

Town of Proctor Selectboard Meeting
June 28, 2010
6:00 – 9:50 P.M.

Board Members Present

Rick Anderson, Chair
Bill Dritschilo
Susan Feenick
Lloyd Hughes (7:00 p.m.)
Dick Norris

Other Guests Present

Warren McCullough
James Gray
Carol Grace
Lisa Miser
John Jozwiak
PEG-TV

Employees Present

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

Agreements/Approvals

- Majority approved the June 14, 2010 meeting minutes as written [Susan Feenick abstained and Lloyd Hughes was not present].
- Majority agreed, based on the legal opinion received, to proceed with cutting the hazard tree within the town highway right-of-way at 25 Park Street and to notify the homeowner of the board's decision [Susan Feenick opposed and Lloyd Hughes was not present].
- Majority approved carryover of \$1,500 in the Planning Commission budget from FY10 to FY11 to be used for updating the Town Plan [Lloyd Hughes was not present].
- Majority agreed to support the proposed process for updating the Town Plan and commit to funding the effort if grant funds are not awarded [Lloyd Hughes was not present].
- Majority approved Omya's request to post a sign on the existing sign post at the Route 3/Main Street intersection directing traffic along Route 3 to Omya's Florence facility [Lloyd Hughes was not present].
- Unanimously agreed at 7:00 p.m. to adjourn the meeting of the Selectboard and convene the Board of Water Commissioners.
- Unanimously authorized transfer of \$98,822.20 from the Water Sinking Fund to reimburse the General Fund for capital project-related expenses incurred in FY10.
- Unanimously agreed at 7:45 p.m. to adjourn the meeting of the Board of Water Commissioners and convene the Board of Sewage Commissioners.
- Unanimously agreed to respectfully decline the \$7,714,80 offer presented by Art Saceric for the town to purchase the private sewer main on Center Street.
- Unanimously agreed to offer Art Saceric and Elise Valach \$2,000 for the infrastructure.
- Unanimously authorized transfer of \$36,933.40 from the Wastewater Sinking Fund to reimburse the General Fund for capital project-related expenses incurred in FY10.
- Unanimously increased the Parks and Recreation Committee to seven (7) members and appointed Jody Sanderson and RJ Elrick to the committee as representatives of the Pool Directors and Rink Directors, respectively.
- Unanimously accepted the resignation of John Feenick from the Finance Committee with regret.
- Unanimously awarded the FY2011 regional contracts for #2 heating oil, propane, and diesel fuel to Johnson Energy, Proctor Gas, and Pyrofax, respectively.
- Unanimously agreed to maintain separate contracts for law enforcement and animal control services through the Rutland County Sheriff's Department.
- Unanimously accepted the FY2011 law enforcement and animal control service contracts with the Rutland County Sheriff's Department and appointed Bill Dritschilo to serve as the Town's designee.

- Unanimously agreed to proceed with the Transportation Enhancements grant application for the Proctor West Side Rail Trail and East Side Connector Feasibility Study.
- Unanimously adopted the Controlled Substance and Alcohol Testing Policy for Employees with a Commercial Drivers License.
- Unanimously approved the updated Drug and Alcohol-Free Workplace Policy.
- Unanimously approved the request to use Proctor Town roadways and streets for the 35th Annual Crowley Brothers' Memorial 5K, 10K, and half-marathon Road Races in 2011.
- Signed the orders totaling \$50,474.91.
- Unanimously agreed 9:10 p.m. to enter executive session to discuss personnel matters. Unanimously agreed 9:40 p.m. to resume the public meeting.
- Majority agreed to extend the option for George Finch to continue his employment as the town's Transfer Station foreman, if he accepts the early retirement plan [Susan Feenick opposed].
- Majority agreed at 9:45 p.m. to re-enter executive session to discuss personnel matters [Bill Dritschilo opposed]. Unanimously agreed at 9:50 p.m. to resume the public meeting.
- Unanimously agreed at 9:50 p.m. to adjourn the June 28, 2010 meeting of the Proctor Selectboard.

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

Dick Norris made the motion to approve the June 14, 2010 meeting minutes as written. The motion was seconded by Bill Dritschilo and approved by a majority, with Susan Feenick abstaining because she did not attend the June 14, 2010 meeting [Lloyd Hughes was not present].

