

Town of Proctor Selectboard Meeting
January 11, 2010
6:00 – 9:35 P.M.

Board Members Present

Rick Anderson, Chair
Linda Doty
Susan Feenick
Lloyd Hughes

Employees Present

Todd Blow, Chief Operator
Steffanie Bourque, Town Administrator
Brian Sanderson, Road Commissioner

Other Guests Present

Jim Hall
John Jozwiak
PEG-TV

Agreements/Approvals

- Unanimously approved the December 28, 2009, January 4 and January 6, 2010 meeting minutes as presented.
- Unanimously approved the weight restrictions annual filing without changes (Proctor has not enacted special weight limits which are other than state legal limits for highways or bridges).
- Unanimously agreed at 6:40 p.m. to adjourn the meeting of the Selectboard and convene the Board of Sewage Commissioners.
- Unanimously agreed at 6:55 p.m. to adjourn the meeting of the Board of Sewage Commissioners and convene the Board of Water Commissioners.
- Unanimously approved the public notice for the Proctor drinking water system as presented.
- Unanimously agreed at 7:35 p.m. to enter executive session to discuss legal matters. Unanimously agreed at 8:05 p.m. to resume the public meeting.
- Unanimously approved the agreement for professional services with Kevin Smith to compile and issue an opinion letter regarding the general issues and approximate costs related to retaining or abandoning Town of Proctor water system customers located in the Towns of Pittsford and Chittenden at a cost not-to-exceed \$900.
- Unanimously accepted, in whole, Alan George's legal recommendations on the draft "Right of Way" and "Right of First Refusal" documents prepared by the Green Mountain Club and agreed to forward them to the Green Mountain Club for consideration.
- Unanimously agreed at 8:10 p.m. to adjourn the meeting of the Board of Water Commissioners and convene the meeting of the Selectboard.
- Unanimously agreed to schedule a special meeting on January 18, 2010 at 5:00 p.m. to finalize the FY11 budget and discuss various water system matters with Kevin Smith.
- Majority agreed to include an article on the March 2010 town warning about voting all future town meeting business by Australian ballot [specific article wording to be determined].
- Unanimously agreed to include an article on the March 2010 town warning about whether we should continue to fluoridate the public drinking water.
- Unanimously set a deadline of March 22, 2010 for the Public Works Committee to submit their implementation plan for the solid waste recommendations.
- Unanimously adopted the 2010 zoning permit fee schedule, which remained unchanged from 2009.
- Unanimously agreed to submit a written inquiry to the Vermont Marble Power Division regarding how service interruptions will be handled if the work is to be contracted to Green Mountain Power.
- Unanimously agreed to authorize the Selectboard to sign the orders once the meeting was adjourned.
- Unanimously agreed at 9:35 p.m. to adjourn the January 11, 2010 meeting of the Selectboard.
- Signed the orders totaling \$131,828.39.

Agenda Items

I. Call to Order – Pledge of Allegiance

The meeting was called to order at 6:00 p.m. and began with the pledge of allegiance to the flag.

II. Review Meeting Minutes

Susan Feenick made the motion to approve the December 28, 2009, January 4 and January 6, 2010 meeting minutes as presented. The motion was seconded by Linda Doty and unanimously approved.

III. Highway Department

A status update on project activities was provided. Items discussed include:

- Road Commissioner's Report: The Selectboard reviewed and discussed the report submitted by Brian Sanderson. Rick Anderson indicated that all work has been completed and the new heating system at the town garage is on-line. He commended the Highway staff for their work on constructing the fire-rate room for the wood stove. Susan Feenick commended the Highway staff for the plow job during the last storm. Lloyd Hughes thanked the Highway staff for addressing a project on Gibbs Street.

When questioned about several other items, Sanderson indicated that he is in the process of completing the following: 1) documenting the modified plow routes based on his meeting with Rick Anderson and Warren McCullough; 2) completing a zoning permit for a wood shed at the town garage; and 3) evaluating the ditch on West Street by the Wilson Castle. Additionally, Sanderson will 1) evaluate possible cost savings of trucking road salt ourselves rather than having it delivered and 2) ensure that proper weight limit signs are posted on the Florence Road and inquire with the AOT District office about posting a "No Thru Trucks" sign.

