

**Town of Proctor Selectboard Meeting**  
**January 24, 2011**  
**6:00 – 10:45 P.M.**

**Board Members Present**

Rick Anderson, Chair  
Bill Dritschilo  
Susan Feenick  
Lloyd Hughes  
Dick Norris

**Employees Present**

Todd Blow, Chief Operator  
Steffanie Bourque, Town Administrator

**Other Guests Present**

Ron & Janet Biro  
Carol Grace  
Sharon Herbert, Earth Waste Systems  
John Jozwiak  
Lee Kahrs, The Brandon Reporter  
Warren McCullough  
James O’Gorman, Rutland County Solid Waste  
Ted Schaft  
George Smith  
PEG-TV

**Agreements/Approvals**

- Unanimously approved the January 10 and January 18, 2011 meeting minutes as written.
- Unanimously requested a contract from Earth Waste Systems for scrap metal recycling based on their proposal for consideration.
- Majority agreed at 6:55 p.m. to enter executive session to discuss personnel, with Susan Feenick opposing.
- Unanimously agreed at 7:10 p.m. to resume the public meeting.
- Unanimously agreed to revise the Employee Benefits and Policies Handbook to state that no employees shall use town equipment for personal use. On call employees may take vehicles home for use if they are called out.
- Unanimously approved the annual certificate of highway mileage and special weight limits with no changes.
- Unanimously agreed at 7:30 p.m. to adjourn the meeting of the Selectboard and convene the Board of Water Commissioners.
- Scheduled a special meeting to discuss final design of the water system distribution and storage improvements on Tuesday, February 1, 2011 at 2:00 p.m. at the Town Office.
- Unanimously authorized execution of the Vermont Municipal Bond Bank Loan Agreement Amendment No. 1.
- Unanimously approved revisions to Article V Section 5 of the Proctor Public Drinking Water System Rules and Regulations.
- Unanimously agreed to strike the additional fee for a requested service disconnect from the FY2012 schedule of rates and fees in the Water Department.
- Unanimously adopted the FY2012 schedule of rates and fees in the Water Department as amended.
- Unanimously authorized Steffanie Bourque to work with Todd Blow, Kevin Smith, and Paul Kulig to prepare a response to the 2011 sanitary survey report.
- Unanimously agreed at 8:40 p.m. to enter executive session to discuss litigation.
- Unanimously agreed at 8:55 p.m. to resume the public meeting.
- Unanimously agreed at 9:15 p.m. to adjourn the meeting of the Board of Water Commissioners and convene the Board of Sewage Commissioners.
- Majority agreed to strike the additional fee for a requested service disconnect and adopted the FY2012 schedule of rates and fees in the Wastewater Department as amended, with Susan Feenick opposing.
- Unanimously agreed at 9:25 p.m. to adjourn the meeting of the Board of Sewage Commissioners and resume the meeting of the Selectboard.
- Unanimously approved the final proposed FY2012 municipal budget.

- Unanimously approved the municipal warning for the 2011 Town Meeting.
- Unanimously approved the contents for the FY10 annual report.
- Signed the orders totaling \$82,930.78.
- Unanimously agreed at 10:05 p.m. to enter executive session to discuss personnel.
- Unanimously agreed at 10:45 p.m. to resume the public meeting and adjourn the January 24, 2011 Selectboard meeting.

## **Agenda Items**

### **I. Call to Order – Pledge of Allegiance**

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

### **II. Good News**

The good news items included:

- A letter of gratitude and commendation from Peggy Stattel for the winter road maintenance was read aloud.

### **III. Review Meeting Minutes**

Susan Feenick made the motion to approve the January 10 and January 18, 2011 meeting minutes as written. The motion was seconded by Bill Dritschilo and unanimously approved.

### **IV. Open Public Comment**

*Warren McCullough:* McCullough expressed concerns about 1) no overflow at the east side water storage tank, 2) plowing on the wrong side of the road and vehicle speeds while plowing, and 3) steep bank created by the East Street stormwater improvements. Rick Anderson indicated he would follow up with Todd Blow about the east side tank and with Brian Sanderson about the plowing matters. The safety concerns about the East Street stormwater improvements have already been recognized by the Selectboard and Brian Sanderson is looking into alternatives.

*George Smith:* Smith requested permission from the Selectboard to look at the wood boiler in the Town Garage because he is considering installing one. The Selectboard advised Smith to make arrangements with the Road Commissioner to access the building.

*Ron & Janet Biro:* The Biros questioned the Selectboard's policy regarding personal use of town vehicles – specifically for plowing their driveways. The Selectboard indicated they would be discussing the matter in executive session because of complaints received about particular employee(s) and encouraged meeting attendees to wait for the public meeting to resume for a decision from the Selectboard.

*Carol Grace:* Grace clarified that when she complained to the Selectboard in the past about employees plowing driveways, it was because an employee was plowing the driveway of a property they owned, but did not reside in.

