

TOWN OF CASTLETON
SPECIAL SELECT BOARD MEETING MINUTES
Tuesday, May 28, 2019 at 6:00pm
Castleton Town Hall
263 VT – 30
Bomoseen, VT 05732

PRESENT: Jim Leamy, Chair; Richard Combs, Vice Chair; Zack Holzworth, Secretary; Robert Spaulding, Member; Joseph Mark, Select Board Parliamentarian; Michael Jones, Town Manager; Eliza LeBrun, Recording Secretary; Peg Camera Operator; Pat Traverse; Joseph Howard; Donnie Ducharme; Justin Belden; Kenneth Lenz; Joseph Bruno; Bill Colbent (sp); Rob Steele; Helen Steele; Shawn Gallipo

SPECIAL SELECT BOARD MEETING OPENED

The meeting was opened by Select Board Chair, Jim Leamy at 6:00 p.m.

SIDEWALK PROJECTS PHASE II – (Drake Road west to the Hydeville Plaza)

Construction Status Update

Town Manager Mike Jones shared that Belden's is on track at this time. Catch Basin #4 will not be going in. There are several contentious issues which will be discussed tonight including Sunrise Plaza, the Ducharme Residence and Tom's Bait and Tackle. The goal is to find a way to move forward.

Potential Changes to the End Point of the Project

With regard to Sunrise Plaza, VTRANS has eliminated a curb cut to restrict traffic on Taggart Lane. Mr. Bruno is concerned about the traffic coming in and out of Sunrise Plaza. Mr. Jones has spoken to VTRANS about painting a stop bar, but it is a permitting item.

Theresa Gillman has provided the Town Manager with 2 options.

1. Stop the project at Taggart Lane.
2. Continue the project and complete as originally scheduled.

There could be an issue for future businesses applying for ACT 250 permits if the project is stopped at Taggart Lane. They may be required to complete the project.

Mr. Howard stated that the language in the deeds he has located is ambiguous. Mr. Howard will continue to review who has access, and if the Town continues, the Town may have to dig it up.

Mr. Belden stated that they are about 2 weeks away from Taggart Lane.

Mr. Jones recommended that the project be completed, but that we should take a few weeks to sort out the deeds. As no one was present from DOT, Mr. Jones will inform them.

Mr. Gilbert shared that his building was once a bank that had an entrance and an exit. Mr. Gilbert has owned the property for the last 30 years and has all the deeds. Mr. Gilbert has no problem with the sidewalks unless they block a ROW.

Mr. Jones stated that the original plans shown to business owners were conceptual only. VTRANS modified those plans and did not share the final plans with the Town or businesses.

Mr. Bruno encourages the Select Board to stop the project now until agreements can be reached as they were not given the opportunity to review the plans after VTRANS modified them.

Mr. Gallipo was present on behalf of the shop Odds and Ends. Mr. Gallipo noted that the driveway would not be there if the project continues. Mr. Jones noted that the current driveway is in the State's right of way.

Mr. Steele of Tom's Bait and Tackle shared that he met with Theresa Gillman and they reviewed plans, however a few days later he received notice of a curb cut being added.

It was noted that the Right of Way is based on a document from 1784 which can be found in the Castleton Town Office. The State sent a survey from 1978 showing different measurements for the right of way. However, this cannot be found on file in the Castleton Town Office. According to State Statutes, all surveys must be recorded in the Town of Castleton or it reverts to the original survey.

Mr. Ducharme noted that the sidewalk across his driveway is 3 inches higher than the driveway. Mr. Ducharme would like the Town to remove it and repour it as it will cause an issue with drainage in his yard. Mr. Belden will double check the sidewalk height, but the sidewalks were all laid using gps measurements.

Mr. Ducharme would also like the Town to come in and remove all of the shrubs that were damaged as the roots were torn up when the sidewalk was laid, but the plants were left.

Mr. Lenz noted that the sidewalk in front of the American Legion runs down to the manhole cover. This will also cause a problem with drainage as water will collect over the manhole covers.

Mr. Steele noted that if the sidewalks are raised higher than his driveway this will cause back flow into his basement.

Mr. Bruno asked why the additional Catch Basin was not put in. Mr. Jones shared that the design placed the catch basin too close to the sewer line. Mr. Bruno would like to know why the engineers who designed the plan are not being held responsible for these changes. Mr. Jones explained that the water would continue to drain as it should, there is just a longer distance to reach the drain.

Again Mr. Jones recommended waiting 2 weeks to investigate these issues before making a final decision.

PHASE I – (DRAKE ROAD TO CASTLETON CORNERS & CASTELTON CORNERS TO HEALTH CENTER)

Project Changes

Mr. Jones explained that at this time, Phase I is \$255,000 over what it was planned for and the Town cannot pay for it. The Town has the opportunity to apply for a Bike and Pedestrian Grant that may help with the cost. The application deadline is June 28, 2019. However, with the application, the 3 easements currently not signed by landowners must be signed and submitted. The 3 unsigned easements belong to Muhammad's, the Realty building and Level 7 LLC. Mr. Jones explained that there will need to be a public meeting, today would have counted, but the engineers are not present so no technical questions could be answered. In the interim, he will continue to work on the Bike and Pedestrian Grant.

If the project is scrapped, the Town is responsible for 80% of the current cost.

If the Town scraps the project, they will owe 80% of the \$255,000.

If the Town receives the grant, then scraps the project, they will owe 20% of the \$255,000.

SELECT BOARD COMMENTS

Mr. Combs would like to visit Mr. Steele to review his concerns, Mr. Leamy recommended that Mr. Jones go with him.

Mr. Combs would also like for Mr. Belden to check the measurements on the sidewalk in front of Mr. Ducharme's residence.

Mr. Combs asked if there was absolutely no option other than a second curb cut, but Ms. Gillman had already reported that without a barrier, there was no protection for pedestrians on the sidewalk.

Mr. Lenz also asked that the grade to the manhole cover be checked as well.

ADJOURN

Mr. Combs made a motion to adjourn the Special Select Board Meeting at 6:54p.m. Mr. Spaulding seconded the motion. All were in favor and the motion passed.

Respectfully submitted; Eliza LeBrun, Recording Secretary