

TOWN OF CASTLETON
SELECT BOARD MEETING
Minutes of July 26, 2018
TOWN OFFICE

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

MEMBERS ABSENT: R. Combs

OTHERS PRESENT: See attached listing

MEETING CALLED TO ORDER by J. Bruno at 7:00pm.

APPROVAL OF AGENDA

MOTION: Z. Holzworth made a motion to approve the agenda as written. R. Spaulding seconded. All in favor. Motion Carried.

MINUTES FOR APPROVAL – JULY 16, 2018

MOTION: R. Spaulding made a motion to approve the minutes from the July 16, 2018 Select Board meeting. J. Leamy seconded. All in favor. Motion Carried. Z. Holzworth abstained.

POLICE UPDATE

Chief Mantello stated that property watches increased in the month of June due to summer people being in the area. Arrests were up by eight while traffic violations were down. Traffic has been heavy on Route 30 so PD is patrolling more in that area. The PD recovered a boat motor that is part of a case but they are waiting on some info. The Shrine Parade and game is on August 4th. He also mentioned that there have been multiple reports of telemarketing scams happening in the area and recommended people not answer their phone if they don't recognize the number.

TAX WARRANT

J. Bruno clarified that the Tax Warrant needs to be signed every new fiscal year.

MOTION: Z. Holzworth made a motion to sign the Tax Warrant for the 2018-2019 fiscal year. J. Leamy seconded. All in favor. Motion Carried.

BID AWARD – WINTER SAND

MOTION: R. Spaulding made a motion to table awarding the bid until both bidders and P. Eagan could be present at the meeting to answer questions regarding quality of the sand available. Z. Holzworth seconded. All in favor. Motion Carried.

DOG COMPLAINT – DISCUSS MEASURES TAKEN AND NEXT STEP

M. Jones stated he had a meeting with J. Nicklaw to discuss what would happen if M. Brown did not follow up on the steps the Town had requested he take to contain his dog. P. Mantello stated Officer Alkinburgh had followed up to check if the new gate and railing were in place at M. Brown's residence and videotaped that they are in place. J. Nicklaw stated that she did not feel putting higher railings and a latching gate on the back deck would be enough to contain the dog. P. Mantello stated that the railings are four feet high. M. Brown reiterated that every time the dog has escaped, it has been through the back door and off the back deck so the high railings and latching gate should prevent that from happening anymore. J. Nicklaw stated she did not feel this was enough and would like the town to request M. Brown install an outdoor kennel as well. She does not feel M. Brown has enough control over the dog to have him outside without an enclosure. M. Brown stated he has been taking the dog to training and is continuing his training until he feels comfortable controlling the dog. He stated he feels harassed by J. Nicklaw every time he goes out into his back yard as she has been yelling things at him along with her dogs barking at him nonstop. He feels he cannot even use his back yard anymore and is frustrated because he has done everything the town has requested but she is still harassing him. J. Bruno stated that M. Brown has done what was asked of him up to this point. If another situation arises then more steps will need to be taken, but he has already been fined for the past encounters. He suggested the neighbors figure out a way to get along with each other and hopes there is no harassment happening. He assured J. Nicklaw that the Police Department has already spent many hours documenting her case and have done their best to resolve the issue. J. Nicklaw asked for a guarantee from the Board that the dog would never get out again. J. Bruno stated that no one can guarantee anything and at this point the Police have said it is a safe enclosure and there is nothing else that will be done. J. Bruno suggested J. Nicklaw consider moving her dog kennel away from the property line adjoining her and M. Brown to alleviate the situation.

APPOINTMENT: ANIMAL CONTROL OFFICER & ASSISTANT TREE WARDEN

J. Bruno stated this will be tabled until the Board has letters of intent from those seeking appointment and the positions should be advertised.

