

Town of Proctor Selectboard Meeting
March 21, 2011
6:00 – 10:10 P.M.

Board Members Present

Rick Anderson, Chair
Susan Feenick
Lloyd Hughes
Dick Norris

Other Guests Present

Bruce Baccei
Brent Curtis, Rutland Herald
Carol Grace
Tom Grace, Jr.
John Jozwiak
Helen Kabastura
Lee Kahrs, The Reporter
Lisa Miser
Ted Schaft
Kevin Smith, Marble Valley Engineering
PEG-TV

Employees Present

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

Agreements/Approvals

[All motions are noted as passed by majority because the full board was not present at the meeting. All members present voted affirmatively, unless otherwise noted.]

- Majority appointed Rick Anderson as the Selectboard chair for FY2012.
- Majority appointed Rick Anderson, Dick Norris, Lloyd Hughes, and Susan Feenick as the Board of Water Commissioners for FY2012.
- Majority appointed Rick Anderson, Dick Norris, Lloyd Hughes, and Susan Feenick as the Board of Sewage Commissioners for FY2012.
- Majority agreed to readopt the Selectboard Meeting Rules and Procedures Policy as amended.
- Majority approved the March 9 and March 16, 2011 meeting minutes as written.
- Majority accepted with regret the resignation of Bill Dritschilo from the Proctor Selectboard and all other town positions.
- Majority agreed at 7:55 p.m. to adjourn the meeting of the Selectboard and convene a meeting of the Board of Water and Board of Sewage Commissioners.
- Majority agreed at 7:55 p.m. to enter executive session to discuss personnel.
- Majority agreed at 8:30 p.m. to resume the public meeting.
- Majority conditionally reappointed Todd Blow as Chief Operator [of the Water and Sewer Departments for FY2012] on a probationary status with the understanding that he must earn the confidence of the Water and Sewage Boards and the citizens of the Town or be discharged in the future at the pleasure of the Boards.
- Majority agreed at 8:35 p.m. to adjourn the joint meeting of the Board of Water and Board of Sewage Commissioners and convene the Board of Water Commissioners.
- Majority approved the 1) updated SPP for the Kiln Brook intake and existing Field Street well and 2) new SPP for the replacement Field Street well.
- Majority approved the efforts of Casella Construction to comply with the requirements of Disadvantage Business Enterprise solicitation for Contract 1.
- Majority agreed to formally request the Rural Development complete the environmental review in order to obtain a Finding of No Significant Impact for our water system capital improvements.
- Majority agreed at 9:15 p.m. to enter executive session to discuss litigation.
- Majority agreed at 9:25 p.m. to resume the public meeting.
- Majority agreed at 9:30 p.m. to adjourn the meeting of the Board of Water Commissioners and convene the Board of Sewage Commissioners.

- Majority agreed at 9:35 p.m. to adjourn the meeting of the Board of Sewage Commissioners and resume the meeting of the Selectboard.
- Majority accepted the recommendation of the Parks and Recreation Committee and hired Gretchen Crowley, Kevin Duggan, Connie Lenher, and Jody Sanderson as Pool Directors for the 2011 season.
- Majority appointed Brian Sanderson as the Road Commissioner for FY2012.
- Majority appointed Jim Moore, Warren McCullough, and Ray Beyette to the Planning Commission for a four (4) year term.
- Majority appointed Donald Russell as the Constable for FY2012.
- Majority appointed Kevin Blongy as the Emergency Management Chair for FY2012.
- Majority appointed Bob Coons as the Fence Viewer for FY2012.
- Majority appointed Ray Beyette as the Insepctor of Lumber for FY2012.
- Majority appointed Ray Beyette as the Tree Warden for FY2012.
- Majority appointed Audrey Tilden as the Weigher of Coal for FY2012.
- Majority appointed Shannon Maass as the Town Representative to the Proctor Free Library Board of Trustees for a three (3) year term.
- Majority appointed Susan Feenick as the Town Representative to the Regional Ambulance for the remaining year of Douglas Hastings three year term.
- Majority appointed Susan Feenick as the Town Representative to the Rutland County Solid Waste District and Ray Beyette as the Alternate for FY2012.
- Majority appointed Susan Feenick as the Town Representative to the Rutland Regional Planning Commission and Lloyd Hughes as the Alternate for FY2012.
- Majority appointed Jim Hall as the Town Representative to the Rutland Regional Transportation Advisory Council and Bruce Baccei as the Alternate for FY2012.
- Majority appointed Michael Knowles as the Town Service Office for FY2012.
- Majority appointed Vincent Gatti as the 911 Coordinator for FY2012.
- Majority appointed Steffanie Bourque as the Water/Sewer Credit Supervisor for FY2012.
- Signed the orders totaling \$635,608.39.
- Majority agreed at 10:10 p.m. to adjourn the March 21, 2011 meeting of the Selectboard.

