

**Town of Castleton
Special Select Board Meeting
Minutes of July 24, 2013
Castleton Town Offices**

MEMBERS PRESENT: Thomas Etori, Cristine Smith, John Hale, Wenger Rehlen, Ed O'Shea

MEMBERS NOT PRESENT: None

OTHERS PRESENT: Charles Jacien; see attached list

Meeting called to order at 7:01 by Chairman T. Etori with the Pledge of Allegiance.

Minutes for Approval- July 8, 2013

Minutes were tabled.

Warrants for Approval

MOTION

C. Smith made a motion to approve warrant 0724 for \$65,800.78; 0718P for \$16,208.55; 00711P for \$14258.71; 0725 for \$1,415.49; 0718 for \$5,280.35; 0711 for \$6,679.55 and 0708 for \$7,074.09. J. Hale seconded.

W. Rehlen asked about what period of time the Work Offender Program was for. C. Jacien stated that it was for a month.

VOTE ON THE MOTION

All voted in favor. So Voted

Request for Purchase Order Approval

E. O'Shea made a motion to approve the purchase order #034261 for Young's Farm Equipment for a used walk behind mower in the amount of \$2700. C. Smith seconded. All voted in favor. So voted.

E. O'Shea made a motion to approve the purchase order # 034401 for Rutland City Schools for CDL training in the amount of \$2,875. C. Smith seconded. All voted in favor. So voted.

Review Application for Bike & Pedestrian Grant

C. Jacien that this grant is a Bike & Pedestrian Grant in the amount of \$500,000 requires a 10% match which is due at the end of the week and is for continuing the sidewalks program from Drake Rd to Hydeville. The 10% match will come from the Capital Improvements Town's Undesignated Funds.

C. Smith made a motion to apply for the grant in the amount of \$500,000. E. O'Shea seconded.

C. Jacien stated that we have Rutland Regional Planning Commissions approval for this project.

W. Rehlen asked about sidewalks in the Village. C. Smith stated that she had called Ms. Hitchcock several years ago about getting sidewalks, lighting, etc. much like Poultney on Main Street as was told that absolutely no.

C. Jacien said that we would begin the process of looking into putting in sidewalks in the village. We would need a study done which will cost about \$20 to 30 thousand dollars, once we have a plan in hand, then the we can proceed from there.

J. Hale asked if the sidewalk needs to be concrete, could it be crushed slate or something else due to the historic nature of the village? C. Jacien replied that we need to have an all-weather surface.

Vote on the Motion.

J. Hale, C. Smith, W. Rehlen & E. O'Shea voted in favor. T. Ettori voted no. So voted.

Appointments - Recreation Commission

C. Smith made a motion to re-appoint Martha Clifford to the Recreation Commission. J. Hale seconded. All voted in favor. So voted.

Set Tax Rate for FY 2013-14

C. Jacien reviewed the Tax Rate Summary FY 2013-14.

Motions on the Tax Rates

C. Smith made a motion to set the municipal tax rate at \$0.3782. J. Hale seconded. All in favor. So voted.

C. Smith made a motion to set the local tax agreements rate at \$0.0055. J. Hale seconded. All in favor. So voted.

C. Smith made a motion to set the total municipal tax rate at \$.3837. J. Hale seconded. All in favor. So voted.

C. Smith made a motion to set the tax rate for residential which includes the municipal plus homestead at \$1.9698. J. Hale seconded. All voted in favor. So voted.

C. Smith made a motion to set the tax rate for non-residential which includes the municipal plus homestead at \$2.0195. J. Hale seconded. All voted in favor. So voted.

Interim Zoning Administrator Appointment Motion

C. Smith made a motion to appoint Jim Thomas as Interim Zoning Administrator until October. J. Hale seconded.

E. O'Shea asked if we had received any applicants for Zoning Administrator. C. Jacien stated that we had 2 applicants and they will be given to the Planning Commission for their review and interview and they will make their recommendation to the Select Board for their approval.

