

Town of Proctor Selectboard Meeting
March 8, 2010
6:00 – 10:40 P.M.

Board Members Present

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

Other Guests Present

Donna Blight
Carol Grace
John Jozwiak
Lee Kahrs
Warren McCullough
Ted Schaft
Kevin Smith, SVE Associates
PEG-TV

Employees Present

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

Agreements/Approvals

- Unanimously appointed Rick Anderson as the Selectboard chair for 2010.
- Unanimously re-adopted the Proctor Selectboard Public Meeting Rules and Procedures Policy.
- Majority approved the February 22 and February 25, 2010 meeting minutes as presented. [Bill Dritschilo and Dick Norris did not vote because they were not present at the February 22 and February 25 meetings].
- Unanimously tasked Susan Feenick and Brian Sanderson with researching grant opportunities for improvements at the Town Office in addition to repairing the front steps.
- Unanimously approved the notice of intent letter for the 2010 Safe Routes to School Infrastructure Grant Program.
- Unanimously agreed at 6:35 p.m. to adjourn the meeting of the Selectboard and convene the Board of Water Commissioners.
- Unanimously agreed at 6:45 p.m. to enter executive session to discuss matters of potential ligation associated with the outer district water customers. Unanimously agreed at 7:10 p.m. to resume the public meeting.
- Unanimously scheduled a special meeting on Wednesday, March 10, 2010 at 1:00 p.m. with Paul Kulig and Kevin Smith to discuss the legal and technical alternatives for the outer district water drinking water customers.
- Majority approved the installation of a tank on the ridge just south of the Bluff/Taylor/Gibbs Streets service area with the capacity for future expansion. [Bill Dritschilo abstained from the vote and Susan Feenick cast a vote in opposition to the motion.]
- Unanimously executed the Vermont Property Transfer Tax Return and right-of-way to the Green Mountain Club for a pedestrian right-of-way along the route of the Long Trail across a portion of the Chittenden Watershed and the right of first refusal for a 50 acre portion encompassing the section of the Long Trail on said property.
- Unanimously agreed to deposit the \$1,000 compensation for the property rights received from the Green Mountain Club in the reserve fund for the Water Department.
- Unanimously agreed at 8:50 p.m. to adjourn the meeting of the Board of Water Commissioners and convene the Board of Sewage Commissioners.
- Unanimously agreed at 8:55 p.m. to adjourn the meeting of the Board of Sewage Commissioners and convene the meeting of the Selectboard.
- Unanimously agreed to appoint Lloyd Hughes as the Selectboard representative to the Public Works Committee; Rick Anderson and Bill Dritschilo to the Finance Committee; Susan Feenick and Dick

Norris to the Parks and Recreation Committee; and have the Selectboard assume the responsibilities for the Community Development Committee at this time.

- Unanimously made the annual 2010 appointments with the exception of the Road Commissioner (see table of appointments below).
- Unanimously adopted the Town of Proctor Health and Safety Policy and Mission.
- Unanimously adopted the updated Smoking & Tobacco Policy with the following revision, “that smoking and use of smokeless tobacco products is also strictly prohibited within all municipal job sites.”
- Unanimously agreed at 9:40 p.m. to enter executive session to review Brian Sanderson’s 2009 performance evaluation with the new board members. Unanimously agreed at 10:35 p.m. to resume the public meeting.
- Majority appointed Brian Sanderson as the Road Commissioner for 2010. [Susan Feenick cast the vote in opposition to the motion.]
- Unanimously agreed to enroll Brian Sanderson in the Vermont Local Roads Management Academy.
- Unanimously agreed at 10:40 p.m. to authorize the Selectboard to sign the orders after the March 8, 2010 meeting of the Selectboard adjourned.
- Signed orders totaling \$60,907.63.

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. Welcome New Board Members

New members, Bill Dritschilo and Dick Norris, were welcomed to the Selectboard.