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. A summary of the report highlights is provided here:
 - **Market Street Rehab Project:** Due to possible complications with the future water main replacement project planned on Market Street, the road rehab project has been postponed.
 - **Thanks to Omya:** Brian Sanderson thanked Omya for allowing the town to use the former tennis courts on North Street as a material staging area for the 2010 construction projects.
 - **2010 Work Projects Crew Meeting:** The meeting is scheduled for July 1, 2010. Rick Anderson and Lloyd Hughes will attend as representatives of the Selectboard.
 - **Electrical Work at Rink Building:** John Carroll has completed the installation of an electrical outlet at the rink building.
 - **Costs for Relocating Computer to Town Garage:** The Selectboard agreed that the benefits of relocating the computer to the Town Garage are not worth the additional monthly costs for internet service at the garage.
 - **Guidance on Brush Pile at Transfer Station:** Steffanie Bourque will contact the Rutland County Solid Waste District and Dick Norris will meeting with John Jozwiak for recommendations regarding the brush pile.
- **Response Regarding Hazard Tree Liability:** The Selectboard reviewed the legal opinion regarding reassigning liability for damages resulting from a hazard tree within the town highway right-of-way. Bill Dritschilo made the motion, based on the legal opinion, to proceed with cutting the hazard tree within the town highway right-of-way at 25 Park Street and to notify the homeowner of the board's decision. The motion was seconded by Dick Norris and approved by a majority, with Susan Feenick opposing [Lloyd Hughes was not present].

- Other Old/New Business: Susan Feenick addressed the following other matters in the Highway Department:
 - Preparing Transfer Station for New Fiscal Year: Feenick requested all appliances and tires be removed from the transfer station so we start the 2011 fiscal year on July 1, 2010 with a clean facility. Sanderson indicated he would complete this.
 - Brush Along Otter Creek: Feenick advised that the brush that was left along the banks of the Otter Creek on Gorham Bridge Road needs to be removed and will furnish information regarding the laws governing river management to Rick Anderson. Sanderson indicated he would have the remaining brush from the fallen tree limb removed.
 - Status of Foley Uniform Contract: Information on the cost implications of breaking the uniform contract with Foley will be submitted at the July 12, 2010 meeting.
 - Request to Cut Tree at Brenda Cook's: Feenick requested this tree be cut sooner in the schedule. Rick Anderson suggested that more investigation may be needed regarding this tree. Sanderson agreed to look into the possibilities.

IV. Open Public Comment

Warren McCullough: McCullough asked about the status of the manhole repair on Olympus Road. The Selectboard informed him that it is on the 2010 work plan.

Carol Grace: Grace asked if the Selectboard intends to eliminate one position in the Highway Department and follow through on having a Town employee work at the Transfer Station on a Tuesday through Saturday work week. The Selectboard affirmed that one position will be eliminated in the Highway Department and that a town employee will be operating the Transfer Station.

She advised of a possible water system leak off West Street by Larry Lane. She also requested that property owners on North Street be notified before the water main replacement project begins.

Lisa Miser: Miser requested the Selectboard approve carryover of \$1,500 in the Planning Commission budget from FY10 to FY11. The funds will go towards the expense of updating the Town Plan. Dick Norris made the motion to approve carryover of \$1,500 in the Planning Commission budget from FY10 to FY11 to be used for updating the Town Plan. The motion was seconded by Susan Feenick and approved by a majority [Lloyd Hughes was not present].

Miser also updated the Selectboard on the status of the Mortimer Proctor Trust grant application to update the Town Plan. She proposed a process for updating the plan that includes a community fair to solicit input from the public. Susan Feenick made the motion to support the proposed process for updating the Town Plan and commit to funding the effort if grant funds are not awarded. The motion was seconded by Dick Norris and approved by a majority [Lloyd Hughes was not present].

John Jozwiak: Jozwiak asked for clarification on the dry hydrant grant sought by the Fire Department. He questioned why the town is not receiving more grants in general and expressed concern about the number of executive sessions the board has.

V. Invited Guests

There were no invited guests. Michael Laurent, of Omya, was scheduled, but unable to attend. Despite his absence, the Selectboard considered Omya's traffic sign proposal to address truck traffic to Omya's Florence facility. Susan Feenick made the motion to approve Omya's request to post a sign on the existing sign post at the Route 3/Main Street intersection directing traffic along Route 3 to Omya's Florence facility. The motion was seconded by Dick Norris and approved by a majority [Lloyd Hughes was not present]. Feenick also requested that Robin Schaner be informed of this action to address truck traffic on Florence Road.

