet for the season.

C. Smith noted the huge increase in kayak rentals. She also asked how much the beach charges for weddings. M Clifford stated that it is \$250 for the day. Chairman T. Ettori suggested decreasing that price next season to stay competitive.

M. Clifford noted good revenues despite the weather. She also stated that there were 20 weekend day rentals of the pavilion out of 26 available. She stated she was pleased with the head of maintenance. She said they tried a lawn sale but it was unsuccessful, and is considering trying it earlier next year. She stated that they have gone through one round of interview for the Rec Director position but have not found a good candidate. However, they are working with C. White at Castleton State College.

C. Smith asked if there was a job description for the position. M. Clifford stated that there is, and that she would provide one. M. Clifford also noted that the Rec Commission took on another member this month.

J. Hale asked if there were any student applicants for the Rec Director position. M. Clifford stated that there were not. J. Hale asked if an email blast was sent out. M. Clifford stated that she did not know.

Town Manager Jacien stated that the numbers seem fairly consistent with last year, with a small bump from residential passes. He stated this demonstrates that the majority of visitors are not town residents.

W. Rehlen asked if there were any ways M. Clifford could think to improve on next year. M. Clifford stated that she would like to explore accepting credit cards. She also stated that the snack bar is very interested in returning next year.

C. Smith asked about bringing other equipment in. M. Clifford stated that purchasing a paddleboat would be about \$1200.

W. Rehlen asked about renting chairs and umbrellas.

#### **Citizens' Concerns**

B. Potter stated that he was speaking in reference to the letter from the Town Manager to the Select Board that was sent to the Rutland Herald. He stated it was very unprofessional and whoever leaked the letter should resign.

M. Finnegan urged Town Manager Jacien not to resign.

D. Folsom stated that members of the board are supposed to represent the town, not their personal agendas.

M. Combs stated that she is disappointed by the lack of professionalism in the Select Board. She stated that things are being leaked to the paper, and the board constantly undermines and second guesses the town manager.

T. Kearns noted that emails are not covered by executive session and are public information.

A. Perry stated that she is new to the town, but feels the responsibility of the town manager is to unite the town, not divide it.

J. Rehlen asked about the status of the resignation letter. Chairman T. Ettori stated that it was discussed in executive session with no action taken.

#### **Select Board Concerns**

J. Hale stated that the board needs to reappoint J. Thomas as the Acting Zoning Administrator. He stated that J. Thomas is willing to continue the job until a replacement is found. He would be performing his duties electronically from Florida.

#### **MOTION**

Motion by J. Hale to reappoint J. Thomas as Acting Administrative Officer for zoning until such time as the board has approved a Zoning Officer. Seconded by C. Smith. All in favor. So voted.

#### **MOTION**

Motion to recess for 20 minutes by C. Smith. Seconded by E. O'Shea. All in favor. So voted.

#### **Executive Session**

##### **Motion**

C. Smith made a motion to enter Executive Session with the Town Manager, Counsel. E. O'Shea seconded. So voted.

##### **Motion**

C. Smith made a motion to exit Executive Session with no action taken. E. O'Shea seconded. So voted.

#### **Adjournment:**

##### **Motion**

C. Smith made a motion to Adjourn at 8:30 pm. E. O'Shea seconded. So voted.

Submitted by Brittany Gilman

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Date of Approval