III. Selectboard Chair Appointment

Dick Norris made the motion to appoint Rick Anderson as the Selectboard chair for 2010. The motion was seconded by Lloyd Hughes and unanimously approved. Anderson noted that as chair he will vote on each motion and the minutes should include a record of who casts opposing votes on motions.

Lloyd Hughes made the motion to re-adopt the Proctor Selectboard Public Meeting Rules and Procedures Policy. The motion was seconded by Dick Norris and unanimously approved.

IV. Review Meeting Minutes

Susan Feenick made the motion to approve the February 22 and February 25, 2010 meeting minutes as presented. The motion was seconded by Lloyd Hughes and approved by a majority [Bill Dritschilo and Dick Norris did not vote because they were not present at the February 22 and February 25 meetings].

V. 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 the report items acted on by the Board is provided here:
 - Plan for Improvements at Town Office: Susan Feenick made a motion to task her and Brian Sanderson with researching grant opportunities for improvements at the Town Office in addition to repairing the front steps. The motion was seconded by Lloyd Hughes and unanimously approved.
 - Heating System at Town Garage: The Selectboard asked Brian Sanderson to look into extending the duct work to improve circulation efficiency.

- Safe Routes to School Grant Program Notice of Intent: Bill Dritschilo made the motion to approve the notice of intent letter for the 2010 Safe Routes to School Infrastructure Grant Program. The motion was seconded by Lloyd Hughes and unanimously approved.
- Status of Zoning Permit for Wood Storage at Town Garage: Rick Anderson informed the Selectboard that the zoning permit for the wood storage canopy at the Town Garage has been revoked. Additional information is needed and the permit will be resubmitted for approval.
- Other Old/New Business: There was no other old/new business discussed.

VI. Open Public Comment

Ted Schaft: Schaft described a stormwater problem impacting his property at 8 Warner Avenue. The Selectboard tasked the Road Commissioner with evaluating the situation and determining how to best resolve the problem.

Carol Grace: Grace commended the Selectboard for the FY2011 budget and expressed her hope for the new board to work together to move forward this year.

Warren McCullough: McCullough cautioned the Selectboard about making sure they know where the property lines are for the Town Garage. Dick Norris will follow-up with St. Dominic's Church to see if they have a property survey, which would indicate the northerly boundary of the garage property.

VII. Invited Guests

There were no invited guests scheduled.

VIII. Board of Water Commissioners

Lloyd Hughes made the motion at 6:35 p.m. to adjourn the meeting of the Selectboard and convene the Board of Water Commissioners. The motion was seconded by Bill Dritschilo 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 items acted on by the Board is provided here:
 - Leak Investigations: Dick Norris recommended the Water Department investigate the pool fill valves for potential leaks.
 - Executive Session: Lloyd Hughes made the motion at 6:45 p.m. to enter executive session to discuss matters of potential litigation associated with the outer district water customers. The motion was seconded by Dick Norris and unanimously approved. Bill Dritschilo made the motion at 7:10 p.m. to resume the public meeting. The motion was seconded by Dick Norris and unanimously approved. Lloyd Hughes made the motion to schedule a special meeting on Wednesday, March 10, 2010 at 1:00 p.m. with Paul Kulig and Kevin Smith to discuss the legal and technical alternatives for the outer district water drinking water customers. The motion was seconded by Dick Norris and unanimously approved.
 - Funding Program Update: Kevin Smith provided the Board with an update on the transition activities underway to fulfill the requirements of the Rural Development Program for capital funding of the drinking water system improvements. He requested authorization from the Board to proceed and sought clarification on how to account for his time contractually – 1) prepare a new contract for the interim services or 2) include the services in an amendment to the final design contract. Until the decision is made, services are being tracked under the existing general consulting services contract. Steffanie Bourque will follow-up with Jim Plouffe to determine if Rural Development has a preference for how these services are handled contractually.
 - West Side Water Storage Solution: Kevin Smith reviewed with the Board his analysis of alternatives for water storage on the west side to provide regulatory required pressure to the Bluff/Taylor/Gibbs Streets service area under all conditions of flow. The analysis compared

