

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

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

MEMBERS ABSENT: M. Shea, Town Manager

Meeting called to order at 7:00pm by Chairman J. Bruno.

APPROVAL OF AGENDA

MOTION: R. Combs made a motion to approve the agenda as presented. Seconded by Z. Holzworth.

J. Bruno asked for an Executive Session for Personnel be added.

All in favor. Motion Carried.

MOTION: R. Combs made a motion to amend the agenda to include an Executive Session for personnel. Seconded by Z. Holzworth. All in favor. Motion Carried.

MINUTES FOR APPROVAL – APRIL 10 & 17, 2017

MOTION: R. Combs made a motion to approve the minutes of April 10 & April 17, 2017. Seconded by R. Spaulding. All in favor. Motion Carried

APPOINTMENT- DEVELOPMENT REVIEW BOARD

J. Bruno replied that there are 3 interested parties.

R. Combs stated that there has been no significant change since the last motion was tabled.

MOTION: R. Combs made a motion to continue to table the motion made at last meeting. Seconded by R. Spaulding. All in favor. Motion carried.

POLICE DEPARTMENT UPDATE – CHIEF MANTELLO

Chief Mantello stated that graduation is May 13 and they have begun doubling up on patrols and will be for the next 3 weekends to control house parties.

The speed carts will be going out this week. One will be on Main Street and one on RT 30. The position on Rt 30 has been chosen yet.

J. Bruno asked where on Rt 30 was the Chief thinking about.

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Chief replied that it will be near the old TRAK Inn, it has to be secured in a safe area and needs the sun.

The Chief presented the Board with 2 designs of new dept. patches. They are both simple with mountains and a lake.

J. Bruno suggested taking the VT seal and putting back in the Minute Men, which are on the old patches.

R. Spaulding suggested adding the incorporation date of 1761.

Chief stated that the speed counter will be Blissville Rd shortly.

OUTSTANDING ACCOUNTS RECEIVABLE

M. Shea stated that the H. Smith accounts receivable is well beyond the statute of limitations and should be written off.

MOTION: Z. Holzworth made a motion to write off the accounts receivable of H. Smith as presented. Seconded by J. Leamy. All in favor. Motion Carried.

PURCHASE ORDERS FOR APPROVAL- FIRST RESPONDERS-FIRE DEPT.

MOTION: R. Combs made a motion to approve P.O. 039842 for Castleton First Responders for \$3,500.00 for fiscal year 16-17 points. Seconded by J. Leamy. All in favor. Motion Carried.

PURCHASE ORDER FOR MCCLURE CONSTRUCTION

R. Combs asked if 3 bids were collected.

M. Shea replied only one bid was presented.

J. Leamy stated that the Board needed to follow the policy, which is to get 3 bids.

MOTION: R. Combs made a motion to table the McClure Construction purchase order. Seconded by R Spaulding. All in favor. Motion Carried.

PURCHASE ORDER FOR N.E. TRUCK TIRE

M.Shea stated that this bid was for 4 tires for the loader truck.

MOTION: R. Combs made a motion to pay P.O. # 039791 to N.E. Truck Tire for \$2,276.00 for loader tires. Seconded by Z. Holzworth.

M. Shea stated that his bid was from one of our preferred vendors.

R. Spaulding asked what a preferred vendor is.

M. Shea replied that is a vendor who has consistently outbids others.

R. Combs asked if any effort was made to explore other companies.

MOTION: J. Leamy made a motion to table this purchase order till next meeting. Seconded by Z. Holzworth. All in favor. Motion Carried.

CITIZEN'S COMMENTS

W. Potter heard that the moving for the new town hall might be happening this coming week. He stated that McClure would be off the hook if we moved in early.

J. Bruno stated he had talked to the contractor and it would be OK to go in on Thursday from the back of the building to put the old records up in storage.

M. Shea stated that the move in date was May 12. The existing town office would be closed on May 12th & May 15th for moving to the new town hall.

P. Graziano asked about the schedule of replacing of town street signs.

M. Shea stated that they are only being replaced if they are broken, falling down or stolen.

P. Graziano asked if there was a certain date that all the signs needed to be updated by.

R. Combs instructed M. Shea to look into answer for P. Graziano.

R. Combs wants to know if there is a regulation and, if so, what is the time frame for the regulation and if there is funding to help pay for it.

A. Breting – 3rd Place Pizza- is ready to open on Friday, April 28, 2017, and has sought legal counsel. He pointed out that in an interview for elections that the Board wanted to keep jobs in Castleton and cater to new businesses to keep them in town.

J. Bruno asked which Board member had said that.

Z. Holzworth replied that he had said that in an interview.

J. Bruno replied that it is not the Select Board that has put A. Breting into this position.

J. Leamy noted that the Board can not comment on this situation as it is in litigation and the Town is responsible for representation of the DRB.

J. Currie, member of the Planning Commission, stated that they did present facts and findings

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to the Select Board regarding a complaint from G. Trudo.

