

Town of Proctor Selectboard Meeting
June 27, 2011
6:00 – 10:10 P.M.

Board Members Present

Rick Anderson, Chair
Susan Feenick
Vincent Gatti
Lloyd Hughes
Dick Norris

Employees Present

Todd Blow, Chief Operator
Steffanie Bourque, Town Administrator

Other Guests Present

Bruce Baccei, Parks and Rec Committee
Bob Coons, Zoning Administrator
Randy Dapron, Casella Waste Management
Abby Friedman, VLCT
Alan George, Esq.
Tom Grace, Jr.
Helen Kabastura
Leslie Muir
Ted Schaft
Kevin Smith, Marble Valley Engineering
Ella Taranovich
PEG-TV

Agreements/Approvals

- Majority approved the June 1, 2011 meeting minute as amended, with Lloyd Hughes and Susan Feenick abstaining from the vote because they were not at the meeting.
- Majority approved the June 13, 2011 meeting minutes as amended, with Dick Norris abstaining from the vote because he was not at the meeting.
- Majority approved the June 16, 2011 meeting minutes as written, with Dick Norris abstaining because he was not at the meeting.
- Majority approved the June 20, 2011 meeting minutes as amended, with Susan Feenick and Dick Norris abstaining from the vote because they were not at the meeting.
- Unanimously accepted and executed the contract for curbside collection of trash and recycling with Casella Waste Management as presented.
- Scheduled a special meeting for Friday, July 8, 2011 at 3:30 p.m. to further discuss the proposal from the Vermont League of Cities and Towns for assisting the Selectboard with the search for a new Town Administrator.
- Unanimously agreed to contract with the Vermont Department of Corrections for routine mowing, with the exception of the pool, for the 2011 season.
- Unanimously awarded the East Street sidewalk project to Gary Freeguard.
- Unanimously awarded the FY12 crack sealing project to Nicom at an estimated cost of \$7,350, contingent of proof of insurance and warranty statement.
- Unanimously agreed at 7:50 p.m. to enter executive session to discuss personnel.
- Unanimously agreed at 8:00 p.m. to resume the public meeting.
- Unanimously agreed to have Rick Anderson, Lloyd Hughes, and Todd Blow meet with Donald Des Pierre, Jr. on June 30, 2011 at 3:00 p.m. to make him an offer of employment with the Proctor Highway Department.
- Unanimously agreed at 8:05 p.m. to adjourn the meeting of the Selectboard and convene the Board of Water Commissioners.
- Unanimously agreed at 8:05 p.m. to enter executive session to discuss litigation and land acquisition.
- Unanimously agreed at 9:10 p.m. to resume the public meeting, adjourn the meeting of the Board of Water Commissioners and resume the meeting of the Selectboard.
- Scheduled a special meeting for Friday, July 1, 2011 at 3:00 p.m. to discuss litigation and land acquisition.
- Unanimously agreed at 9:10 p.m. to enter executive session to discuss litigation.

- Unanimously agreed at 9:25 p.m. to resume the public meeting, adjourn the meeting of the Selectboard and resume the meeting of the Board of Water Commissioners.
- Unanimously approved the 2010 Consumer Confidence Report contents.
- Unanimously approved and executed the water filter plant wastewater discharge permit renewal application.
- Unanimously approved and executed Contract 1 pay request #2 for \$49,569.63.
- Unanimously accepted the engineer's recommendation regarding the interim restoration of upper Olympus Road.
- Unanimously approved and executed the Wastewater Management Division permit application for connection of the sanitary facilities associated with Contract 3 to the municipal sewage collection system.
- Unanimously agreed to terminate the Proctor Water System distribution main at hydrant H2401 in Pittsford adjacent to the Taranovich properties on VT Route 3.
- Unanimously agreed at 9:50 p.m. to adjourn the meeting of the Board of Water Commissioners and convene the Board of Sewage Commissioners.
- Unanimously approved and executed the wastewater treatment facility discharge permit renewal application.
- Unanimously agreed at 9:55 p.m. to adjourn the meeting of the Board of Sewage Commissioners and resume the meeting of the Selectboard.
- Majority accepted the proposal from the Dock Doctors for the fabrication and installation of a 30-foot water access handrail at the Proctor Pool at a cost of \$2,490, with Susan Feenick opposing.
- Unanimously charged the Parks and Recreation Committee with completing an application to the Mortimer Proctor Trust Fund for the additional costs associated with the new dock.
- Unanimously agreed to post the job announcements for a Transfer Station Operator and Transfer Station Assistant as written.
- Unanimously approved and executed the FY12 contracts with the Rutland County Sheriff's Department for law enforcement and animal control services.
- Unanimously approved and executed the Broker of Record letter assigning Hickok & Boardman Group Benefits as the Town's Broker of Record, which allows them to place our medical insurance plans out to bid.
- Unanimously approved the request to earmark \$2,500 of the anticipated Listers Department Professional Services surplus for purchasing new mapping program software in FY12.
- Signed orders totaling \$91,949.19.
- Unanimously agreed at 10:10 p.m. to adjourn the June 27, 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. Good News