J. Hale stated that the Planning Commission will not meet until August 13th.

T. Ettori stated that he had heard that one of the applicants was considering withdrawing her application.

Amended Motion

C. Smith amended her motion to appoint J. Thomas as interim Zoning Administrator until the position is filled or October. E. O'Shea seconded. All voted in favor. So voted.

Request for Coin Drop - 8th Grade Class

C. Jacien stated that he had talked with Ms. Coloutti about alternate dates and she suggested dates of August 3, 24 and October 19 which is Homecoming & Parents weekend at the college.

MOTION

C. Smith made a motion of approve the coin drop for August 24 and October 19. J. Hale seconded. All voted in favor. So voted.

Coin Drop Policy Discussion

C. Jacien state that the board discussed setting a policy in May 2012 and the draft policy mirrored the Fair Haven Policy.

The board continued discussion on setting a policy for the coin drops. M. Combs suggested inserting blackout dates like college graduation, etc.

W. Rehlen asked what item #10 meant. C. Smith it meant that a receipt is given to the donor for the donation, if they ask for one.

E. O'Shea suggested limiting the number of coin drops allowed per year to four (4).

After suggested changes are made the board will review the policy at the next meeting.

PROPOSED TAX SALE

C. Jacien stated that tax sale list was for approximately 85 properties owing property tax and or sewer assessment in excess of \$300.00. Many of those listed will come in to make payment agreements.

MOTION

C. Smith made a motion to approve the Tax Sale list as presented. J. Hale seconded. All voted in favor. So voted.

Request for Tobacco License - Vermont Vapor, Inc.

The state now requires a tobacco license. They moved from the corners to the vacant building in Hydeville.

MOTION

C. Smith made a motion to approve the Tobacco License for Vt. Vapor, Inc. J. Hale seconded. All voted in favor. So voted.

Tax Warrant for Approval

T. Ettori stated that this authorized Charles Jacien to collect taxes.

MOTION

C. Smith made a motion to approve the Tax Warrant as presented. E. O'Shea seconded. All voted in favor. So voted.

Citizen's Concerns

J. Rehlen asked about the meeting with property owners.

T. Ettori responded that he is working on it.

Town Manager's Update

Point of Pines - They have had flashing lights there for many years and recently changed them to flashing strobe type. The Town has removed them and Ted Parisi is writing a letter to the Point of Pines Colony informing them that we will be doing Creek Road renovations. The state is looking into what can be done in that area.

Creek Road Culverts - They have been completed this week by Fabian Excavation with very little traffic interruption

Birdseye & Piontek Road - A walkthrough took place with FEMA and they are estimating about \$100,000 damage. We are currently working on the repairs to those roads.

Compost Bins - Delivered today to the Transfer Station. The larger bins are \$40 and the table top bins are \$10 each.

Main Street Bridge - VAOT has repaired this recently.

North David Avenue Property - We received a call about a lot of trash at this property. The property has been foreclosed on. The trash was about knee deep in the house and there were 5 gallon buckets of human waste.. Ed Balch has been working on removing the trash removal and A-1 Sewer is removing the human waste. The Town Health Officer has been in touch with the mortgage company and we will be placing a lien on the property for the cost associated with the cleanup.

Sewer Commissioners Meeting - August 5th at 6:00 pm and at 7:00 pm is the Public Hearing on the Town Plan changes. At the Sewer Commissioners meeting we will review and approve the the budget and set the rate.

Roadside Mowing - Continuing this week.

Select Board Concerns

E. O'Shea inquired if there is a number of homes in town that are within 200 feet of the sewer and are not connected. C. Jacien replied that there were only two (2), but will check further with the Health Officer

E. O'Shea stated that he had concerns about Mr. Hale informing the Planning Commission that he was an Ex Officio member of the commission and gave each member a copy of the information he

received from Mr. Barlow who is staff attorney at VLCT. Mr. O'Shea asked Mr. Hale if that was correct.

Mr. Hale responded that he had read somewhere that Select Board members were Ex Officio members of planning so he asked Mr. Barlow the chief attorney at Vermont League of Cities & Towns and this was his response.