- Town Highway and Bridge Weight Restrictions Annual Filing: Susan Feenick made the motion to approve the weight restrictions annual filing without changes (Proctor has not enacted special weight limits which are other than state legal limits for highways or bridges within its jurisdiction). The motion was seconded by Lloyd Hughes and unanimously approved.
- Other Old/New Business: There was no other old or new business discussed.

IV. Open Public Comment

Jim Hall: Hall, Proctor's representative to the Rutland Regional Transportation Advisory Council, provided the Selectboard with an update. A summary of items discussed is included here:

- Hall recommended the Selectboard keep in regular contact with the legislators about our transportation needs.
- Hall plans to attend the February 22, 2010 Selectboard meeting when the board is scheduled to discuss ideas for proceeding with the reconstruction project on Route 3.
- Hall informed the Selectboard of the January 21, 2010 hearing at 6:00 p.m. at Rutland City Hall for public input on the rail yard project.
- Hall requested the Selectboard follow-up with Bruce Baccei to determine if he is willing to continue serving as the alternate TAC representative and if not, to appoint a new alternate rep.
- Hall indicated he is willing to serve as Proctor's TAC representative in 2010-2011.

V. Invited Guests

Dane Tabor: Tabor was scheduled, but did not attend the January 11, 2010 meeting.

Finance Committee: The Finance Committee submitted an email indicating that they had no changes to the six recommendations presented on December 28, 2009 for the FY11 budget. Therefore, they did not attend the meeting because there was no new information to present.

VI. Board of Sewage Commissioners

Lloyd Hughes made the motion at 6:40 p.m. to adjourn the meeting of the Selectboard and convene the Board of Sewage Commissioners. The motion was seconded by Linda Doty and unanimously approved. A status update on project activities was provided. Items discussed include:

- Chief Operator's Report: The Board reviewed and discussed the report submitted by Todd Blow. Blow provided a summary of his investigation into the sewer back-up complaint at 11 North Street. He indicated that video inspection revealed the cause of the back-up was deterioration of the service connection approximately 5 feet from where it enters the municipal manhole. This information was conveyed to the property owner. Blow stressed the importance of property owners calling the Wastewater Department first if there is a sewer back-up so that the town can determine if the cause is due to a problem in the municipal collection system. [Emergency calls should be directed to 459-3333 extension 18.]

Blow also noted that we achieved compliance with the phosphorus discharge limits during the month of December, indicating that the treatment process installed last year is working.

Rick Anderson congratulated Tim and Dan for completing all requirements necessary to be upgraded to certified wastewater operators.

- Other Old/New Business: Susan Feenick requested that all policies/procedures for wastewater operations be developed and/or updated as needed.

VII. Board of Water Commissioners

Susan Feenick made the motion at 6:55 p.m. to adjourn the meeting of the Board of Sewage Commissioners and convene the Board of Water Commissioners. The motion was seconded by Lloyd Hughes and unanimously approved. A status update on project activities was provided. Items discussed include:

- Chief Operator's Report: The Board reviewed and discussed the report submitted by Todd Blow. Blow presented the pilot study findings (the report is attached for reference). A summary of additional report items discussed is included here:
 - *Public Notice*: Susan Feenick made the motion to approve the public notice for the Proctor drinking water system as presented. The motion was seconded by Lloyd Hughes and unanimously approved.
 - *Capital Project Funding*: Rick Anderson, Susan Feenick, and Steffanie Bourque provided feedback from the January 5, 2010 meeting with the Water Supply Division and Rural Development. Program representatives will attend the February 8, 2010 Selectboard meeting to present funding proposals.
 - *Legal Analysis of Outer District*: Susan Feenick made the motion at 7:35 p.m. to enter executive session to discuss legal matters. The motion was seconded by Lloyd Hughes and unanimously approved. Susan Feenick made the motion at 8:05 p.m. to resume the public meeting. The motion was seconded by Linda Doty and unanimously approved. Susan Feenick made the motion to approve the agreement for professional services with Kevin Smith to compile and issue an opinion letter regarding the general issues and approximate costs related to retaining or abandoning Town of Proctor water system customers located in the Towns of Pittsford and Chittenden at a cost not-to-exceed \$900. The motion was seconded by Lloyd Hughes and unanimously approved.
- Request to Reclassify Furnace Brook Intake Approved: The Board received notice from the Water Supply Division has approved the request with conditions.
- Green Mountain Club Transfers: The Board discussed the legal review completed by Alan George. Susan Feenick made the motion to accept the legal recommendations in whole and forward them to

the Green Mountain Club for consideration. The motion was seconded by Lloyd Hughes and unanimously approved.

