

**TOWN OF CASTLETON
SELECT BOARD MEETING
Minutes of JUNE 26, 2017
Town Offices**

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

MEMBERS ABSENT: R. Spaulding – via phone during Executive Session

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

Meeting called to order at 7:20 by Chairman J. Bruno.

APPROVAL OF AGENDA

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

MINUTES FOR APPROVAL- JUNE 12, 2017

MOTION: Z. Holzworth made a motion to approve the minutes of June 12, 2017. Seconded by J. Leamy. All in favor. Motion Carried.

PIKE INDUSTRIES- MIKE MULLIN

J. Bruno stated that M. Mullin had been asking the Town Manager to be put on the agenda several times regarding the \$5,000.00 owed to Pike by the town and it didn't happen.

J. Bruno stated that they had reviewed the contract and it stated that if there was an increase to the town, the town should be have been notified.

M. Mullin states that in the contract he has it did not say that.

J. Bruno stated that Counsel did look at it.

M. Mullin presented the Chairmen with a copy of his contract and stated that his copy did not have a page that was in the town copy. He stated that the copy he signed did have last year's dates on it and there was nothing in there about notifying the town about increases. M. Shea was supposed to supply him with a copy of the contract with the new dates, which M. Mullin never received.

M. Mullin stated that this was not the only issue. They came in July to start paving, and the fire house and Mahar Rd were not ready yet. So we left and came back, in the meantime the price for liquid asphalt had gone up. This is why we do not put a price protection clause in the contract. We were on budget until we got to the fire house, there was an area behind the fire

house that was supposed to stay grass and it was decided by Mr. Shea and Mr. Eagan to pave it. I explained that we would be going over budget if we paved that and I was given the go ahead by M. Shea. This was all hand work. When I got to Mahar Road there was a run off problem and we had to fix the berm.

M. Mullin stated that when J. Bruno started to read to him the part of the contract in question, he knew that wording was not in any contract the he had. I had brought this up to M. Shea.

J. Bruno asked M. Mullin what M. Shea's response was.

M. Mullin replied that he would go to Board and get back to me. After the first meeting, he had no answer. I tried to get on the agenda and was told that I could come and ask during the "comment" section of the meeting.

J. Bruno asked M. Shea to shed some light on this.

M. Shea responded by asking J. Bruno for a specific question.

J. Bruno stated he would like to know why there were corrections made to the contract after it was signed.

M. Shea stated that the date was wrong, it was a typo and that was corrected from 2015 to 2016.

M. Shea stated" relating to some of the questions leading up to where you talked about the meeting the Board had that they didn't want to pay for it, counsel was advised that, one reason was that there is a claim on there that states "do not exceed". That was the thrust of it".

J. Bruno asked M. Shea if he knew where that was in the contract.

M. Mullin replied that the amount of paving is listed at the end of each street project.

M. Mullin stated if he had not been directed by M. Shea and P. Eagan to do the extra work at the fire house and Mahar Road he would not be here today.

J. Bruno asked M. Shea to explain.

M. Shea stated "the idea of what your saying is true, I thought I explained that to each one of you guys. The idea of the extra paving happened over at the fire station, the idea, there was a window of design by NBF to have that dirt and soil pulled out so when the rain does come off and go into the water, that was designed by the architect , with that said, it was determined on

site thru consultation with some other people and the fire chief that you can't do this because of the snow.

J. Bruno asked M. Shea what that had to do with the paving.

M. Shea replied "the paving was the cure of the run off from the roof. Pike Industries was the cure of the solution that the architects could not get.

R. Combs stated that they had not known about the extra paving.

M. Mullin stated that this issue started on April 13 and he has contacted the town almost every two weeks since then.

J. Bruno asked M. Shea where they are going to find the money for this.

M. Shea replied that there are funds in the paving account.

J. Leamy asked which year are the funds in, 2016/2017 or 2017/2018.

M. Shea replied "both".

M. Shea stated a check could be written from this year's budget- reserve- Capital highway.

MOTION: J. Leamy made a motion to pay Pike Industries \$5,695.47 from this year's highway reserve fund tomorrow due to the fact that extra work was done. Seconded by Z. Holzworth. All in favor. Motion Carried.

PAVING BID AWARD

J. Bruno reviewed the 3 Bids with the members. He noted that the tonnage was different for each bidder.

J. Bruno asked M. Shea how much money was in the paving budget for the upcoming year.

M. Shea replied that there was \$225,000.00 plus the grant money of \$50,000.00.

J. Bruno asked P. Eagan when the last time the town used Fuller.

P. Eagan replied about 3 years ago.

J. Bruno asked Mr. Fuller what constitutes the difference in the tonnage amounts.

Mr. Fuller replied that it mostly was the construction of the aprons.

MOTION: J. Leamy made a motion to approve Fuller Sand & Gravel bid for paving for fiscal year 2017-2018. Seconded by Z.Holzworth. All in favor. Motion Carried.