*Ted Schaft:* Schaft presented a petition to include an article on the Town Meeting Warning. The Selectboard accepted the petition and informed Schaft the deadline for submission of petitions was January 20, 2011. Schaft requested the petition be considered for Town Meeting in 2012. However, given language in the article as petitioned it could not be considered in 2012. The petition was given to Susan Feenick to return to Ted Schaft.

## **V. Invited Guests**

*Sharon Herbert, Earth Waste Systems:* Herbert presented a proposal from Earth Waste Systems to provide scrap metal recycling services at the Proctor Transfer Station. The Selectboard reviewed the proposal as compared to the current arrangement through the Rutland County Solid Waste District. James O’Gorman confirmed the Town would not breach its contract with the Rutland County Solid Waste District by using an independent hauler for scrap metal recycling. Dick Norris made the motion to request a contract from Earth Waste Systems for scrap metal recycling based on their proposal for consideration. The motion was seconded by Bill Dritschilo and unanimously approved.

*James O’Gorman, Rutland County Solid Waste:* O’Gorman advised the Selectboard of some matters that will need to be considered this year in preparation for the expiration of the current contract between Rutland County Solid Waste and Casella Waste Management in 2012. The Selectboard agreed to meet with O’Gorman at a future date to discuss preparing for the contract expiration.

*John Jozwiak:* Jozwiak questioned the Selectboard about what is being done to prevent the number of lawsuits brought against the Town related to water/sewer incidents. He also questioned the costs for engineering services on North Street.

## **VI. Executive Session – Personnel**

Bill Dritschilo made the motion at 6:55 p.m. to enter executive session to discuss personnel. The motion was seconded by Dick Norris and approved by a majority with Susan Feenick opposing. Dick Norris made the motion at 7:10 p.m. to resume the public meeting. The motion was seconded by Bill Dritschilo and unanimously approved.

Bill Dritschilo made the motion to revise the Employee Benefits and Policies Handbook to state that no employees shall use town equipment for personal use. On call employees may take vehicles home for use if they are called out. The motion was seconded by Lloyd Hughes and unanimously approved.

## **VII. 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. A summary of report highlights is provided here:
  - Lead Paint Certifications: Sanderson was tasked with confirming the requirements in writing with the Department of Health and VOSHA.
  - Certificate of Highway Mileage and Special Weight Limits: Dick Norris made the motion to approve the annual certificate of highway mileage and special weight limits with no changes. The motion was seconded by Lloyd Hughes and unanimously approved.
- MUTCD Comments: The Selectboard received a copy of the comments prepared by Steffanie Bourque and submitted to the U.S. Department of Transportation.
- Other Old/New Business: Susan Feenick, speaking on behalf of Helen Kabastura, requested the plow trucks not pile snow from Columbian Avenue on Kabastura’s property on West Street. Rick Anderson will follow-up with Brian Sanderson to determine if an alternate location to pile the snow is available.

## VIII. Board of Water Commissioners

Bill Dritschilo made the motion at 7:30 p.m. to adjourn the meeting of the Selectboard 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. A summary of the report highlights is provided here:
  - Pine Street Water Main Loop: Based on a request from the January 10, 2011 meeting, Todd Blow evaluated whether it was a priority to install a water main loop on Pine Street. Based on consultation with the Town's water engineering, Blow recommended the Board proceed with paving on Pine Street as planned because installation of a water main loop on Pine Street is not a priority.
  - Engineering Update: Todd Blow provided the Board with an estimate of \$90,000 to have a contractor relocate the sewer main, which runs through Joseph Gradziel's property, as part of the Bluff Street project. This and other questions regarding final design of the Water System Storage and Distribution System Improvements will be discussed at a special meeting scheduled for Tuesday, February 1, 2011 at 2:00 p.m. at the Town Office.
  - Permitting Update: Steffanie Bourque provided an update on the environmental review and request to partition the East Side Distribution System Improvements from the environmental review process. The Board also received a copy of the bid approval for Contract 1 from the Facilities Engineering Division.
  - Funding Update: The Board received a copy of the DWSRF Priority List Application submitted on January 21, 2011.

Dick Norris made the motion to authorize execution of the Vermont Municipal Bond Bank Loan Agreement Amendment No. 1. The motion was seconded by Bill Dritschilo and unanimously approved.

Lloyd Hughes completed his review of the household mailing list for the income survey. Bill Dritschilo offered to update the electronic copy of the mailing list and go door-to-door to help fill in the remaining gaps.

