

Select Board, April 14th, 2014

**Town of Castleton
Select Board Meeting
Minutes of April 14th, 2014
Castleton Town Offices**

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

MEMBERS NOT PRESENT: Bob Spalding

OTHERS PRESENT: Charles Jacien, See attached list

The meeting called to order at 7:00 by Chairman J. Bruno with the Pledge of Allegiance.

Minutes for Approval-March 10th and 24th, 2014

MOTION

Motion to approve the minutes of March 10th and 24th, 2014 by T. Ettori. Seconded by J. Hale. All in favor. So voted.

All in favor. So voted.

Warrants for Approval

MOTION

R. Combs made a motion to approve warrant 0414R for \$24,871.20, 0414A for \$102,891.56; 0410 for \$13,270.62; 0403 for \$5,368.46; 0327 for \$4,872.32; 0410P for \$12,677.00; and 0403P for \$13,448.98, and 0327P for \$12,114.63. Seconded by T. Ettori.

J. Hale asked if the town has a contract with J. Berryhill for the Fire Department. Town Manager Jacien stated that we do have an AIA contract and will get J. Hale a copy. J. Hale asked where the \$18,700 for the fire station will come from. Town Manager Jacien stated they would come from unallocated reserve funds at this point. T. Ettori asked if it could be taken from the Building Construction line item in the Fire Department budget. Town Manager Jacien stated that he would look into it.

All in favor. So voted.

MOTION

T. Ettori made a motion to approve warrant 0414B for \$74.82, 0410.1P for \$563.23, 0403.1P for \$563.23, and 0327.1P for \$563.23. Seconded by T. Ettori. R. Combs recused himself.

All in favor. So voted.

Continued Petition Discussion—Frank Taggart

Chairman J. Bruno distributed to the board F. Taggart's estimated cost savings of closing the village school. He also stated that he found a case in Berlin, VT in which a petition was brought to the school board, so he feels there is precedent if a copy is given to the clerk of the school board and the clerk of the Select Board—he stated if that is done, the petition can move forward.

F. Taggart stated that he believes that since the school board refused it, the Select Board can move forward with it per Roberts Rules of Order.

Select Board, April 14th, 2014

Chairman J. Bruno stated that the Select Board will continue to pursue this. Town Manager Jacien stated that he is exploring legal avenues to determine the scope of the board. He stated that initial contact with the attorney has been made.

D. Folsom stated that he feels the school board made it clear that they would only explore closing the village school if the budget was voted down.

T. Spangenburg stated that he wanted to make it clear that school boards do not accept petitions.

RRPC Byway Update—Jim Donovan

J. Donovan stated that the RRPC is looking at a bikeway along Route 30 to create bicycle loops. He stated that they are hoping to increase uses of the byway. They have identified potential routes and stopping places, views, etc.

Chairman J. Bruno asked about the hazardous waste sites. J. Donovan stated that they are identified via state database. Many are small oil tanks that have leaked into the ground, and many have been remedied.

G. Trudo stated that he does not feel Route 30 is safe for bicyclists because the road is too narrow. He stated that widening the road is the only thing that makes sense.

Appointed Town Officers -

Emergency Management Coordinator; Fence Viewers(3);

Lumber/Shingle & Wood Inspector; Neighbor Works of Western VT; Overseers of Historic Cemeteries(3); Rutland County Solid Waste; Tree Warden; Weigher of Coal; Town Attorney; Bank Designation & Newspaper Designation

MOTION

T. Ettori made a motion to approve the appointment list dated 2013-2014. Seconded by R. Combs. All in favor. So voted.

Appointments-Town Service Officer and Recreation Commissioner

MOTION

T. Ettori made a motion to appoint E. LaFleche-Christian as the Town Service Officer for 2014-2015. Seconded by R. Combs. All in favor. So voted.

Sale of 556 Main Street with 1st offer to Castleton Historical Society

Town Manager Jacien stated that in December of 2012, Ault Commercial Realty did a study of the building and presented a wide range of potential value--\$45,000-\$190,000. The recommendation without mold remediation is to ask \$95,000.

T. Ettori stated that he would like to try an auction style sale first—he noted there is no obligation to accept any bids.

J. Hale agreed, stating that would provide a better estimate of the market value. He did note he does not think there will be a high level of interest, but if there is, and a reasonable offer is made, the historical society would still have the right of first refusal.

R. Combs stated that moving forward with selling the building is important. He stated that he doesn't think getting bids is a bad idea.

Town Manager Jacien stated that if affirmative action is taken tonight, he will make the required postings.

L. Melendi noted that getting bids may be difficult. D. Folsom asked why the historical society has the right of first refusal. Chairman J. Bruno stated that the building was originally donated to the town, and it was part of the agreement. J. Hale also noted that it was part of a quit claim deed.

MOTION

J. Hale made a motion to publicly offer the building and lands at 556 Main St for sale at a non-absolute auction—any interested bidders must put up a \$10,000 refundable bond—contingent upon necessary posting time. Seconded by R. Combs. All in favor. So voted.

Request for Approval - 1st Class Liquor License with Outside Consumption

- Iron Lantern Restaurant, Edgewater, Inc., - American Legion/Crippen Fellows Post #50,

- Tapas, Inc./Harpo's Grill (formerly Prospect House Pub & Grille)

MOTION

T. Ettori made a motion to approve 1st class liquor licenses with outside consumption for Iron Lantern Restaurant, Edgewater Inc., American Legion/Crippen Fellows Post #50, Tapas, INC/Harpas Grille (formerly Prospect House Pub and Grille) pending approval of Chief Sherwin. Seconded by R. Combs. All in favor. So voted.