installing a tank on the ridge just south of the Bluff/Taylor/Gibbs Streets service area and rehabilitating the existing west side storage tank. Dick Norris made the motion to approve the installation of a tank on the ridge just south of the Bluff/Taylor/Gibbs Streets service area with the capacity for future expansion. The motion was seconded by Lloyd Hughes and approved by a majority. Bill Dritschilo abstained from the vote and Susan Feenick cast a vote in opposition to the motion. Feenick also requested the Board get a second opinion on the solution from the Water Supply Division engineer, David Webb.

- Well Driller's Schedule Update: Todd Blow indicated the well drillers (Layne Christensen) are onsite and will likely begin installing the replacement well casing at the Field Street Well on Wednesday, March 10.
- Meeting with Vermont Marble Power Division: The meeting between representatives of the Board (Rick Anderson and Bill Dritschilo) is scheduled for Friday, March 12, 2010 at 10:00 a.m.
- Summary of March 3, 2010 Meeting with Doug DeNatale: Kevin Smith provided a summary of the March 3 site visit.
- Bluff Street Project Phase 1B Archeological Reconnaissance Survey: The Board received a copy of the completed survey.
- Meter Project Update: Kevin Smith indicated the contract documents are being reviewed by the Facilities Engineering Division and that once comments are provided the document will be converted into the format required by the Rural Development Program.
- Paynter Litigation: There was no new information on the matter discussed.
- Green Mountain Club Grant of Right-of-Way and Right of First Refusal: Susan Feenick made the motion to execute the Vermont Property Transfer Tax Return and right-of-way to the Green Mountain Club for a pedestrian right-of-way along the route of the Long Trail across a portion of the Chittenden Watershed and the right of first refusal for a 50 acre portion encompassing the section of the Long Trail on said property. The motion was seconded by Bill Dritschilo and unanimously approved. Dick Norris made the motion to deposit the \$1,000 compensation for the property rights received from the Green Mountain Club in the reserve fund for the Water Department. The motion was seconded by Lloyd Hughes and unanimously approved.
- Other Old/New Business: There was no other old/new business discussed.

IX. Board of Sewage Commissioners

Lloyd Hughes made the motion at 8:50 p.m. to adjourn the meeting of the Board of Water Commissioners and convene the Board of Sewage Commissioners. The motion was seconded by Bill Dritschilo 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 noted that he has made contact with Art Saceric and is expecting an estimate from him within the next few weeks for assuming ownership of the private sewer main/manhole on Center Street.
- Other Old/New Business: There was no other old/new business discussed.

Bill Dritschilo made the motion at 8:55 p.m. to adjourn the meeting of the Board of Sewage Commissioners and convene the meeting of the Selectboard. The motion was seconded by Lloyd Hughes and unanimously approved.

X. 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.

- **Selectboard Representatives:** Bill Dritschilo made the motion to appoint Lloyd Hughes as the Selectboard representative to the Public Works Committee; Rick Anderson and Bill Dritschilo to the Finance Committee; Susan Feenick and Dick Norris to the Parks and Recreation Committee; and have the Selectboard assume the responsibilities for the Community Development Committee at this time. The motion was seconded by Lloyd Hughes and unanimously approved.

