

**TOWN OF CASTLETON
SELECT BOARD MEETING
MINUTES OF JULY 24, 2017
TOWN OFFICES**

MEMBERS PRESENT: J. Bruno, Z. Holzworth, R. Combs, J. Leamy, R. Spaulding

OTHERS PRESENT: M. Shea- Town Manager- see attached list

Meeting called to order at 7:05pm by Chairman J. Bruno.

APPROVAL OF AGENDA

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

MINUTES FOR APPROVAL- JUNE 26 & 29, 2017

MOTION: Z. Holzworth made a motion to approve the minutes of June 26 & 29, 2017. Seconded by R. Spaulding. All in favor. Motion Carried.

REQUEST BY GREEN MOUNTAIN POWER – NEW POLE PLACEMENT @45 PARKER’S RD.

MOTION: Z. Holzworth made a motion to approve the petition of Green Mountain Power for pole and wire location and tree trimming within the highway right of way. Seconded by R. Spaulding. All in favor. Motion Carried.

B. Madgwick asked what the process was.

D. Birmingham explained that per the statute all abutting property owners are notified.

REQUEST TO AMEND OUTSIDE CONSUMPTION PERMIT- ADDITIONAL LOCATION, HOURS & DAYS OF USAGAE- CASTLETON PIZZA & DELI, INC.

MOTION: R. Combs made a motion to approve the outside consumption permit amended for the Castleton Pizza & Deli, Inc. Seconded by J. Leamy.

J. Bruno stated that he had no problem with the hours but they do not have enough parking spaces. There are only 12 spaces (½ the required parking for 75 patrons). The zoning regulations call for 1 spot for every 3 patrons. They would have to add 13 spaces to get to the required 25 spots for 75 patrons.

R. Spaulding also noted that they are 13 parking spots short now and you want to add more seating.

W. Rehlen stated he was not looking to change the hours, he just wants to add the outside seating. The previous outside seating was added to the inside when the walls were bumped out.

J. Bruno replied that they (Castleton Pizza & Deli) do not have enough parking for the 75 occupants now and you are now expanding out into the parking lot which will reduce the number of parking spots you do have.

W. Rehlen replied yes, along the back the parking will be pushed out and we will forgo a parking spot on the east side of the building. I’m not sure of the specs.

J. Bruno asked W. Rehlen if when the original permit was issued they were allowed to use public on street parking.

W. Rehlen said “don’t quote me but I’m assuming so, because otherwise like you are saying we would not have been able to.”

J. Bruno stated that this is a question for the DRB Board.

R. Spaulding asked if they were proposing to build a deck out back.

W. Rehlen replied not a deck, a patio like thing, roped off.

Z. Holzworth asked if the Board could do something about the outside consumption part of the request and send the rest of it to the DRB.

J. Bruno stated they already have an outside consumption permit.

W. Rehlen replied that there is no outside seating at this point. When their permit came up for renewal they noted that the outside seating in the permit no longer existed.

R. Combs stated that W. Rehlen is looking to create an outside area in the back.

R. Combs asked if they would be able to still utilize the parking spaces in the back.

W. Rehlen yes they (parking spots) will get moved farther south, towards the back of the building.

R. Combs asked if there was enough property back there to do that.

W. Rehlen stated he believed there was.

R. Combs asked if W. Rehlen knew there was enough or just believed there was enough.

W. Rehlen replied that I don’t know anything other than I believe so.

R. Spaulding also stated a problem would be the setbacks.

J. Bruno asked if they were are allowed to use the parking spots on Main Street for the pizza place, Store and Restaurant (Blue Cat) for all 3 businesses, the same parking spaces.

W. Rehlen stated that there is overlap, it’s common parking on the road. There has been some leniency there.

MOTION: R. Combs made a motion to rescind the original motion. Seconded by Z. Holzworth. All in favor. Motion Carried.

MOTION: R. Combs made a motion to approve the outside consumption permit amendment for the Castleton Pizza Place & Deli subject to approval for parking by the DRB. Seconded by J. Leamy. All in favor. Motion Carried.

POLICE DEPARTMENT UPDATE-CHIEF MANTELLO

Chief Mantello states that the residents have been thankful for the speed carts and that the Lake has been busy and there have been no reported noise disturbances around Indian Point. There are marine patrols on the weekends and there are many directed patrols.

Chief stated that he has hired 2 part time officers, they are both certified Level II and that the cruiser is ordered and should be in around the end of September.

Chief states that August 5th is the Shrine parade.

HIGHWAY DEPT- WINTER SAND BID AWARD & BARKER HILL BID AWARD

MOTION: R. Combs made a motion to approve the bid for Martelle Trucking Sand & Gravel for \$14.25 yd. for a total of \$49,875.00. Seconded by R. Spaulding. All in favor. Motion Carried.