J. Bruno stated that no decision was made in Executive Session.

G. Trudo stated that he met with the ZA in Dec 2016 to review the D. Billings permit, was informed by ZA that a permit was not needed. Then during the middle of Jan. 2017, A. Breting was told he did need a permit because he will be making deliveries. In a newspaper article, J. Rehlen will now be delivering pizza's, and he did not need a new permit will also be having live entertainment at the Blue Cat, and does not need a permit.

G. Trudo stated that he is confused on what's happening in town. If A. Breting needed a permit due to change of use for delivery, why does J. Rehlen not need one.

J. Bruno asked if anyone had asked our ZA why J. Rehlen does not need one.

J. Currie informed G. Trudo that the change of use was actually for hours of operation, but the town does not have an ordinance for hours of operation.

A. Breting stated that the permit he has says "delivery".

D. Folsom stated that if the permit was for "hours of operation" and the town does not have an ordinance for "hours of operation", a permit was not needed.

Z. Hale stated that he is looking to expand here in Castleton and this situation is very concerning for him. He would like to see this issue straightened out soon, if he is to move forward with his plans.

MANAGER'S UPDATE

#1) J. Bruno stated that the contract clearly states that Pike notify us if there is an increase, and they did not notify us, unless they notified M. Shea, and he did not inform the Board.

R. Spaulding also stated that they did not fulfill their part of the contract.

Move to New Town Office: The Town Office will be close on May 12th and 15th for the move to the new town office located at 263 Rte. 30N. Todd Transportation will be here on Friday May 12th at 8:00am to assist with the heavy pieces. Staff will need this time to ensure a smooth transition.

Topic's: Items for final payments
 Notice of Substantial Completeness
 Punch List
 Locks and Keys

#3) Green up day- R. Combs instructed M. Shea to find out where in town the green up bags will be available for citizens to pick up.

SELECT BOARD CONCERNS

J. Leamy informed everyone that the State Law says all citizen's have the right to vote on the sewer bond, but the local share is only paid for by its users. It has always been done this way and there will be no change in property taxes.

R. Combs suggested that a policy/procedure be created to clarify communication between staff, Town Manager and Board.

R. Spaulding asked M.Shea when the 4 trees on the corner at Blissville Rd were being cut down.

M. Shea stated that it was being worked on and will be done in the next couple weeks.

R. Spaulding stated that if the trees are in the right of way, homeowners do not need to be asked.

R. Spaulding read a letter from E. O'Shea.

MOTION: J. Leamy made a motion to approve the salvage yard permit for N.E. Quality Services, Inc. for 5 years. Seconded by R. Combs. All in favor. Motion Carried.

J. Bruno has questions regarding the balance of the new town office.

J. Bruno questioned the \$1,187.70 taken out of the contingency fund, since there were no change orders.

M. Combs stated that the amount was for "reimbursable", like copying etc.

J. Bruno also wants to make sure the amount for the fire suppression is handled correctly.

J. Bruno stated that there was also money saved by only having 4 testing done not 7. He will check with Carrara's as to why the charge is \$2,800 with only 4 tests.

WARRANTS

MOTION:

R. Combs made a motion to approve warrants #0424R for \$6,515.21, #0413R for \$500,000.00, #0424 for \$44,867.35, #0420 for \$5,341.45, #0413 for \$1,005,573.10 #0411 for \$17,594.80, #0420P for \$13,297.76, #0413P. Seconded by Z. Holzworth. All in favor. Motion Carried.

MOTION: J. Leamy made a motion to approve warrant # 0419P for \$547.61 and #0412P for \$547.61. Seconded by Z. Holzworth. All in favor. R. Combs abstained- Motion Carried.

EXECUTIVE SESSIONS

I move to find that premature general public knowledge of the Collective Bargaining will clearly place the town at a substantial disadvantage.

MOTION: Z. Holzworth made a motion to enter into Executive Session for Collective Bargaining to include the Manager at 8:25pm under the provisions of Title 1 Section 313(a)(1) of the Vermont Statutes. Seconded by J. Leamy. All in favor. Motion Carried.

MOTION: R. Combs made a motion to exit Executive Session at 8:45pm with no action taken. Seconded by J. Leamy. All in favor. Motion Carried.

I move to find that premature general public knowledge of the Legal matter will clearly place the town at a substantial disadvantage.

MOTION: J. Leamy made a motion to enter Executive Session for a legal matter at 8:46 pm to include the Manager under the provisions of Title 1 Section 313(a)(1) of the Vermont Statutes. R. Spaulding seconded. All in favor. Motion Carried.

MOTION: Z. Holzworth made a motion to exit Executive Session at 9:25 pm with no action taken. R. Spaulding seconded. All in favor. Motion carried.

ADJOURN

MOTION: R. Combs made a motion to adjourn at 9:26pm. Seconded by J. Leamy. All in favor. Motion Carried.

Respectfully Submitted,

Val Waldron

Date of Approval