4TH OF JULY COMMITTEE-PARADE UPDATE

Mr. Franzoni informed the members that the parade, festivities and fireworks would be held Sunday, July 2, 2017. The rain date for the boat parade and fireworks would be Monday July 3, 2017. The committee has raised \$5,300.00 and \$5,175.00 is for the fireworks. The theme this year is "Homemade 4th of July". The Governor's Institute parade will be on Tuesday, July 4th.

Mr. Franzoni asked the Board if they would be judges for the parade, and asked if the Board could make a donation of \$256.00 for the parade awards.

S. Day addressed the Board and stated that they did not have enough money for both the Fife & Drum band for the parade and the Jazz band for the celebration at Crystal Beach.

M. Shea stated that there was money left over in the Select Board accounts, General Fund and the Board's expense accounts.

Mr. Franzoni asked about the process of being included on the March ballot.

R. Combs replied that they need to determine a reasonable amount and should get back to the Board in Sept/Oct.

MOTION: R. Combs made a motion to allow the 4th of July Committee to use \$800.00 in next year's budget for the 4th of July parade. Seconded by Z. Holzworth. All in favor. Motion Carried.

POLICE DEPT. – VEHICLE PURCHASE-CHIEF MANTELLO- REQUEST FOR FUND ASSIGNMENT

Chief Mantello informed the Board that the cost for the new vehicle will be the same as last year \$35,000.00. It is a 2018 model. The price includes all the equipment and set up grant.

J. Bruno asked if there was a need for any additional equipment.

Chief replied that the equipment and gun racks would be taken out of the Impala. He did note that they are short on rifles. He would like to purchase another AR for the 3rd vehicle.

Chief replied that this is the first time there will be a cage, it would be a 2/3 – 1/3 set up behind the front passenger seat.

MOTION: Z. Holzworth made a motion to assign \$20,000.00 from the general fund 6/30/2017 fund balance toward the purchase of a Police vehicle and \$15,000.00 from Police Vehicle

reserve fund. Seconded by J. Leamy. All in favor. Motion Carried.

Chief asked about what would happen to the Impala. He suggested that it go to the 2nd Constable, who would be responsible to put his own equipment in it.

J. Bruno asked who would own the vehicle.

Chief replied the town would.

J. Leamy asked who would be responsible for insurance and registration.

Chief stated that the Impala was probably only worth between \$1,200 - \$2,000.00.

The Board agreed to talk about this at a later date.

MUNICIPAL ROADS GRANT -IN-AID LETTER OF INTENT

M. Shea stated that the Select Board needs to write and sign a letter of intent to be eligible for \$11,100.00 grant. This amount would be if all the towns that are eligible apply, if less apply then the amount will increase. It is an 80/20 grant.

MOTION: R. Combs made a motion to sign the letter of intent to participate in the RPC/DEC municipal roads grants in aid pilot project. Seconded by Z. Holzworth. All in favor. Motion Carried.

APPOINTMENTS- DRB (2 SEATS FOR 1 YEAR), RRPC & RR TRANSPORTATION COUNSEL

MOTION: Z. Holzworth made a motion to appoint J. Mark and G. Chader for 1 year seats to the DRB. Seconded by J. Leamy. All in favor. Motion Carried

MOTION: J. Leamy made a motion to appoint J. Currie and J. Pintello (alternate) to the RRPC. Seconded by Z. Holzworth. All in favor. Motion Carried.

MOTION: R. Combs made a motion to appoint M. Shea & P. Eagan to the RR Transportation Counsel. Seconded by J. Leamy. All in favor. Motion Carried.

REQUEST FOR COIN DROP- CASTLETON COMMUNITY SENIORS

R. Combs asked if the date was open.

M. Shea replied that he thought so.

V. Waldron stated that the Board had made a motion to limit the amount of coin drops to 3.

R. Combs stated that the Board had to look at the policy.

MOTION: J. Leamy made a motion to approve the coin drop for the Castleton Senior Center on Main St in front of Federated Church provided the date is open. Seconded by R. Combs. All in favor. Motion Carried.

R. Combs asked M. Shea to double check the date and check the policy.

TOWN GREEN USAGE REQUEST- ANNUAL LIONS CLUB AUCTION

MOTION: J. Leamy made a motion to approve the Town Green usage for the Lions Club Auction. Seconded by R. Combs. All in favor. Motion Carried.

CITIZEN'S COMMENTS

J. Bruno that the Lion's Club is donating another pavilion at Crystal Beach.

J. Bruno asked M. Clifford about the location of the new pavilion.

M. Clifford stated that she would like to see it on the North side over the foot bridge.

J. Bruno stated that the Shoreline Protection Agency be contacted so that it is placed in the correct area.

MOTION: J. Leamy made a motion to have the Select Board accept the Lion's Club donation waiving any permit fees, absorb the town's time and advertising costs, etc., and that the location be determined by the town and state. Seconded by Z. Holzworth. All in favor. Motion Carried.