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. FY12 Appointments

The Selectboard agreed to make appointments for the Selectboard chair, Water Commissioners, and Sewage Commissioners at the beginning of the meeting and make the remaining appointments later.

Dick Norris made the motion to appoint Rick Anderson as the Selectboard chair for FY2012. The motion was seconded by Lloyd Hughes and approved by a majority.

Susan Feenick made the motion to appoint Rick Anderson, Dick Norris, Lloyd Hughes, and Susan Feenick as the Board of Water Commissioners for FY2012. The motion was seconded by Lloyd Hughes and approved by a majority.

Lloyd Hughes made the motion to appoint Rick Anderson, Dick Norris, Lloyd Hughes, and Susan Feenick as the Board of Sewage Commissioners for FY2012. The motion was seconded by Susan Feenick and approved by a majority.

III. Selectboard Meeting Rules and Procedures Policy Annual Review

The Selectboard reviewed the policy. Dick Norris made the motion to readopt the policy as written. The motion was seconded by Lloyd Hughes and discussed. Dick Norris amended the motion to revise Article 3, Section 5 from “Town Administrator” to “Town Office”. The motion was seconded by Lloyd Hughes and approved by a majority.

IV. Good News

The good news items included:

- The first 6-week wellness challenge kick off was on March 14, 2011. All employees are participating.
- The inspection of the pool dock pilings was completed and the pilings were found to be structurally sound and capable of being reused.
- The Town received a grant from the Mortimer Proctor Fund for the cost of the new dock.

V. Review Meeting Minutes

Lloyd Hughes approved the February 28, 2011 Town Meeting minutes.

The Selectboard postponed approval of the February 21, 2011 meeting minutes due to lack of a quorum to take action on the minutes.

Lloyd Hughes made the motion to approve the March 9 and March 16, 2011 meeting minutes as written. The motion was seconded by Dick Norris and approved by a majority.

VI. Bill Dritschilo Resignation

The Selectboard opened and read aloud the resignation letter from Bill Dritschilo. Lloyd Hughes made the motion to accept with regret the resignation of Bill Dritschilo from the Proctor Selectboard and all other town positions. The motion was seconded by Susan Feenick and approved by a majority.

The Selectboard will accept letters of interest until 4:00 p.m. on Friday, March 25, 2011. Letters of interest should be sent to the Town Office, 45 Main Street, Proctor, VT 05765. The Selectboard has received four letters of interest to date and intends to make an appointment to fill the vacant seat on the Selectboard at their March 28, 2011 meeting.

VII. Open Public Comment

Ted Schaft: Schaft expressed his preference for Rutland County Sheriff’s Department’s surveillance of vacant properties in Town. Rick Anderson indicated the Sheriff’s Department does provide this service upon request from the property owner. Schaft also recommended the Selectboard explore alternative investment options for the Town reserve funds. Rick Anderson read aloud a February 22, 2011 letter from Ted Schaft to the Selectboard regarding his concerns about a meeting attendee’s treatment of a Selectboard member. The Selectboard took all of Schaft’s comments under advisement.

Tom Grace, Jr.: Grace questioned why the Selectboard did not put the engineering services for the pool dock project out to bid. Rick Anderson explained the plan for the dock removal/replacement and why the Selectboard chose to work with Kevin Smith on this project.

Carol Grace: Grace questioned why the Town continues to use the services of A1 when we own a sewer jetter. [This question was posed to Chief Operator, Todd Blow, later in the meeting and he provided an explanation for the types of services the Town performs with the sewer jetter and different types of services the Town contracts with A1 to perform.]

John Jozwiak: Jozwiak requested the Selectboard provide greater oversight of equipment maintenance. [This concern was posed to Road Commissioner, Brian Sanderson, later in the meeting. He confirmed all vehicles are being maintained according to manufacturer's specifications and he agreed to meet with Rick Anderson and John Jozwiak to review the maintenance schedules.]

Judy Taranovich: Rick Anderson read aloud a thank you letter from Judy Taranovich.