- Budget Update: The Board received a copy of the project cost summary as of January 24, 2011. Steffanie Bourque answered various questions from the Board about the project budget.
- Re-adopt Water Ordinance Revisions: Bill Dritschilo made the motion to approve revisions to Article V Section 5 of the Proctor Public Drinking Water System Rules and Regulations. The motion was seconded by Lloyd Hughes and unanimously approved. Public notice for the proposed ordinance amendments will proceed.
- Adopt FY2012 Schedule of Rates and Fees: Bill Dritschilo made the motion to strike the additional fee for a requested service disconnect. The motion was seconded by Lloyd Hughes and unanimously approved. Bill Dritschilo made the motion to adopt the FY2012 schedule of rates and fees as amended. The motion was seconded by Dick Norris and unanimously approved.
- 2011 Sanitary Survey Report: The Board received a copy of the report. A response is due by February 7, 2011. Dick Norris made the motion to authorize Steffanie Bourque to work with Todd Blow, Kevin Smith, and Paul Kulig to prepare a response to the 2011 sanitary survey report. The motion was seconded by Lloyd Hughes and unanimously approved.
- Executive Session – Litigation: Bill Dritschilo made the motion at 8:40 p.m. to enter executive session to discuss litigation. The motion was seconded by Lloyd Hughes and unanimously approved. Bill Dritschilo made the motion at 8:55 p.m. to resume the public meeting. The motion was seconded by Lloyd Hughes and unanimously approved. No actions were taken.

- Other Old/New Business: Susan Feenick had several questions about the schedule for painting fire hydrants, uncovering water valves, and repairing the sewer manhole on Holden Avenue; the number of overtime hours remaining in the Water Department; and problems with the fluoride analyzer.

### **IX. Board of Sewage Commissioners**

Bill Dritschilo made the motion at 9:15 p.m. to adjourn the meeting of the Board of Water Commissioners and convene the Board of Sewage 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. No actions were taken.
- Adopt FY2012 Schedule of Rates and Fees: Bill Dritschilo made the motion to strike the additional fee for a requested service disconnect and approve the FY2012 schedule of rates and fees as amended. The motion was seconded by Lloyd Hughes and approved by a majority with Susan Feenick opposing.
- Other Old/New Business: Susan Feenick had several questions about the sewer main plug on Holden Avenue and schedule for preventative jetting of the sewer mains and inspecting the sewer pump stations. She presented photos documenting that the stations had not been inspected on a daily basis. Todd Blow took the photos and will determine why the stations have not been inspected.

Bill Dritschilo made the motion at 9:25 p.m. to adjourn the meeting of the Board of Sewage Commissioners and resume the meeting of the Selectboard. The motion was seconded by Dick Norris and unanimously approved.

### **X. Standing Committees**

- Reports:
  - *Parks and Recreation Committee (PRC)*: There was no report.

### **XI. Report from Planning Commission Liaison, Bill Dritschilo**

There was no report.

### **XII. FY2012 Budget Planning**

- Approve Final FY2012 Municipal Budget: Bill Dritschilo made the motion to approve the final proposed FY2012 municipal budget. The motion was seconded by Lloyd Hughes and unanimously approved.
- Sign Town Meeting Warning: Bill Dritschilo made the motion to approve the municipal warning for the 2011 Town Meeting. The motion was seconded by Lloyd Hughes and unanimously approved.
- Approve Final FY10 Annual Report: Bill Dritschilo made the motion to approve the contents for the FY10 annual report. The motion was seconded by Lloyd Hughes and unanimously approved.

### **XIII. Additional Items Requiring Action from the Board**

- Capital Planning – Next Steps: The Selectboard agreed to discuss capital planning at the February 7, 2011 meeting.
- Draft Curbside Contract for Toter Program: The Selectboard received the draft contract and will discuss it at the February 7, 2011 meeting. By consensus the Selectboard agreed to forward the contract to the Town attorney for review.
- Procedure for Utilizing Contracted Electrician Services: The Selectboard discussed a procedure for utilizing the services of the contracted electrician. Bill Dritschilo will work with Steffanie Bourque to develop a written procedure for Selectboard consideration at the February 7, 2011 meeting.
- Transfer Station Loss Control Inspection Scheduled: A loss control inspection of the Proctor Transfer Station is scheduled for Thursday, January 27, 2011 at 11:00 a.m.

- Other Old/New Business: Steffanie Bourque informed the Selectboard that a letter of assurance was filed with the Waste Management Division in accordance with the operating permit for the Proctor Transfer Station. She also advised the Selectboard of the January 26, 2011 annual count of the homeless across Vermont.
- Orders: The Selectboard reviewed the bills and signed the orders totaling \$82,930.78.

#### **XIV. Executive Session – Personnel**

Bill Dritschilo made the motion at 10:05 p.m. to enter executive session to discuss personnel. The motion was seconded by Lloyd Hughes and unanimously approved. Bill Dritschilo made the motion at 10:45 p.m. to resume the public meeting and adjourn the January 24, 2011 Selectboard meeting. The motion was seconded by Lloyd Hughes and unanimously approved.