J. Bruno asked P. Eagan if we have used their material before and did it meet all our specs.

P. Eagan replied that he did bring a sample and it did meet the specs.

R. Spaulding asked if they were going to approve the extra 500 yards.

R. Spaulding asked if there was money in the budget.

MOTION: R. Spaulding made a motion to allow Martelle to bring the extra 500 yds. at \$14.25/yd. contingent upon money in the budget. Seconded by Z. Holzworth. **VOTE: Yes-** J. Bruno, R. Spaulding, R. Combs, Z. Holzworth - **NO-** J. Leamy- Motion Carried.

BARKER HILL BID AWARD

J. Bruno stated that there was a pre-bid meeting.

MOTION: R. Spaulding made a motion to approve Taconic Excavating at \$18,000.00 for the Barker Hill Rd project bid. Seconded J. Leamy. All in favor. Motion Carried.

P. Eagan stated that 4 of the original bidders were at that pre-bid meeting and everyone was on the same page.

P. Eagan stated that Taconic was good but also G. Trudo did a retaining wall after Storm Irene and it is still holding.

R. Combs asked what the budget was for the job.

M. Shea replied that the grant was for \$20,000.00.

P. Eagan stated that the grant is for \$20,000.00 but the materials that the town is supplying is about \$7,000.00. We have a 20% payback, which is about \$4,000.00.

SET TAX RATE FOR FY 2017-2018

MOTION: R. Combs made a motion to approve the Municipal amount to be raised by taxes at 0.4732; The Local Tax Agreements will be 0.0047 for a Municipal total to be raised of 0.4779. Also, that the

homestead education rate is 1.5679 and the non-residential education rate is 1.5644. Seconded by Z. Holzworth.

J. Leamy asked how do these tax rates compare to last year.

M. Shea replied that on the Municipal side it's a ½ penny less. On the education side (homestead) it's 12 cents higher. On the non-residential, business commercial side it's almost even, no increase, slight decrease actually.

J. Bruno remarked that is due to ACT 68.

J. Leamy stated that the reason that primary homeowners taxes will increase because of the increase in the Homestead Education Tax.

M. Combs stated that the tax rate for residents (municipal & homestead) will be \$2.0458 and non-residential (municipal & non-resident) will be \$2.0423.

M. Combs asked that the motion be read back. She stated that we are not raising 4 cents, we are taxing by 4 cents or 40 or something like that.

AMENDED MOTION:

R. Combs made a motion to make the municipal tax rate will be \$0.4732 "instead of amount raised by taxes" will be \$0.4732 and the local tax agreement will be \$0.0047 for a total municipal tax rate of \$0.4779. Also that the homestead education rate is \$1.5679 and the non-residential education rate is \$1.5644. Seconded by Z. Holzworth. All in favor. Motion Carried.

PURCHASE ORDERS FOR APPROVAL- WWTF-JWC ENVIRONMENTAL & ASSESSORS-PATRIOT PROPERTIES & HIGHWAY DEPT.- JMS SERVICES

MOTION: R. Combs made a motion to approve P.O. # 040138 to JWC Environmental for repairs to Auger Monster at \$8,148.50. Seconded by R. Spaulding. All in favor. Motion Carried.

J. Bruno noted that there were not 3 bids attained. M. Shea replied that they are a sole source.

MOTION: R. Combs made a motion to approve P.O. # 038944 to Patriot Properties for software license and support for \$2,750.00. Seconded by R. Spaulding. All in favor. Motion Carried.

MOTION: R. Combs made a motion to approve P.O. # 040231 to JMS Services for 2 over rail mowers for 3 days for a total of \$6,375.00. Seconded by R. Spaulding. All in favor. Motion Carried.

P. Eagan stated that the growth was becoming a safety issue in places. The town will have 3 - 12 hour days of mowing, totaling 72 hours. This is slightly more than with the town doing it, but we will not have a tractor to do a fall cutting.

J. Bruno asked if they could cut back two widths.

P. Eagan stated it did not work like that. They will do two passes and if possible a third time and then they will have to go back with a weed wacker.

PROPOSED TAX SALE LIST FOR APPROVAL

MOTION: R. Combs made a motion to approve the tax sale list as presented. Seconded by R. Spaulding. All in favor. Motion Carried.

CITIZEN'S COMMENTS

L. Melendi asked when the tax bills were going to be sent out. M. Shea replied by the end of this week.

MANAGER'S UPDATE

Crystal Beach Parking: The Lake House Pub & Grill and the Town has made progress on working together on this process. At your last meeting a board member asked to see this agreement. I have enclosed this, as requested. If you may have any questions, please let me know.

Correction: The date on the Crystal Beach Concession & Parking agreement needs to be changed to 2017 not 2018 on line 12.

Town Office Grand Opening: I am trying to coordinate a day that will work for as many as possible. Is there anything I can do to help you make this happen?