CITIZEN'S COMMENTS

Sandra and Leo Spear stated they moved to E. Crystal Haven Rd about a year ago. They were assigned dock space 96 but they cannot use it as every time they try to get in the water to do something they are in muck up to their knees. J. Bruno stated research would need to be done to figure out which spaces are not deeded, but each space is attached to a parcel and the Town is not willing to start switching those around. S. Spear asked if it would be possible to switch to another space if it was not deeded to another parcel. J. Bruno instructed M. Jones to research which dock spaces were not yet assigned to a parcel on the survey map. M. Jones requested the Spears come in to meet with him to figure it out. S. Spear asked if it would be possible to have that area of the lake dredged as their neighbor had volunteered a few years ago to do it. J. Bruno stated that it is quite a process and the reason it didn't happen was because the muck that was harvested would have been placed on town land to drain out and there was concern about it running back down into the lake. He stated that the Board has no problem with them doing it, they just need to find a place to put the muck afterward. R. Spaulding asked if there were any unassigned dock spaces. J. Bruno said he believed all of the spaces were assigned already, but the Spears were welcome to find another land owner not using their dock space to see if they would switch. M. Jones stated on the survey map it shows six spaces that say "Unassigned".

R. Day asked if the Board was going to act on the ZA's resignation at this meeting. J. Bruno stated it would be discussed during Executive Session. R. Day asked if it would be OK for him to read the ZA's resignation letter aloud as he had the ZA's permission to do so. J. Bruno stated that the resignation hadn't been accepted yet, so that wouldn't be acceptable at this point. R. Day stated the reasons the ZA resigned should be public and stated he would like to make sure the Board makes it public. D. Wood seconded that he would like to see the letter made public. J. Bruno assured them it would be made public once it was accepted.

Martha Molinar stated she was disappointed that she did not have a chance to have input on the new Town Plan. She stated that she was away during the April meeting and has been busy entertaining guests so hasn't made it to any of the Planning Commission Meetings. J. Bruno stated that the Planning Commission has been working on the new Town Plan for over three years and the public is always welcome to any Planning Commission meeting to discuss their input, however no one ever shows up until it's time to pass the Plan. He suggested if she had something to add as an amendment, she could come to any Planning Commission meeting and that the agendas are posted online. Ted Molinar asked if the comments from B. Wood regarding the outdated info had been updated. J. Bruno stated that most of B. Wood's concerns were regarding info from the Census which is only done every ten years so there isn't much the PC can do until the new Census comes out.

J. Nicklaw asked why she should have to move her dogs' kennel if she hasn't done anything wrong. She said it took many hours to install the dog kennel where it is and doesn't think she should have to move it. J. Bruno asked what it is that J. Nicklaw would like the Town to do beyond what has already been done. J. Nicklaw replied that she wants her and her animals' safety ensured. J. Bruno stated everything has been done that will be done to this point.

TOWN MANAGER'S UPDATE

Float Bridge-The erosion construction permit extension has been filed by the Engineers to hopefully push the timeline back to the end of October. J. Leamy is still working with homeowners to find a stock pile location for the rock. Taconic told him that as far as road closures, one lane will remain open unless there is an emergency or they need to close it quickly to get something done, in which case they will let M. Jones know so he can contact homeowners on that road to let them know it will be happening.

Transfer Station Fencing-Cooper Fence started installing the poles today, July 26th, which a promise that the project would be completed by July 27th which was the negotiation that happened between Cooper Fence and M. Jones for Cooper Fence to keep the bid.

Sidewalks-There is a pre-bid meeting on August 3rd with the bid opening August 24th.

