

**TOWN OF CASTLETON
SELECT BOARD MEETING
MINUTES OF JUNE 13, 2016
CASTLETON TOWN OFFICES**

MEMBERS PRESENT: R. Combs, J. Leamy, J. Bruno, W. Potter

MEMBERS ABSENT: R. Spaulding

OTHERS PRESENT: M. Shea, see attached listing

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

APPROVAL OF AGENDA

MOTION: J. Leamy made a motion to approve the agenda. Seconded by W. Potter. All in favor. Motion Carried.

MINUTES FOR APPROVAL- MAY 23, 2016

MOTION: J. Leamy made a motion to approve the minutes of May 23, 2016. Seconded by R. Combs. All in favor. Motion Carried.

REQUEST FOR OUTSIDE CONSUMPTION-EDGEWATER INC.

J. Bruno noted that the owners had reapplied for an outside consumption permit but the hours had not changed, as discussed at previous meeting.

MOTION: R. Combs made a motion to approve the Liquor License Renewal Application for Outside Consumption for the Trak Inn. Seconded by W. Potter for discussion.

J. Bruno stated that at the last meeting with Roz & David Rogers that if the Board were to reconsider the application the hours of operation for outside consumption would be from noon to 11:00 pm. He continued stating that previous discussion was that meals were served until 10:00, so you could consume alcohol till 11:00 as other restaurants in the area.

R. Rogers stated that "they" are not like other restaurants and that it is a hotel that is why it is under Edgewater, Inc. Her patrons can take their drinks anywhere they want on the property. So if the license ends at 11:00 pm, then her hotel guests can bring their drinks into the "corral" area.

J. Bruno stated that the delineated areas on the permit would only allow drinking in this area during the hours stated. J. Bruno asked what would stop the guests from going there after 2:00 am.

R. Rogers said she guessed they could go there, but the building would be locked up.

R. Combs asked D. Rogers about his statement at previous meeting regarding changing the hours of Fishtails.

D. Rogers said that we are closing at midnight, calling last call, whatever, to end any late night scenario and that's the idea. We don't want that dictated to us, but it is our prerogative.

R. Combs asked if they are closing at midnight, do they put the fire out, so there is no attraction for hotel guests. My issue is lack of control in that area and you made a commitment to have someone out there.

D. Rogers stated that there will be a staff member at the gate between the hours of 6 pm to close regardless of the weather.

R. Combs asked what specifically he would be committing to as far as having someone out there.

D. Rogers stated someone will be out there 6pm to close.

J. Bruno stated 6pm to close, which is 2am.

D. Rogers stated close is 2am or when we call "last call", we try generally not to close before 11:00pm, sometimes between 10:30pm and midnight.

W. Potter stated that they were not making a sincere gesture to close at midnight.

D. Rogers stated their intention was to close at midnight.

J. Bruno had a suggestion brought up to him was if you insisted that you must have outside consumption license till 2:00 am, that you hire a Sheriff to stand at the door between 9 pm to 2:00 am.

P. Sumner stated that on April 23, the Board had denied them an outside permit, now you are thinking about giving it back, how are you going to tell the difference between guests and patrons.

J. Bruno stated that was a good question, because he was confused about that law. He did not realize that guests of the hotel can drink alcohol anywhere outside on the property, as R. Rogers indicated earlier in the meeting.

P. Sumner asked how they were going to control outside consumption if they can't control it on the inside.

PAGE 3 – SLCT BD MTG- 6/13/16

J. Bruno stated that it was a good question.

P. Sumner stated that the Board does have the control. Is the town responsible if something happens? Why not wait until after the investigation.

J. Bruno the Board is not in a place to pass judgement.

S. Sumner stated that nothing has changed since the last denial of the permit.

J. Bruno stated that if the board was willing to approve this request until 11 pm, then we would not require a Sheriff, but if you want to extend the hours beyond 11 pm then we request that we have a Sheriff at the door.

D. Rogers responded that it would be only a handful of nights this summer and would do that.

R. Combs stated he would insist that you have a staff member outside until 11 pm.

J. Bruno asked if the board would agree to the amendment. Not all agreed.

J. Leamy stated it is a question of how much they are consuming not where they are consuming.

J. Bruno stated that the board would "reserve the right to revisit this application for outside consumption once the state & Castleton PD investigation is complete with an 11 pm closing."

MOTION: J. Leamy made a motion to approve the outside consumption permit with restrictions of 11 pm and reserve the rights to revisit the application. Seconded by W. Potter. All voted in favor. Motion carried.

COIN DROP REQUEST- CASTLETON ELEMENTARY SCHOOL

MOTION: J. Leamy made a motion to approve the coin drop for Castleton Elementary School was presented. Seconded by R. Combs. All in favor. Motion Carried.

R. Combs asked M. Shea to make them aware of regulations.

M. Shea stated they would receive a packet.

CRYSTAL BEACH PARKING DISCUSSION

M. Shea states he met with the Insurance and the owners of the Lake House and J. Leamy at the site. Insurance brought up lighting a path from town parking to the dock and making it level.

J. Bruno the attorney is requesting signage. "Parking at your own risk", which the town should have had. The town being named as additional insured.