VIII. Invited Guests

Bob Coons, Zoning Administrator: Coons provided the Selectboard with a report of zoning permits issued in 2010.

IX. First Draft 2011 Work Projects Schedule

Brian Sanderson and Todd Blow presented the Selectboard with a first draft of the proposed schedule for completing the 2011 work projects previously approved by the Selectboard on January 10, 2011. The Selectboard will discuss the proposed schedule at their next meeting on March 28, 2011.

Susan Feenick questioned why the installation of the dry hydrant was not on the project schedule. Steffanie Bourque offered to contact Vincent Gatti about the status of the dry hydrant project.

X. 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 highlights/actions taken is provided here:
 - Itemized Vehicle Repair Expenditures: Sanderson provided the Selectboard with an itemization of the vehicle repair expenses for FY11.
 - Hazard Trees in Town ROW: The Selectboard urged Sanderson to begin the tree removal as soon as possible.
 - Sidewalk Plowing: Lloyd Hughes indicated there were several complaints after the last big snow storm about the sidewalks not being plowed in a timely manner. The Selectboard charged Sanderson with evaluating alternatives for the current sidewalk plowing equipment/plan.
- Crack Sealing Failure: Sanderson informed the Selectboard that the crack sealing work performed by the Gorman Group last year has already begun to fail. Sanderson notified the Gorman Group of the problems. The Gorman Group provided a written statement accepting responsibility for the defective work and agreeing to re-crack seal the roads this year at no cost to the Town.
- Route 3 Planning Meeting: The Selectboard requested Steffanie Bourque schedule a special meeting with Jim Hall and an Agency of Transportation representative to discuss the possibility of relinquishing local ownership of Route 3 to the State. The Selectboard discussed different options for addressing the condition of Route 3. No meeting with legislators is planned at this time.
- January 27, 2011 Loss Control Inspection Report: The Selectboard received the report and charged Brian Sanderson with working with the Transfer Station Foreman, George Finch, to prepare a response for the inspection items at the Transfer Station.
- Other Old/New Business: Helen Kabastura asked Sanderson why the Town has piled snow on her land. Sanderson explained the winter snow removal operations and that snow was piled within the Town right-of-way.

Susan Feenick noted there are lights on the bridge that need to be replaced.

XI. Board of Water and Sewage Commissioners Executive Session – Personnel

Lloyd Hughes made the motion at 7:55 p.m. to adjourn the meeting of the Selectboard and convene a meeting of the Board of Water and Board of Sewage Commissioners. The motion was seconded by Susan Feenick and approved by a majority. Lloyd Hughes made the motion at 7:55 p.m. to enter executive session to discuss personnel. The motion was seconded by Susan Feenick and approved by a majority. Lloyd Hughes made the motion at 8:30 p.m. to resume the public meeting. The motion was seconded by Susan Feenick and approved by a majority.

Rick Anderson made the motion to conditionally reappoint Todd Blow as Chief Operator [of the Water and Sewer Departments for FY2012] on a probationary status with the understanding that he must earn the confidence of the Water and Sewage Boards and the citizens of the Town or be discharged in the future at the pleasure of the Boards. The motion was seconded by Lloyd Hughes and approved by a majority.

The Boards cited the recent events in which the Chief Operator, during a period of incarceration, was unavailable to perform his duties and failed to notify the Chair or any other member of the Board or other Town official of his unavailability and also left a Town vehicle in his control inaccessible for use by an assistant operator as the basis for their conditional reappointment.

XII. Board of Water Commissioners

Lloyd Hughes made the motion at 8:35 p.m. to adjourn the joint meeting of the Board of Water and Board of Sewage Commissioners and convene the Board of Water Commissioners. The motion was seconded by Dick Norris and approved by a majority. 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/actions taken is provided here:
 - Source Protection Plans (SPP): Dick Norris made the motion to approve the 1) updated SPP for the Kiln Brook intake and existing Field Street well and 2) new SPP for the replacement Field Street well. The motion was seconded by Susan Feenick and approved by a majority.
 - DBE Effort by Casella Construction: Dick Norris made the motion to approve the efforts of Casella Construction to comply with the requirements of Disadvantage Business Enterprise solicitation for Contract 1. The motion was seconded by Lloyd Hughes and approved by a majority.
- Engineer's Report on Water System Improvements: Kevin Smith confirmed all permits are in place to award Contract 1. Smith reviewed the bids received for Contract 1, construction schedule, and the option for property owners to coordinate service line replacement, at their own cost. A public notice to the property owners in the work area was reviewed. The Board scheduled a special meeting on March 29, 2011 at 7:00 p.m. [location to be determined] to answer questions about the construction project and individual service line replacement.