Transfer Station- The Highway Dept has been working at the Transfer Station getting things fixed and cleaned up. They are working on solving a water problem but hit clay where they are trying to dig the ditch to drain the area where the bins will be. So far \$5000 has been spent on blocks repairing the retaining wall. The building has been overhauled with new windows, a new door, and a roof and sliding window where customers can pay rather than go inside the building. M. Jones stated a new 40 yard compacting bin will need to be purchased and J. Franklin is working on getting three quotes. RCSWD stated they will not be replacing the newspaper/magazine bin that is about to rust in half as it was purchased originally through a grant. R. Spaulding confirmed that this meant that the Town owns the containers and can do with them what they want. M. Jones said that is what RCSWD told him and the last one they got rid of the Town scrapped. M. Jones stated he spoke to Dean at RCSWD about the possibility of zero-sort recycling but it would cost the town an extra \$2000 per month. R. Spaulding said that includes a service charge for sorting it and that every town that has gone to it has regretted it.

Green Lantern-Sam Carlson went over the electric bills with M. Jones and M. Combs. M. Jones signed the contract for the Castleton array but S. Carlson took the other contract back with him to make some corrections. M. Jones expects to be able to sign it within 30 days.

Highway Garage-The bid for fixing the trough went out, however they could not get three bids so it was put back out to the newspaper and they contacted five concrete companies to get bids. R. Spaulding asked when those are due back. M. Jones said they are due back in next Friday. He stated there is also undermining around the doors that has been put on the Highway Dept's work schedule to fix before winter as some of the concrete underneath is disintegrating and needs repair.

Independence Day- M. Jones met with R. Franzoni to discuss financials, events, etc. for next year. The Committee would like to meet with the Select Board to discuss the plans for next year regarding funding and ideas for events. M. Jones is trying to get some info about what the committee would like to discuss to give to the Select Board prior so they can have a chance to review.

SELECT BOARD COMMENTS

None.

WARRANTS FOR APPROVAL

MOTION: Z. Holzworth made a motion to approve warrants #0726R for \$650.00, #0726 for \$53,359.46, #0719 for \$28,136.39, #0713 for \$11,726.82, #0712 for \$5,764.84, #0705 for \$8,278.35, #0630 for \$29,365.08, #0726P for \$15,175.23, #0719 for \$15,905.98, and #0712 for \$16,320.29. J. Leamy seconded. All in favor. Motion Carried.

MOTION: Z. Holzworth made a motion to approve warrants #0725P for \$548.19, #0718 for \$548.19, and #0711P for \$548.19. J. Leamy seconded. All in favor. Motion Carried.

MOTION: Z. Holzworth made a motion to approve warrant #0629 for \$1,100.00. J. Leamy seconded. All in favor. Motion Carried. J. Bruno abstained.

EXECUTIVE SESSIONS: PERSONNEL 1 VSA 313(3)(a)(3) & REAL ESTATE 1 VSA 313(3)(a)(3)

MOTION: J. Leamy made a motion to enter Executive Session for Real Estate to include Janet Currie and Mike Jones, Town Manager. Z. Holzworth seconded. All in favor. Motion Carried.

MOTION: Z. Holzworth made a motion to exit Executive Session for Real Estate at 8:37pm with no action taken. J. Leamy seconded. All in favor. Motion Carried.

MOTION: Z. Holzworth made a motion to enter Executive Session for Personnel. J. Leamy seconded. All in favor. Motion Carried.

MOTION: Z. Holzworth made a motion to exit Executive Session for Personnel at 9:30 with no action taken. J. Leamy seconded. All in favor. Motion Carried.

MOTION: Z. Holzworth made a motion to accept Jeff Biasuzzi's resignation as the Zoning Administrator with regret. J. Leamy seconded. All in favor. Motion Carried.

MOTION: Z. Holzworth made a motion to accept Gordon Chader's resignation from the Development Review Board with regret. J. Leamy seconded. All in favor. Motion Carried.

MOTION: Z. Holzworth made a motion to advertise all vacant positions in the Town of Castleton. J. Leamy seconded. All in favor. Motion Carried.

MEETING ADJOURNED

MOTION: Z. Holzworth made a motion to adjourn the meeting. R. Spaulding seconded. All in favor. Motion Carried.