P. Pintello asked if not having a life guard or swimming lessons at Crystal Beach was a financial issue.

M. Clifford replied that there are swimming lessons. She also stated that State Parks do not have life guards either. There is that issue of the cost of a life guard and making one person responsible for the safety of everyone at the beach.

PURCHASE ORDERS FOR APPROVAL – NORTHSTAR FIREWORKS & HIGHWAY DEPT – ALL STATE ASPHALT

MOTION: R. Combs made a motion to approve P.O. # 040255 to Northstar Fireworks for \$5,175.00. Seconded by Z. Holzworth. All in favor. Motion Carried.

MOTION: R. Combs made a motion to approve P.O. # 040222 to All State Asphalt for \$2,670.00. Seconded by Z. Holzworth. All in favor. Motion Carried.

MOTION: R. Combs made a motion to approve P.O. #040262 to Reynolds & Sons for 5 Air Bottles for \$7,341.35. Seconded by Z. Holzworth. All in favor. Motion Carried.

MOTION: R. Combs made a motion to approve P.O. #040263 for the future purchase of a police vehicle not to exceed \$35,000.00. Seconded by J. Leamy. All in favor. Motion Carried.

MANAGER'S UPDATE

Crystal Beach Parking: ... Each of you have received an update to the progress via email, office mail and verbally, in which the Lake House Restaurant and the State as to a conversation that took place almost a year ago. This consisted of a plan that will limit parking on Rte. 30N and allow for parking at Crystal Beach for a fee to the recreation program. The restaurant has also offered to rent to food shack for a fee. I am looking for direction as to a nod of approval or a nay of approval this evening.

Grand Opening: I am trying to coordinate a day that will work for as many as possible. The latest option I have is for Saturday, July 22nd. Let's talk...

Revised new town office construction contingency: There is a balance of \$ (I'll have it Monday for you).

The figure presented was \$14, 964.01.

J. Bruno asked if the used furniture purchase was included.

M. Comb stated that she did not see the office furniture in there.

J. Bruno also noted that NBF had not been paid yet.

Wastewater Draft Budget: In your packets you will see the DRAFT FY-18 Wastewater Budget. In it there is no increase in the rates, and it is balanced. I will be presenting this at your next meeting for approval. In the meantime, I hope to talk to each of you (as the process of the general budget) to see if you have any questions or suggestions.

Independent Auditor: As in each previous year prior, FYE-2017 will be closed out soon and the Towns accounts will be review by and independent auditor. As contracted, Pace & Hawley, LLC will be starting this process soon. I have attached paperwork that talks about the work they will do.

Pond Hill FEMA Project: I have enclosed what was received for the Pond Hill Rd culvert project. This work has been approved by FEMA.

MOTION: J. Leamy made a motion to approve the bid for Pond Hill project for \$7,800.00 is awarded to Orwell Sand and Gravel construction ASAP. Seconded by Z. Holzworth. All in favor. Motion Carried.

Selectboard Summer Schedule: As in the last two summers' (July & August) the Board planned on meeting once a month. On the off-week an abbreviated meeting was scheduled to sign

warrants or such. I am thinking that will continue...

SELECT BOARD COMMENTS- NONE

WARRANTS FOR APPROVAL

MOTION: R. Combs made a motion to approve warrants # 0613R for \$ 54,700.00, # 0626 for \$165,479.79, #0622 for \$5,995.24, #0620 for \$1,518,597.34, #0615 for \$5,653.00, #0622P for \$15,782.89, #0615P for \$14,571.22. Seconded by J. Leamy. All in favor. Motion Carried.

MOTION: R. Combs made a motion to approve warrants #0621P for \$547.61 & # 0614P for \$547.61. Seconded by Z. Holzworth. All in favor. Motion Carried. R. Combs- abstain

MOTION: R. Combs made a motion to approve warrant # 0625 for \$96.44. Seconded by Z. Holzworth . All in favor. Motion Carried. Abstain- J. Leamy.

EXECUTIVE SESSION

MOTION: Z. Holzworth moved to find that premature general public knowledge of the collective bargaining will clearly place the municipality at a substantial disadvantage per 1 VSA § 313(a)(1).

MOTION: I move that we enter Executive Session for Collective Bargaining at 5:10pm under 1 VSA (a)(1). Seconded by J. Leamy. All in favor. Motion Carried.

MOTION: J. Leamy made a motion to exit Executive Session at 9:05 with no action taken. Seconded by Z. Holzworth. All in favor. Motion Carried.

EXECUTIVE SESSION MOTION: R. Combs made a motion to go into Executive Session for Personnel VSA 213.1A. Seconded by Z. Holzworth. All in favor. Motion Carried.

EXECUTIVE SESSION MOTION: R. Combs made a motion to come out of Executive Session at 9:48pm with no action taken. Seconded by J. Leamy. All in favor. Motion Carried.

ADJOURN: MOTION: Z. Holzworth made a motion to adjourn at 9:49pm. Seconded by J. Leamy. All in favor. Motion Carried.

Respectfully,

V. Waldron

Date of Approval

DRAFT