Smith informed the Board the State has approved Addendum A to the Comprehensive Preliminary Engineering Study. He encouraged the Board to request the Rural Development Program complete the environmental review begun last year to achieve a Finding of No Significant Impact. Dick Norris made the motion to formally request the Rural Development complete the environmental review in order to obtain a Finding of No Significant Impact for our water system capital improvements. The motion was seconded by Lloyd Hughes and approved by a majority.

The Board presented Kevin Smith with a letter from Paul and Judy Risteff regarding the Bluff Street project. The Board charged Smith with preparing a summary of what was agreed to at the March 2, 2011 meeting with the Risteffs and a recommended response to their letter.

- Executive Session Litigation: Lloyd Hughes made the motion at 9:15 p.m. to enter executive session to discuss litigation. The motion was seconded by Dick Norris and approved by a majority. Dick Norris made the motion at 9:25 p.m. to resume the public meeting. The motion was seconded by Lloyd Hughes and approved by a majority.

The Board was informed of the Superior Court status conference scheduled for Tuesday, April 12, 2011 at 2:30 p.m. Rick Anderson will attend representing the Board.

- Other Old/New Business: There was no other old/new business discussed.

XIII. Board of Sewage Commissioners

Dick Norris made the motion at 9:30 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 approved by a majority.

- Chief Operator's Report: The Board reviewed and discussed the report submitted by Todd Blow. A summary of the report highlights/actions taken is provided here:
 - Reported Overflows: Blow confirmed we experienced sanitary sewer overflows on March 18-19. These events were reported to the State, as required by our Discharge Permit.
 - Main Break on Holden Avenue: Blow indicated there may be a sewer main break at the intersection of Holden and Park Street. The site will be excavated on March 22 to diagnose the problem.
- Other Old/New Business: The Board was informed of an invitation to receive "Effective Utility Management" consulting services, a program being sponsored by U.S. EPA Region 1. The Board agreed by consensus to participate in the program.

Lloyd Hughes made the motion at 9:35 p.m. to adjourn the meeting of the Board of Sewage Commissioners and resume the meeting of the Selectboard. The motion was seconded by Susan Feenick and approved by a majority.

XIV. Standing Committees

- Reports:
 - Parks and Recreation Committee (PRC): The Parks and Recreation Committee submitted their recommendation to hire Gretchen Crowley, Kevin Duggan, Connie Lenher, and Jody Sanderson as the Pool Directors for the 2011 season. Dick Norris made the motion to accept the recommendation of the Parks and Recreation Committee and hire Gretchen Crowley, Kevin Duggan, Connie Lenher, and Jody Sanderson as Pool Directors for the 2011 season. The motion was seconded by Susan Feenick and approved by a majority.

Lisa Miser distributed the draft request for proposals (RFP) for the replacement dock at the pool. She requested the Selectboard review the RFP and provide her with comments by COB on Friday, March 25, 2011 so the RFP can be finalized for approval on March 28, 2011. Miser also requested Lloyd Hughes inform the schools that the pool will not be open in time for Fun & Field Days this year.

XV. Additional Items Requiring Action from the Board

- FY12 Appointments: Dick Norris made the motion to appoint Brian Sanderson as the Road Commissioner for FY2012. The motion was seconded by Lloyd Hughes and approved by a majority.

Lloyd Hughes made the motion to appoint Jim Moore, Warren McCullough, and Ray Beyette to the Planning Commission for a four (4) year term. The motion was seconded by Susan Feenick and approved by a majority.

Lloyd Hughes made the motion to appoint Jim Boyle as the Assessor for FY2012. The motion was seconded by Dick Norris and approved by a majority.

Dick Norris made the motion to appoint Donald Russell as the Constable for FY2012. The motion was seconded by Lloyd Hughes and approved by a majority.

Lloyd Hughes made the motion to appoint Kevin Blongy as the Emergency Management Chair for FY2012. The motion was seconded by Dick Norris and approved by a majority.

Dick Norris made the motion to appoint Bob Coons as the Fence Viewer for FY2012. The motion was seconded by Susan Feenick and approved by a majority.