Request for Approval - 2nd Class Liquor Licenses & Tobacco License

- Shan Petroleum, Inc.

MOTION

T. Ettori made a motion to approve second class liquor and tobacco licenses for Shan Petroleum, Inc pending approval of Chief Sherwin. Seconded by R. Combs. All in favor. So voted.

Citizens' Concerns

M. Finnegan asked for an update on the fire station. Town Manager Jacien stated that NBF is finalizing design plans and should be ready to bid in mid-May. The Act 250 will be filed after the 17th of this month (see Town Manager's Update). F. Taggart asked if there would be a shared driveway with the medical center. Town Manager Jacien stated that there would be.

G. Trudo asked if the board has discussed buying the 3.3 acres just south of the JAMAC property to use as a separate driveway. Chairman J. Bruno stated it has not been discussed, but will be. He also noted that there will be a separate driveway for emergency exit of fire engines.

Manager's Update

Village School Closure: Additional information is included in the packet. The Manger has consulted with Atty. Paul Gillies requesting a scope of service and time line in anticipation of an affirmative vote. An opinion will be presented shortly.

Fire Department: NBF is finalizing the design plans; the project is ready to go out to bid. By mid-May, the bids will be in for review. USDA funding is still under review, and the Act250 application should be filed this week.

556 Main Street: The garbage has been cleaned out of the building, addition clean out will continue

throughout the spring. A determination on the offer and ultimate sale needs to be discussed. The most recent appraisal is enclosed.

Inconvenience to office staff and the public: The decision by the Town Clerk to have her office only open 2 days a week for the month of April has already cause a great inconvenience for the office staff having to get into the vault, as well as explaining to the general public that the office is closed, i.e. more people coming through the office door and having to be attended.

In addition, once again the public needs to be reminded that all water and street light issues should be addressed to the appropriate Fire District and not the town office.

River Street Sink Hole: This area has been band-aided for the time being. The road seems to be stable, however there is undermining in the right of way near towards the property. Culverts and drainage structures most likely will be needed.

Constables Budget: This budget has been depleted, and there are currently outstanding hours and mileage requests as well as 11 more weeks in the current fiscal budget.

Chief of Police search: All applicants have been given the enclosed essay questions to respond to, once these are in, further review and interviews will occur.

Highway: The crew has been busy with the recent rain and melting, the excavator has certainly come in handy. The summer paving plan is being developed. Crack sealing will be done on all recent paved roads, North Road from Dewey Field to Stables Rd about 1.8 miles, along with Front Hill off of Creek road and Mahar Road are scheduled for repaving.

The garage door project is complete, as well as the insulation and painting of the lunchroom.

Sewer Commissioners: A budget and project break down for the Rte. 30 work is enclosed and will be discussed at the May 12th meeting.

MOTION

J. Hale made a motion to authorize the town manager to pay the application fees for the Act 250 application as incurred from allocated reserve funds. Seconded by R. Combs.

Chairman J. Bruno expressed concern about the property being labeled as Prime Ag Land. Town Manager Jacien stated he would look into it further.

Vote on the Motion
All in favor. So voted.

L. Meleni asked about the discussion last meeting regarding overspending of funds in relation to the town office. T. Ettori stated that the funds will be replenished and that the appearance of overspending is simply due to the accounting procedure. J. Hale suggested a contra-account of a prepaid expense to make the accounting more clear.

Other Business: Approval of Vtrans 2014-15 Financial Plan, Approval of Fire Dept Purchase Order-VFIS MOTION

Motion to approve the Vtrans 2014-15 Financial Plan as presented by J. Hale. Seconded by R. Combs.
All in favor. So voted.

Select Board, April 14th, 2014

MOTION

Motion to approve purchase order number 034378 for \$12,066.60 for the Fire Department Retirement Insurance VFIS by T. Ettori. Seconded by J. Hale. R. Combs abstained. All others in favor. So voted.

Select Board Concerns

J. Hale asked if it was determined whether the town must finance itself for the whole fire department project and then be reimbursed or not. Town Manager Jacien stated he has not been able to determine that yet.

J. Hale asked about the status of the Crystal Heights Sewer Extension. Town Manager Jacien stated that he is waiting for the Clear Water Revolving Loan Fund decision.

J. Hale stated he has asked numerous times for the listers to give an updated on the reappraisal.

Chairman J. Bruno asked about the green up program. Town Manager Jacien stated that the bags are in town at the transfer station.

Chairman J. Bruno stated that he feels the town clerk needs to be present before the board makes a motion regarding the assistant town clerk salary. However, he stated that it appears that by statute, the clerk does not set her assistant's salary. He does not think the board is opposed to giving her a raise, but it needs to be done right. He asked for the town clerk to be present for discussion at the next meeting. Town Manager Jacien noted that the two senior listers are also asking for an increase.

Chairman J. Bruno asked Town Manager Jacien to get bids on winterizing 556 Main Street.

Executive Session - Personnel, Legal or Real Estate

MOTION

Motion to enter executive session regarding legal and real estate with the board and Town Manager by R. Combs. Seconded by T. Ettori. All in favor. So voted. The board entered executive session at 8:45 P.M.

MOTION

Motion to come out of executive session with no action taken by J. Hale. Seconded by R. Combs. All in favor. So voted. The board came out of executive session at 9:10 P.M.

Adjournment:

MOTION

Motion to adjourn by J. Hale. Seconded by R. Combs. All in favor. So voted.

The meeting was adjourned at 9:12 P.M.

Submitted by Brittany Gilman