Revised new town office construction contingency: There is a balance of \$13,233.32

Transfer Station: The Town is following up to be comply with Vermont's Act 148, The Universal Recycling and Composting Law that bans the disposal of food scraps, leaf and yard debris from landfills. I have enclosed a pamphlet that will aid users at the transfer station. There are separate bins for users to place food scraps in.

The Carving Studio: Not too long ago Carol Driscoll, Executive Director of the Carving Studio and Sculpture Center visited and talked about what they do. I have enclosed a copy of an email that they are showing progress in the stone bench to be installed later in the summer.

SELECT BOARD CONCERNS

J. Leamy asked M. Shea why the sale of Town Clerk's vault went into the contingency fund.

J. Bruno asked M. Shea what budget the money came out of to buy the vault, that is where it should go back to.

M. Combs noted that the town voted to use any money from town sales toward the town hall.

J. Bruno noted that the building needs rugs at the entrances and runners for the halls. He asked M. Shea to get some quotes from some companies. He also stated that a refrigerator and microwave need to be purchased. He asked the Board if he could take J. Leamy and purchase those items. He would use his truck to transport them. The Board agreed.

J. Bruno would like to have a plaque purchased to thank those who made donations for the clock. He has about \$50.00 left over to do that.

J. Leamy stated that letters should also be sent to the donors.

J. Bruno also informed the Board that the Lion's Club was purchasing a weather vane for the Town Office.

J. Bruno asked M. Shea if the issue with his computer had been resolved. M. Shea replied it was fixed and all the information was retrieved and nothing was lost.

J. Bruno asked who fixed it. M. Shea replied T.J. from Vermont Digital.

J. Bruno asked M. Shea if he could contact T. J. and ask him what the issue was. M. Shea replied that J. Bruno could do that.

WARRANTS

MOTION: R. Combs made a motion to approve warrants # 0710R for \$ 1,412.50, #0724 for \$8,736.20, #0720 for \$27,921.08, #0717 for \$14,829.36, #0713 for \$19,723.97, #0711 for \$11,055.76, #0710 for \$70,699.89, #0629 for \$6,742.82, #0531 for \$8,100.00, #0720P for \$15,828.04, #0713P for \$17,551.09, #0706P for \$22,158.04, #0629P for \$16,895.85. Seconded by R. Spaulding. All in favor. Motion Carried.

J. Bruno asked to hold NBF Architects final bill of \$762.50 from warrant #0710R. He has been trying to get in touch with E. Clark about an issue.

MOTION: R. Spaulding made a motion to approve warrants # 0719 for \$547.16, #0712P for \$547.16, #0705P for \$2,138.92 and #0628P for \$547.62. Seconded by J. Leamy. R. Combs – Abstain. All in favor. Motion Carried.

MOTION: R. Spaulding made a motion to approve warrant # 0627P for \$527.32. Seconded by Z. Holzworth. J. Leamy- Abstain. All in favor. Motion Carried.

EXECUTIVE SESSION

MOTION: R. Combs made a motion to go into Executive Session at 8:50 pm for Labor Relations with the Board and Town Manager where premature general public knowledge of the information will place the town at a substantial disadvantage. Seconded by Z. Holzworth. All in favor. Motion Carried.

MOTION: R. Spaulding made a motion to exit Executive Session at 9:00 with no action taken. R. Combs seconded. All in favor. Motion carried.

MOTION: R. Spaulding made a motion to go into Executive Session at 9:01 for a legal matter with the Town Manager. Z. Holzworth seconded. All in favor. Motion carried.

MOTION: R. Spaulding made a motion to exit Executive Session at 9:10 with no action taken. Z. Holzworth seconded. All in favor. Motion carried.

MOTION: J. Leamy made a motion in reference to the Buck property on Creek Rd to ask the Town Attorney to file a lien on the property for damages created to Creek Road and a letter filed in the land records indicating the recommendation of the Town Attorney. R. Spaulding seconded. All in favor. Motion carried.

MOTION: Z. Holzworth made a motion to go into Executive Session for personnel to include the Town Manager where premature public knowledge of the pending issue will place the Town at a substantial disadvantage. R. Spaulding seconded. All in favor. Motion carried.

MOTION: R. Spaulding made a motion to exit Executive Session at 9:18 with no action taken. Z. Holzworth seconded.

MOTION: R. Spaulding made a motion to go into executive session for Personnel under 1 VSA §313(3)(a)(3) with the Board only. Z. Holzworth seconded. All in favor. Motion carried.

MOTION: Z. Holzworth made a motion to exit Executive Session at 9:46 pm with no action taken. J. Leamy seconded. All in favor. Motion carried.

ADJOURN

MOTION: R. Combs made a motion to Adjourn at 9:47 pm. J. Leamy seconded. All in favor. Motion carried.

Respectfully

V. Waldron

Date of Approval