The good news items included:

- Proctor won the Pittsford Food Shelf food drive challenge against Pittsford. Thank you to everyone who donated during the challenge!
- The property survey for the West Mountain Municipal Forest is complete. Will present findings at July 11, 2011 meeting.
- The Army Corp of Engineers permit for the public water system capital improvements will be issued.
- We succeeded in grieving the portion of the wastewater treatment facility property that lies in Pittsford – the property is now tax exempt, resulting in a cost savings of approximately \$4,300 for the Wastewater Department.

III. Review Meeting Minutes

The June 1, 2011 meeting minutes were revised to reflect that it was a meeting of the Board of Water Commissioners and not a meeting of the Selectboard. Vincent Gatti made the motion to approve the June 1, 2011 meeting minutes as amended. The motion was seconded by Dick Norris and approved by a majority, with Lloyd Hughes and Susan Feenick abstaining from the vote because they were not at the meeting.

The June 13, 2011 meeting minutes were revised to reflect the discussion and motion regarding routine mowing occurred during the Additional Items section of the meeting and not during the Highway Department section of the meeting. Susan Feenick made the motion to approve the June 13, 2011 meeting minutes from 6:00 p.m. – 6:55 p.m. as amended. Lloyd Hughes made the motion to approve the June 13, 2011 meeting minutes from 8:10 p.m. – 10:35 p.m. as amended. Both motions were seconded by Vincent Gatti and approved by a majority, with Dick Norris abstaining from the vote because he was not at the meeting.

Susan Feenick made the motion to approve the June 16, 2011 meeting minutes as written. The motion was seconded by Lloyd Hughes and approved by a majority, with Dick Norris abstaining because he was not at the meeting.

The June 20, 2011 meeting minutes were revised to reflect the executive session was for personnel, not litigation. Vincent Gatti made the motion to approve the June 20, 2011 meeting minutes as amended. The motion was seconded by Lloyd Hughes and approved by a majority, with Susan Feenick and Dick Norris abstaining from the vote because they were not at the meeting.

IV. Invited Guests

Randy Dapron, Casella Waste Management: Dapron presented the final contract for curbside collection of trash and recycling. Dick Norris made the motion to accept and execute the contract as presented. The motion was seconded by Vincent Gatti and unanimously approved.

Abigail Freidman, Vermont League of Cities and Towns: Friedman presented a proposal for assisting the Selectboard with the search for a new Town Administrator. The Selectboard scheduled a special meeting for Friday, July 8, 2011 at 3:30 p.m. to further discuss the proposal.

Bob Coons, Zoning Administrator: Coons raised concerns about the Selectboard discussing zoning matters at their meetings. He respectfully requested all zoning matters be referred to him as the Zoning Administrator to respond to. The Selectboard agreed.

V. Open Public Comment

Leslie Muir & Ella Taranovich: Muir and Taranovich presented complaints about the chickens on North Street. Steffanie Bourque advised Muir and Taranovich about available local regulations to address roaming issues and state regulations to address manure management practices. She will furnish Muir with contact information for Wendy Anderson, Chief of the Enforcement Section of the Agricultural Resource Management Division. Bourque also explained the difficulty with regulating odor complaints.

Ted Schaft: Schaft asked for clarification on the prior meeting's good news report on the VMPD-CVPS sale. He also encouraged the Selectboard to look into the Agency of Transportation's Transportation Enhancement grant program.