E. O'Shea stated that he thought that an Ex Officio member to any board had to be appointed by the Select Board. He continued by saying that after you were not re-appointed to the board that you showed up and say you are an Ex Officio member and has to respect the decision of the board.

W. Rehlen stated that we are all independent members of the board and felt that we should be able find out information on our own and talk to whomever so that we have information and make a decision.

T. Ettori stated that if you want to contact someone to get more information, as a common courtesy you should inform Charles, so that when that contact called Charles back at least he has a clue as to what is going on.

C. Smith congratulated the Fire Department on their positive vote for the new fire house.

E. O'Shea asked if there was any town information on a business/restaurant having a BYOB. Liquor control stated that it was a town issue. The board decided to further check on this.

T. Ettori said that there seemed to be some confusion about the Health Benefits for the Town Clerk and that she would work 35 hours per week in office and the Health Benefits were to remain the same as it was. He continued by saying that he thought the insurance was not prorated and that the benefits should remain as they were.

The board decided that the benefits would remain the same and that we would make the adjustment.

M. Combs asked for clarification if the benefits would be treated as full time even though it is 35 hours. T. Ettori stated that is correct.

J. Rehlen asked if the Town would be going to the DRB to decide if 556 Main Street was an essential service on August 16. T. Ettori answered yes.

MOTION

C. Smith made a motion to purchase the JAMAC property on Rte 30 N. E. O'Shea seconded.

T. Ettori stated that there was still a 30 day time frame for purchase. He would like to do the Act 250 work prior to purchase.

C. Smith would like a set date as to when we are going to purchase this property. We need to move forward. We can't move forward getting the Act 250 and the state driveway cut if we do not own the property.

T. Etori asked if there was an advantage to keep JAMAC involved during the Act 250 process due to the fact that they had additional property. C. Jacien stated that there needed to be a simple parceling subdivision to remove the 5 acres and whether the Town does that as an agent for JAMAC or JAMAC does it. The property has to be identified first.

J. Hale asked how we would be paying for this property, will it come out of the Capital Improvements. C. Jacien replied that the money would come out of the Reserve account and replenish the account with bond funds.

T. Etori suggested that we talk to Ted Parisi to get his opinion on what the process would be. Hopefully we will get an answer before the next meeting.

MOTION

C. Smith decided to table the motion until we have further information.

M. Combs asked a clarification on what is happening. T. Etori replied that we needed to know what the best process is. He suggested that we have a meeting on that subject on after the Sewer Commissioners meeting on August 5th.

M. Combs asked about yearend accounting issues that need to be finalized.

C. Jacien stated that back in June the Select Board authorized \$9,691.00 to cover the expenses on 556 Main Street. However, there are other expenses that still need to be covered from the Reserve Fund in the amount of \$11,012. Included in that figure is \$3,500 remaining expense on 556 Main Street, Town Office relocation with regard to the Hughes property, review of the Diekel, JAMAC and Woodard property is \$4,000 and fire department relocation and wetland delineation additional for a total of \$11,012 to come out of the Unallocated Reserve Fund.

C. Jacien said going into next year the ending of 2012-13 will be between zero (0) and possible deficit rollover.

E. O'Shea stated that he understood that we have used up the rollover plus \$11,000 and most of that has been used up. Where has this money gone?

C. Jacien replied that \$20,000 has gone to 556, review of the Woodard property, the Hughes property and \$3,000 that was done on the JAMAC property.

MOTION

C. Smith made a motion to approve the amount from the Unallocated Reserve Fund. J. Hale seconded. All voted in favor. So voted.

Executive Session

Motion

C. Smith made a motion to enter Executive Session to include the Town Manager for Union Contract, Personnel & Real Estate at 8:50 pm. J. Hale seconded. All voted in favor. So voted.

MOTION

C. Smith made a motion to exit Executive Session at 9:27 pm with no action taken. E. O'Shea seconded. All voted in favor. So voted

Adjourn

MOTION

C. Smith made a motion to adjourn at 9:28 pm. E. O'Shea seconded. All voted in favor. So voted

Date of Approval