Susan Feenick made the motion to appoint Ray Beyette as the Insepctor of Lumber for FY2012. The motion was seconded by Dick Norris and approved by a majority.

Lloyd Hughes made the motion to appoint Ray Beyette as the Tree Warden for FY2012. The motion was seconded by Dick Norris and approved by a majority.

Dick Norris made the motion to appoint Audrey Tilden as the Weigher of Coal for FY2012. The motion was seconded by Lloyd Hughes and approved by a majority.

Lloyd Hughes made the motion to appoint Shannon Maass as the Town Representative to the Proctor Free Library Board of Trustees for a three (3) year term. The motion was seconded by Dick Norris and approved by a majority.

Dick Norris made a motion to appoint Susan Feenick as the Town Representative to the Regional Ambulance for the remaining year of Douglas Hastings three year term. The motion was seconded by Lloyd Hughes and approved by a majority.

Dick Norris made the motion to appoint Susan Feenick as the Town Representative to the Rutland County Solid Waste District and Ray Beyette as the Alternate for FY2012. The motion was seconded by Lloyd Hughes and approved by a majority.

Dick Norris made the motion to appoint Susan Feenick as the Town Representative to the Rutland Regional Planning Commission and Lloyd Hughes as the Alternate for FY2012. The motion was seconded by Lloyd Hughes and approved by a majority.

Dick Norris made the motion to appoint Jim Hall as the Town Representative to the Rutland Regional Transportation Advisory Council and Bruce Baccei as the Alternate for FY2012. The motion was seconded by Lloyd Hughes and approved by a majority.

Dick Norris made the motion to appoint Michael Knowles as the Town Service Office for FY2012. The motion was seconded by Lloyd Hughes and approved by a majority.

Lloyd Hughes made the motion to appoint Vincent Gatti as the 911 Coordinator for FY2012. The motion was seconded by Dick Norris and approved by a majority.

Lloyd Hughes made the motion to appoint Steffanie Bourque as the Water/Sewer Credit Supervisor for FY2012. The motion was seconded by Dick Norris and approved by a majority.

Remaining vacancies at this time include: Selectboard/Board of Water/Board of Sewage Commissioners, Health Officer, Youth League Committee, and Health & Safety Committee.

- FY11 February Budget Reports, including Overtime: Discussion of the reports was postponed until March 28.
- Revised Employee Benefits and Policies Handbook: Discussion of the handbook was postponed until March 28.
- 2011 Wellness Program Participation Goal: Discussion of the goal was postponed until March 28.
- 2011 Wellness Program Incentive Sharing Policy: Discussion of the policy was postponed until March 28.
- DRAFT Animal Control Ordinance Notice of Violation – Chicken Complaints: Discussion of the notice was postponed until March 28.
- CVPS–VMPD MOU Status Update: Discussion of the update was postponed until March 28.
- ZBA Conditional Use Hearing – March 23, 2011: The Selectboard received notice of the hearing.
- FY11 Employee Evaluations – Need to Schedule: Discussion of the evaluations was postponed until March 28.
- Other Old/New Business: There was no other old/new business discussed.
- Orders: The Selectboard reviewed the bills and signed the orders totaling \$635,608.39.

XVI. Executive Session – Contract Negotiations

Discussion of the contract negotiations was postponed until March 28.

XVII. Adjourn

Dick Norris made the motion at 10:10 p.m. to adjourn the March 21, 2011 meeting of the Selectboard. The motion was seconded by Lloyd Hughes and approved by a majority.

Action Items from December 14, 2009

Task	Responsible Party	Schedule	Status
Develop/update WW policies/procedures	T Blow		In progress

Outstanding Action Items from December 14, 2009

Task	Responsible Party	Schedule	Status
Obtain estimates for repairing front steps at Town Office	Hughes/Sanderson		In progress

Outstanding Action Items from November 9, 2009

Task	Responsible Party	Schedule	Status
Follow-up with Warren McCullough on road book project	L Hughes		
Update job descriptions	Anderson/Hughes	By Dec 31, 2009	In progress
Develop performance evaluation forms	Anderson/Hughes	By Dec 31, 2009	Road Commissioner, Chief Operator, and Town Administrator evaluation complete; hourly staff evaluations pending.

Outstanding Action Items from FY2006

Task	Responsible Party	Schedule	Status
Finalize Safety and Health Manual	Health Safety Com.	By Aug 06	Health & Safety Committee are finalizing