VI. Highway Department

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

- Interim Road Commissioner's Report: The Selectboard reviewed and discussed the report submitted by Todd Blow. A summary of the report highlights/actions taken is provided here:
 - Roadside Mowing: The Selectboard requested the bank at the 5-corners intersection be mowed as twice a year along with other roadside mowing.
- Mowing Service Contract from Corrections Department: Vincent Gatti made the motion to contract with the Vermont Department of Corrections for routine mowing, with the exception of the pool, for the 2011 season. The motion was seconded by Dick Norris and unanimously approved.
- East Street Sidewalk Project Bid Award: Susan Feenick made the motion to award the East Street sidewalk project to Gary Freeguard. The motion was seconded by Vincent Gatti and unanimously approved. The contract is for \$17,160.
- Crack Sealing Bid Award: Dick Norris made the motion to award the FY12 crack sealing project to Nicom at an estimated cost of \$7,350, contingent of proof of insurance and warranty statement. The motion was seconded by Vincent Gatti and unanimously approved.
- Date of Public Meeting for TE Grant Application: The Selectboard discussed the grant application and did not schedule at public meeting at this time.
- Municipal Park-and Ride Grant Program: The Selectboard was notified of the grant opportunity.
- Executive Session – Personnel: Vincent Gatti made the motion at 7:50 p.m. to enter executive session to discuss personnel. The motion was seconded by Lloyd Hughes and unanimously approved. Vincent Gatti made the motion at 8:00 p.m. to resume the public meeting. The motion was seconded by Dick Norris and unanimously approved.

Lloyd Hughes made the motion to have Rick Anderson, Lloyd Hughes, and Todd Blow meet with Donald Des Pierre, Jr. on June 30, 2011 at 3:00 p.m. to make him an offer of employment with the Proctor Highway Department. The motion was seconded by Susan Feenick and unanimously approved.

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

VII. Board of Water Commissioners

Dick Norris made the motion at 8:05 p.m. to adjourn the meeting of the Selectboard and convene the Board of Water Commissioners. The motion was seconded by Vincent Gatti and unanimously approved.

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

- Executive Session – Litigation and Land Acquisition: Lloyd Hughes made the motion at 8:05 p.m. to enter executive session to discuss litigation and land acquisition. The motion was seconded by Vincent Gatti and unanimously approved. Dick Norris made the motion at 9:10 p.m. to resume the public meeting, adjourn the meeting of the Board of Water Commissioners and resume the meeting of the Selectboard. The motion was seconded by Vincent Gatti and unanimously approved.

A special meeting to discuss litigation and land acquisition was scheduled for Friday, July 1, 2011 at 3:00 p.m.

VIII. Executive Session – Litigation

Vincent Gatti made the motion at 9:10 p.m. to enter executive session to discuss litigation. The motion was seconded by Lloyd Hughes and unanimously approved. Susan Feenick made the motion at 9:25 p.m. to resume the public meeting, adjourn the meeting of the Selectboard and resume the meeting of the Board of Water Commissioners. The motion was seconded by Lloyd Hughes and unanimously approved.

IX. Board of Water Commissioners (cont.)

- 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:
 - 2010 Consumer Confidence Report: Vincent Gatti made the motion to approve the 2010 Consumer Confidence Report contents. The motion was seconded by Dick Norris and unanimously approved.
 - Water Filter Plant Wastewater Discharge Permit Renewal Application: Dick Norris made the motion to approve and execute the permit renewal application. The motion was seconded by Lloyd Hughes and unanimously approved.
 - Cain Street Standby Generator: Landowner concurrence has been received. Will proceed with purchase and installation of generator.
 - Contract 1 East Side Distribution System Improvements:
 - The Board received a copy of the minutes from the June 6, 2011 construction meeting.
 - Lloyd Hughes made the motion to approve and execute pay request #2 for \$49,569.63. The motion was seconded by Dick Norris and unanimously approved.
 - Kevin Smith presented options for restoration of upper Olympus Road and recommended the Board opt for an aggregate surface with geotextile and postpone paving until Contract 4. This option will require road closure during the winter. In the engineer's opinion, this is the best technical option as well as the lowest cost option at an estimated \$23,151. Vincent Gatti made the motion accept the engineer's recommendation regarding the interim restoration of upper Olympus Road. The motion was seconded by Susan Feenick and unanimously approved.
 - Contract 3 Field Street Well Enhancements:
 - The Water Supply Division has provided comments on the final design/permit to construct submittal. Both the engineer and chief operator have responded to Division comments.
 - Issuance of the Army Corp of Engineers permit is imminent.
 - Kevin Smith presented Wastewater Management Division permit application for connection of the sanitary facilities associated with the project to the municipal sewage collection system. Vincent Gatti made the motion to approve and execute the permit application. The motion was seconded by Dick Norris and unanimously approved.
 - Kevin Smith will attend the July 5, 2011 Proctor Planning Commission meeting to address local permitting for the project.
 - Income Survey: The second issuance of the income survey will occur by July 1, 2011 with responses due by July 15, 2011.
 - Outer District: Vincent Gatti made the motion to terminate the Proctor Water System distribution main at hydrant H2401 in Pittsford adjacent to the Taranovich properties on VT Route 3. The motion was seconded by Lloyd Hughes and unanimously approved. [This motion is a re-statement of that made on May 9, 2011, which was then rescinded on June 13, 2011.]
- Other Old/New Business: There was no other old/new business discussed.