- Schedule Special Meeting with Kevin Smith: The special meeting was scheduled for January 18, 2010 at 5:00 p.m. to coincide with the meeting to finalize the FY11 municipal budget.
- Other Old/New Business: Rick Anderson inquired about the status of the liability claim submitted for water damage at the property owned by Dr. Gray at 24 Oak Street. Steffanie Bourque indicated that the claim is being investigated by the town's insurance carrier.

Lloyd Hughes made the motion at 8:10 p.m. to adjourn the meeting of the Board of Water Commissioners and convene the meeting of the Selectboard. The motion was seconded by Susan Feenick and unanimously approved.

VIII. FY2011 Budget Planning

- Special Meeting to Finalize Budget: Susan Feenick made the motion to schedule a special meeting on January 18, 2010 at 5:00 p.m. to finalize the FY11 budget and discuss various water system matters with Kevin Smith. The motion was seconded by Lloyd Hughes and unanimously approved.
- Draft 2010 Town Meeting Warning: The Selectboard reviewed the draft warning. Susan Feenick made the motion to include an article about voting all future town meeting business by Australian ballot [specific article wording to be determined]. The motion was seconded by Linda Doty and approved by a majority. Susan Feenick made the motion to include an article about whether we should continue to fluoridate the public drinking water. The motion was seconded by Lloyd Hughes and unanimously approved.
- FY2009 Town Report Status: Steffanie Bourque provided the Selectboard with some options for the town report cover and indicated that most materials needed for the report have been submitted and reminders have been issued for those remaining items. The Selectboard agreed to collaboratively draft the letter from the Selectboard.

IX. Standing Committees

- Reports:
 - *Parks and Recreation Committee*: There was no report.
 - *Finance Committee*: There was no report.
 - *Community Development Committee*: There was no report.
 - *Public Works Committee*: There was no report.
- Charges: Susan Feenick made the motion to set a deadline of March 22, 2010 for the Public Works Committee to submit their implementation plan for the solid waste recommendations. The motion was seconded by Linda Doty and unanimously approved.

X. Additional Items Requiring Action from the Board

- Omya Property Listing Map – Next Steps: The Selectboard reviewed the map of Omya properties and discussed options for several parcels. Linda Doty will be meeting with Barbara Cosgrove on January 21, 2010 about potential parcels she will report on their meeting at the January 25, 2010 Selectboard meeting.
- December 2009 Budget Reports, including Overtime: The Selectboard received and discussed the reports.
- New PACIF Grant Funding Program: Rick Anderson requested that the grant program information be forwarded to Vinni Gatti for consideration by the Fire Department.
- 2010 Household Hazardous Waste Collection Schedule: The Selectboard received the schedule, as did the Transfer Station Operator.

- Other New and/or Old Business: Susan Feenick made the motion to adopt the 2010 zoning permit fee schedule, which remained unchanged from 2009. The motion was seconded by Linda Doty and unanimously approved.

Linda Doty made the motion to submit a written inquiry to the Vermont Marble Power Division regarding how service interruptions will be handled if the work is to be contracted to Green Mountain Power. The motion was seconded by Susan Feenick and unanimously approved.

Susan Feenick updated the Selectboard on the recent decision of the Rutland County Solid Waste District to extend the District contract with Casella Waste Management for two years, but with the original contract language.

XI. Adjourn

Lloyd Hughes made the motion to authorize the Selectboard to sign the orders once the meeting was adjourned. Linda Doty made the motion at 9:35 p.m. to adjourn the January 11, 2010 meeting of the Selectboard. The motion was seconded by Lloyd Hughes and unanimously approved.

XII. Review of Bills and Signing of Selectboard's Orders

The Selectboard reviewed the bills and signed the orders totaling \$131,828.39.