VI. Board of Water Commissioners

Bill Dritschilo made the motion at 7:00 p.m. to adjourn the meeting of the Selectboard and convene the Board of Water Commissioners. The motion was seconded by Dick Norris 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:
 - North Street Main Replacement: Susan Feenick requested Blow consult Warren McCullough regarding the location of the marble box culvert on North Street. Blow agreed.
 - Existing Well Repairs: Blow indicated there have been some complications with re-assembling the well pump to the casing and the controls have failed. He advised that a special/emergency meeting may be needed this week to make a decision on how to proceed with the controls.
 - July 15, 2010 Public Meeting: The Board agreed to cancel the July 8, 2010 special meeting to finalize the presentation for the July 15, 2010 public meeting because of a scheduling conflict. The Board agreed to have the Steffanie Bourque work with Rick Anderson, the town attorney, and the town engineer to finalize the presentation. The presentation will be available for the Board's consideration at the July 12, 2010 regular meeting. Rick Anderson will meet with the Pittsford Town Manager before the July 15, 2010 meeting to inform them of the presentation content.
- Sinking Fund Transfers: Dick Norris made the motion to authorize transfer of \$98,822.20 from the Water Sinking Fund to reimburse the General Fund for capital project-related expenses incurred in FY10. The motion was seconded by Bill Dritschilo and unanimously approved.
- Other Old/New Business: Rick Anderson tasked Todd Blow with evaluating the possible leak on West Street by Larry Lane. Susan Feenick addressed the following other matters in the Water Department:
 - Status of Painting Hydrants: Blow indicated the individual with community service hours never followed-up and that hydrants will be painted as a routine maintenance task when the work schedule permits.
 - Status of Buried Valves: Blow indicated the valves will be addressed in preparation for the East Side Distribution System pipe replacement, if not before as a routine maintenance task when the work schedule permits.
 - Employee Job Logs: Blow indicated daily job logs are available for inspection.
 - Clarification on West Tank Turnover: Blow explained how the tank is turned over during routine flushing operations and how this differs from how the tank will turn over once the capital improvements are complete.

VII. Board of Sewage Commissioners

Bill Dritschilo made the motion at 7:45 p.m. to adjourn the meeting of the Board of Water Commissioners and convene the Board of Sewage 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 is provided here:
 - Cost Estimate for Private Main on Center Street: The Board considered the cost estimate of \$7,714.80 proposed by Art Saceric to assume municipal ownership of the private sewer main on Center Street. Blow recommended the Board decline this offer and suggested a reasonable price for the infrastructure would be \$2,000 because of the benefits to the homeowners of municipal ownership. Dick Norris made the motion to respectfully decline the \$7,714.80 offer presented by Art Saceric for the town to purchase the private sewer main on Center Street. The motion was seconded by Susan Feenick and unanimously approved. Bill Dritschilo made the motion to offer Art Saceric and Elise Valach \$2,000 for the infrastructure. The motion was seconded by Dick Norris and unanimously approved.

- Sinking Fund Transfers: Dick Norris made the motion to authorize transfer of \$36,933.40 from the Wastewater Sinking Fund to reimburse the General Fund for capital project-related expenses incurred in FY10. The motion was seconded by Bill Dritschilo and unanimously approved.
- Other Old/New Business: Susan Feenick requested Todd Blow consider constructing a canopy over the headworks at the wastewater treatment facility to aid in drying out the debris collected from the inlet structure. Blow agreed to develop a cost estimate for the Board's consideration.

VIII. Standing Committees

- Reports:
 - *Parks and Recreation Committee*: No report.
 - *Finance Committee*: Bill Dritschilo expressed concern about the committee no longer having a quorum to conduct business.
- Appointments: Dick Norris made the motion to increase the Parks and Recreation Committee to six (6) members and appoint Jody Sanderson and RJ Elrick to the committee as representatives of the Pool Directors and Rink Directors, respectively. The motion was seconded by Lloyd Hughes. Upon discussion, the motion was amended to increase the Parks and Recreation Committee to seven (7) members. The motion was unanimously approved. The Selectboard requested that Sanderson and Elrick be notified of the town's conflict of interest policy given they both hold paid positions in the recreation programs.
- Resignations: Lloyd Hughes made the motion to accept the resignation of John Feenick from the Finance Committee with regret. The motion was seconded by Bill Dritschilo and unanimously approved.