X. Board of Sewage Commissioners

Dick Norris made the motion at 9:50 p.m. to adjourn the meeting of the Board of Water Commissioners and convene the Board of Sewage Commissioners. The motion was seconded by Vincent Gatti and unanimously.

- 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:
 - Wastewater Treatment Facility Wastewater Discharge Permit Renewal Application: Vincent Gatti made the motion to approve and execute the permit renewal application. The motion was seconded by Lloyd Hughes and unanimously approved.
- Other Old/New Business: There was no other old/new business discussed.

Lloyd Hughes made the motion at 9:55 p.m. to adjourn the meeting of the Board of Sewage Commissioners and resume the meeting of the Selectboard. The motion was seconded by Vincent Gatti and unanimously approved.

XI. Standing Committees

- Reports:
 - *Parks and Recreation Committee (PRC):* Bruce Baccei reported the dock will be installed on June 30, 2011. The pool will be closed on this day. Baccei presented a revised proposal for installation of a handicap railing into the water at the pool. The proposal from the Dock Doctors was for the fabrication and installation of a 30-foot water access handrail at a cost of \$2,490. Vincent Gatti made the motion to accept the proposal. The motion was seconded by Lloyd Hughes and approved by a majority, with Susan Feenick opposing because she stated the handrail should be put out to bid separately from the dock installation.
- Charges: Vincent Gatti made the motion to charge the Parks and Recreation Committee with completing an application to the Mortimer Proctor Trust Fund for the additional costs associated with the new dock. The motion was seconded by Susan Feenick and unanimously approved. Lloyd Hughes will attend the presentation before the MRP Committee.

XII. Additional Items Requiring Action from the Board

- E-Waste Ban Effective July 1, 2011: The Selectboard confirmed their former decision not to accept any electronics for disposal at the Proctor Transfer Station effective July 1, 2011. Modifications will be made to signage at the Transfer Station and attendants educated on how to advise residents regarding disposal of electronic devices.
- Transfer Station Job Announcements: Vincent Gatti made the motion to post the job announcements for a Transfer Station Operator and Transfer Station Assistant as written. The motion was seconded by Dick Norris and unanimously approved. The job announcements will be posted around town and on the municipal website at www.proctorvermont.com.
- Rutland County Sheriff's Department FY12 Service Contracts: Lloyd Hughes made the motion to approve and execute the FY12 contracts with the Rutland County Sheriff's Department for law enforcement and animal control services. The motion was seconded by Dick Norris and unanimously approved.
- Health Insurance Changes: The Selectboard was informed of the new Carrier Choice program for health insurance through the Vermont League of Cities and Towns Health Trust effective January 1, 2012. The Health Trust has partnered with Hickok & Boardman Group Benefits (HBGB) to provide carrier choice to the membership. Dick Norris made the motion to approve and execute the Broker of Record letter assigning HBGB as the Town's Broker of Record, which allows them to place our medical insurance plans out to bid. The motion was seconded by Vincent Gatti and unanimously approved.
- Request to Utilize FY11 Listers Surplus to Fund Mapping Program Purchase in FY12: Susan Feenick made the motion to approve the request to earmark \$2,500 of the anticipated Professional Services surplus for purchasing new mapping program software in FY12. The motion was seconded by Vincent Gatti and unanimously approved.
- Other Old/New Business: There was no other old/new business discussed.
- Orders: The Selectboard reviewed and signed orders totaling \$91,949.19.

XIII. Adjourn

Lloyd Hughes made the motion at 10:10 p.m. to adjourn the June 27, 2011 meeting of the Selectboard. The motion was seconded by Vincent Gatti and unanimously approved.