J. Bruno stated that an agreement needs to be drawn up. We need signage for open and close of beach, parking at your own risk after beach hours.

J. Leamy asked if pins had been established. K. Sparks stated that pins have been placed and they did grant easements to others.

R. Combs asked about an email that was mentioned in Town Counsel's letter that mentioned a pontoon boat issue. What was in that email from Mr. Santek and what was Mr. Messer's letter.

M. Shea said he would get the Board copies of those.

J. Bruno the town does not own the boat and therefore the town is not responsible. The town is only responsible for parking.

J. Bruno asked if the Rec. director has been involved in these discussions.

M. Shea stated that he has talked to her and that she states it would be a good thing to have happen.

J. Bruno asked if any numbers have been brought up, since the Lake House owners stated they would pay for path, signage and insurance. How much would the stipend be for parking there?

M. Shea states that the money amount has not been discussed yet.

W. Potter stated there are still questions not answered.

M. Shea if they park outside the fence it is not town property.

R. Combs would like to see the correspondence.

H. Steele would like a copy of that correspondence for her attorney. She asked the Board to look back and see why parking was stopped. She stated the DRB decided it was not a good idea to park there and stopped it. She asked the Board to review zoning laws for parking.

J. Leamy asked if H. Steele is saying this was a zoning violation.

H. Steele said yes.

J. Leamy asked if anyone has brought it to their attention.

H. Steele said No, I keep bringing it to you.

J. Leamy stated that this is the wrong the place. If any citizen has a complaint, then you need to go to the zoning administrator.

PAGE 5 – SLCT BD MTG- 6/13/16

H. Steele stated that she sits and watches when and where the employees/patrons park.

HIGHWAY BID AWARD-PAVING 2016-17

M. Shea that he recommends Pike Industries.

J. Bruno stated that Pike's was the low bidder.

P. Eagan states he met with the bidders and they measured footage and tonnage. The town will do the prep work at the Fire station.

MOTION: J. Leamy made a motion to award Pike Industries in the total amount of \$269,305.78. Seconded by R. Combs. All in favor. Motion Carried.

CITIZEN'S COMMENTS- NONE

MANAGER'S UPDATE

M. Shea brought a purchase order for the fire station to the Board.

MOTION: R. Combs made a motion to approve P.O. 038526 to Reynold's & Sons for 8 MSA air bottles for \$11,710.16. Seconded by J. Leamy. All in favor. Motion Carried.

H. Goyette stated that they have 22 bottles each has a shelf life of 15 years. There are 20/22 to be replaced. This will start the process of replacing them.

OTHER BUSINESS – NONE

SELECT BOARD COMMENTS

R. Combs asked P. Eagan about roadside mowing this year.

P. Eagan stated that it will start 6/20/16 and they will be mowing for 2 weeks, then again in the fall.

J. Bruno asked about painting the crosswalks after paving. M. Shea said they would be done.

J. Bruno asked M. Shea to look into purchasing a sprayer and template so the town could do the crosswalks.

P. Eagan stated he received a quote last year of about \$1,300.00 for all the crosswalks and railroad crossings. He would have to get another bid for this year.

J. Bruno asked M. Shea about mowing bids. M. Shea said there are 2 fields and the Police and Fire Station.

MOTION: R. Combs made a motion to hire Brian Orzell to mow the town lands as needed until the end of the season. Seconded by J. Leamy. All in favor. Motion Carried.

WARRANTS FOR APPROVAL

MOTION: W. Potter made a motion to approve warrants # 0613R for \$15,891.54, #0613 for \$203,331.25, #0609 for \$9,059.80, #0602 for \$14,796.38, #0526 for \$ 5,606.52, #0609P for \$14,139.85, #0602P for \$14,920.56, #0526P for \$12,868.64. Seconded by R. Combs. All in favor. Motion Carried.

MOTION: R. Combs made a motion to approve warrants # 0614 for \$27.32, #0611P for \$336.70, #0604P for \$336.70, #0527P for \$336.70. Seconded by J. Leamy. All in favor. Motion Carried. W. Potter- abstained

MOTION: W. Potter made a motion to approve warrants # 0610P for \$547.74, #0603P for \$547.74 and # 0528P for \$547.74. Seconded by J. Leamy. All in favor. Motion Carried. R. Combs- abstained.

OTHER COMMENTS:

H. Goyette stated that the St. Baldrick's fundraiser has been cancelled.

J. Bruno stated that the engineer of town hall has stated there are some permits and paperwork that will need to be signed and he asked the Board if they wanted to have him given permission to sign.

MOTION: J. Leamy made a motion to authorize J. Bruno to sign as in the past. Seconded by R. Combs. All in favor. Motion Carried.

EXECUTIVE SESSION - 1 VSA 313(3)(a)(3) (if necessary)

MOTION: W. Potter made a motion to go into Executive Session for a personnel matter with the Town Manager and Board at 8:30pm. Seconded by J Leamy. All in favor. Motion Carried.

MOTION

J. Leamy made a motion to exit Executive Session at 8:51 pm with no action taken. W. Potter seconded. All in favor. Motion carried

MOTION

R. Combs made a motion to Adjourn at 8:52 pm. Seconded by J. Leamy. All in favor. Motion carried.

Respectfully

V. Waldron

Date of Approval