XI. Additional Items Requiring Action from the Board

- **Annual 2010 Appointments:** Bill Dritschilo made the motion to make the following appointments. The motion was seconded by Dick Norris. Upon discussion, Susan Feenick recommended not appointing Brian Sanderson as the Road Commissioner rather making him a Road Foreman. The motion was amended to make the following annual 2010 appointments with the exception of the Road Commissioner and unanimously approved.

| Position | Term (years) | Appointee |
|---------------------------------|---------------------|-----------------------------|
| Board of Water Commissioners | 1 | Rick Anderson |
| | 1 | Bill Dritschilo |
| | 1 | Susan Feenick |
| | 1 | Lloyd Hughes |
| | 1 | Dick Norris |
| Board of Sewage Commissioners | 1 | Rick Anderson |
| | 1 | Bill Dritschilo |
| | 1 | Susan Feenick |
| | 1 | Lloyd Hughes |
| | 1 | Dick Norris |
| Water/Sewer Chief Operator | 1 | Todd Blow |
| Zoning Administrator | 3 | Bob Coons |
| Proctor Planning Commission | 4 | Bonnie Kelleway |
| Constable | 1 | Don Russell |
| Emergency Management Chair | 1 | Kevin Blongy |
| Fence Viewer | 1 | Bob Coons |
| Inspector of Lumber | 1 | Ray Beyette |
| Tree Warden | 1 | Ray Beyette |
| Weigher of Coal | 1 | Audrey Tilden |
| Marble Valley Transit Rep | Permanent | Ray Beyette |
| RCSWD Rep / Alternate | 1 | Susan Feenick / Ray Beyette |
| RRPC Rep | 1 | Rick Anderson |
| Regional Transportation Council | 1 | Jim Hall |
| 911 Coordinator | 1 | Vincent Gatti |
| Water/Sewer Credit Supervisor | 1 | Steffanie Bourque |
| Youth League Committee | 1 | Bruce Baccei |
| | 1 | Darren Carter |
| | 1 | Sharon Carter |
| | 1 | Bob Protivansky |
| | 1 | Patty Protivansky |
| Health and Safety Committee | 1 | Bill Dritschilo |
| | 1 | Brian Sanderson |
| | 1 | Todd Blow |
| | 1 | RJ Elrick |

- **5-Corners Development Plan:** The Selectboard agreed to schedule a special meeting with the Proctor Planning Commission, Town attorney, and Executive Director of the Rutland Economic Development Corporation to discuss the development plan for the 5-corners property.

- Health and Safety Policy and Mission: Bill Dritschilo made the motion to adopt the Town of Proctor Health and Safety Policy and Mission. The motion was seconded by Lloyd Hughes and unanimously approved.
- Policy for Providing Financial Incentives to Employees to Participate in Wellness Programs: This matter was postponed.
- Tobacco Policy Update: Susan Feenick made the motion to adopt the updated Smoking & Tobacco Policy with the following revision, “that smoking and use of smokeless tobacco products is also strictly prohibited within all municipal job sites.” The motion was seconded by Bill Dritschilo and unanimously approved.
- February FY10 Budget Reports, including Overtime: The Selectboard reviewed the reports.
- Memorial Day Parade Update: The Selectboard received the update from parade chairman, Bill Champine.
- Other Old/New Business: There was no other old/new business discussed.

XII. Executive Session – Personnel

Bill Dritschilo made the motion at 9:40 p.m. to enter executive session to review Brian Sanderson’s 2009 performance evaluation with the new board members. The motion was seconded by Lloyd Hughes and unanimously approved. Bill Dritschilo made the motion at 10:35 p.m. to resume the public meeting. The motion was seconded by Lloyd Hughes and unanimously approved.

Dick Norris made the motion to appoint Brian Sanderson as the Road Commissioner for 2010. The motion was seconded by Bill Dritschilo and approved by a majority. Susan Feenick cast the vote in opposition to the motion.

Lloyd Hughes made the motion to enroll Brian Sanderson in the Vermont Local Roads Management Academy. The motion was seconded by Bill Dritschilo and unanimously approved.

XIII. Adjourn

Lloyd Hughes made the motion at 10:40 p.m. to authorize the Selectboard to sign the orders after the March 8, 2010 meeting of the Selectboard adjourned. The motion was seconded by Dick Norris and unanimously approved.

The Selectboard reviewed the bills and signed the orders totaling \$60,907.63.