IX. Additional Items Requiring Action from the Board

- Award FY2011 Fuel Contracts: Dick Norris made the motion to award the FY2011 regional contracts for #2 heating oil, propane, and diesel fuel to Johnson Energy, Proctor Gas, and Pyrofax, respectively. The motion was seconded by Bill Dritschilo and unanimously approved. The Selectboard thanked Steffanie Bourque for her efforts coordinating the bid process with West Rutland, Pittsford, and Rutland Town.
- FY2011 Rutland County Sheriff's Department Contracts: Dick Norris made the motion to maintain separate contracts for law enforcement and animal control services through the Rutland County Sheriff's Department. The motion was seconded by Susan Feenick and unanimously approved. Lloyd Hughes made the motion to accept the FY2011 law enforcement and animal control service contracts with the Rutland County Sheriff's Department and appoint Bill Dritschilo to serve as the Town's designee. The motion was seconded by Dick Norris and unanimously approved.
- Update on Transportation Enhancements Program Grant Application: Bill Dritschilo updated the Selectboard on the grant application for the Proctor West Side Rail Trail and East Side Connector Feasibility Study. He informed them of the grant 20% match requirement, with 10% being cash. He estimates the feasibility study will cost \$15,000-\$20,000. The application must include documentation of a public meeting held concerning the project and the application. The Selectboard agreed to hold the public meeting on July 26, 2010 at 5:30 p.m. Bill Dritschilo made the motion to proceed with the grant application for the Proctor West Side Rail Trail and East Side Connector Feasibility Study. The motion was seconded by Susan Feenick and unanimously approved.
- Update on VT Community Development Program Grant Application: Steffanie Bourque updated the Selectboard on the grant application for the 5-corners conceptual redevelopment plan. The grant program requires a clean environmental assessment and a duly adopted and approved Town Plan. The first step in the application process is to utilize the Rutland Regional Planning Commission's brownfields grant program to complete a Phase I environmental assessment. Bourque will work with the Rutland Economic Development Corporation to complete a draft of the pre-application for the

Selectboard and Planning Commission to approve. The target application submission date is mid-February 2011.

- Draft Drug and Alcohol Testing Policy for Employees with CDL: The Selectboard discussed the draft policy. Susan Feenick made a motion to require all public works employees to carry a commercial drivers license. The motion failed for lack of a second. Susan Feenick made the motion to adopt the Controlled Substance and Alcohol Testing Policy for Employees with a Commercial Drivers License. The motion was seconded by Lloyd Hughes and unanimously approved.
- Revised Drug and Alcohol-Free Workplace Policy: Bill Dritschilo made the motion to approve the updated Drug and Alcohol-Free Workplace Policy. The motion was seconded by Lloyd Hughes and unanimously approved.
- 2011 Crowley Brothers' Road Race Request: Susan Feenick made the motion to approve the request to use Proctor Town roadways and streets for the 35th Annual Crowley Brothers' Memorial 5K, 10K, and half-marathon Road Races in 2011. The motion was seconded by Dick Norris and unanimously approved.
- Orders: The Selectboard reviewed the bills and signed the orders totaling \$50,474.91.
- Other Old/New Business: Steffanie Bourque informed the Selectboard of the energy audit to be conducted at the Town Office building on July 2, 2010. Bourque also reminded the Selectboard of the loss control inspections of all recreation facilities scheduled for July 1, 2010.

Susan Feenick requested the Selectboard address at an upcoming regular meeting or special meeting a plan for the Transfer Station and utilizing the Field Street Well as soon as possible. Bourque indicated the analysis for the Transfer Station should be available at the July 26, 2010 meeting.

X. Executive Session – Personnel

Susan Feenick made the motion at 9:10 p.m. to enter executive session to discuss personnel matters. The motion was seconded by Bill Dritschilo and unanimously approved. Bill Dritschilo made the motion at 9:40 p.m. to resume the public meeting. The motion was seconded by Dick Norris and unanimously approved.

The Selectboard has offered George Finch an early retirement plan for his seven (7) years of service as a municipal employee in the Highway Department. Dick Norris made the motion to extend the option for Finch to continue his employment as the town's Transfer Station foreman, if he accepts the early retirement plan. The motion was seconded by Bill Dritschilo and approved by a majority, with Susan Feenick opposing.

The Selectboard confirmed the evaluations of all public works department hourly employees are complete and ready to be presented to the employees.

Susan Feenick made the motion at 9:45 p.m. to re-enter executive session to discuss personnel matters. The motion was seconded by Lloyd Hughes and approved by a majority, with Bill Dritschilo opposing. Dick Norris made the motion at 9:50 p.m. to resume the public meeting. The motion was seconded by Lloyd Hughes and unanimously approved.

No action was taken.

XI. Adjourn

Lloyd Hughes made the motion at 9:50 p.m. to adjourn the June 28, 2010 meeting of the Proctor Selectboard. The motion was seconded by Susan Feenick and unanimously approved.