

Town of Proctor Selectboard Meeting
July 12, 2010
6:00 – 9:20 P.M.

Board Members Present

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

Other Guests Present

Pamela Conway
John Jozwiak
Roger May
Warren McCullough
Kevin Smith, Marble Valley Engineering
PEG-TV

Employees Present

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

Agreements/Approvals

- Unanimously approved the June 28, 2010 meeting minutes as written.
- Unanimously awarded the FY2011 paving project to John Jozwiak at the low bid of \$5,982.00.
- Unanimously agreed to use the roadside mower to mow at the Skating Rink once a month.
- Unanimously authorized purchase of 16-inch cut off saw from Pittsford Small Engine at a cost of \$1,763.25.
- Unanimously agreed at 7:15 p.m. to adjourn the meeting of the Selectboard and convene the Board of Water Commissioners.
- Unanimously authorized Todd Blow to obtain material estimates from Ferguson and Vellano and purchase materials from the lowest bidder.
- Special meeting scheduled for Tuesday, July 20, 2010 at 1:00 p.m. at the Town Office to review the draft revisions to the Comprehensive Preliminary Engineering Study, draft Environmental Assessment, final project scope and associated cost estimates and estimated bond funding/user costs, and review the cost estimate for replacing the controls at the back-up well.
- Unanimously agreed at 7:20 p.m. to enter executive session to discuss matters involving potential litigation. Unanimously agreed at 7:55 p.m. to resume the public meeting.
- Unanimously agreed at 8:15 p.m. to adjourn the meeting of the Board of Water Commissioners and convene the Board of Sewage Commissioners.
- Unanimously agreed at 8:15 p.m. to adjourn the meeting of the Board of Sewage Commissioners and resume the meeting of the Selectboard.
- Unanimously charged Parks and Recreation Committee with developing a use policy for the Pool.
- Unanimously agreed to continue the uniform contract with Foley Distributing for FY2011 and request a reduction in fees given the budget constraints.
- Unanimously adopted the Communicable Disease Policy and Exposure Control Plan.
- Unanimously adopted the updated sexual harassment and new general harassment policies.
- Unanimously appointed Bill Dritschilo as the Selectboard liaison to the Planning Commission.
- Unanimously approved the request from Tammy Hance to use the Main Street Park gazebo for a wedding ceremony on August 28, 2010, with approval contingent of proof of liability coverage.
- Signed the orders totaling \$138,776.21.
- Unanimously agreed at 9:10 p.m. to adjourn the July 12, 2010 meeting of the Selectboard and convene the Board of Liquor Control Commissioners.
- Unanimously approved the Second Class Liquor License Application for the Proctor General Store.
- Unanimously agreed at 9:20 p.m. to adjourn.

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 28, 2010 meeting minutes as written. The motion was seconded by Susan Feenick and unanimously approved.

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. No action was taken.
- FY2011 Paving and Crack Sealing Bids: Sealed bids were opened and read aloud. A bid summary is presented below.

Company Name	FY2011-2 (Route 3/South Street) Bid Amount
John Jozwiak	\$ 5,982.00
Pike Industries	\$ 7,260.00
Wilk Paving, Inc.	\$10,500.00

The apparent low bidder was John Jozwiak at \$5,982.00. Dick Norris made the motion to award the FY2011 paving project to John Jozwiak at the low bid of \$5,982.00. The motion was seconded by Susan Feenick and unanimously approved.

There were no bids received for the crack sealing projects. The Selectboard directed Brian Sanderson to solicit three (3) quotes for the crack sealing projects. Warren McCullough commented that he did not recommend crack sealing as a cost effective road surface treatment. The Selectboard took his remarks under advisement.

- Property Survey of 20 Reynolds Street (Town Garage): The Selectboard was informed that the property survey is complete. There were no questions. The survey will be used to proceed with installing a wood shed at the Town Garage. Brian Sanderson will confirm with the zoning administrator any necessary zoning requirements.
- Guidance Regarding Transfer Station Brush Pile: Options available for addressing the brush pile include burning or chipping the brush. Burning is the preferred method for dealing with the brush. Dick Norris noted that John Jozwiak has been very helpful in recommending options for the brush pile and he will continue to work with Jozwiak to develop a cost estimate for burning the brush. Steffanie Bourque will clarify where the brush can be burned.
- Notice Regarding Safe Routes to School Grant Application: The Selectboard received notice that the Safe Routes to School grant application for \$104,400 for a feasibility study and sidewalk improvements was not funded. Reasons for the grant committee's decision were noted in the letter from the program coordinator. A significant factor was the lack of a viable Proctor SRTS Committee. Lloyd Hughes indicated he will continue to encourage the Proctor Elementary School to re-establish the SRTS Committee.
- Review Mowing Plan: Review of the mowing plan was precipitated by a complaint from Roger May regarding the Skating Rink property. Rick Anderson provided an account of how the Selectboard worked with the Public Works Committee and Road Commissioner to develop the 2010 Mowing Plan, which called for weed wacking at the Skating Rink twice a year. May expressed his concerns about poison ivy and ticks as a result of the area not being mowed more frequently. Dick Norris made a motion to use the roadside mower to mow at the Skating Rink once a month. The motion was seconded by Susan Feenick and unanimously approved. The first mowing will be done as soon as the

Highway Department work schedule permits. Brian Sanderson will also re-evaluate the mowing frequency of the Route 3/old Route 3 intersection.

- **Other Old/New Business:** Various other matters were discussed. A summary is provided here:
 - **Cut off Saw Purchase:** Brian Sanderson presented two (2) quotes for a new 16-inch cut off saw and requested authorization from the Selectboard to purchase the saw from the low bidder. The saw is a budgeted purchase in FY11, with expense to be shared between the Water, Wastewater, and Highway Departments. Dick Norris made the motion to authorize purchase a 16-inch cut off saw from Pittsford Small Engine at a cost of \$1,763.25. The motion was seconded by Lloyd Hughes and unanimously approved. Susan Feenick and Lloyd Hughes suggested that in the future the Selectboard considered using only Highway Department funds for equipment that is to be shared by all departments.
 - **Brenda Cook's Tree:** Brian Sanderson clarified that the tree is actually on property owned by Margaret Curtis and although it is in the highway right-of-way, it is not a dead, diseased, or hazard tree. Therefore, as a public shade tree, it would require a public hearing before being cut. Additional details regarding the tree to be provided by Todd Blow as part of the Wastewater Department report.
 - **Lawn Maintenance at 19 West Street:** Bill Dritschilo asked if there was any way to require the property owners at 19 West Street to maintain the lawn. There are no municipal ordinances regulating lawn maintenance; therefore, Dritschilo offered to contact the property owners himself and request the lawn be mowed.
 - **Transfer Station:** Susan Feenick informed the Selectboard that none of the recyclable containers are labeled at the Transfer Station and expressed concern about a general lack of organization at the facility. The Selectboard took the concerns under advisement and tasked Brian Sanderson with addressing the signage issues with the Transfer Station Foreman, George Finch.
 - **Pine Trees on Florence Road:** Susan Feenick asked if the Tree Warden should look at the pine trees on Florence Road for potential public hazards. Brian Sanderson responded that the trees on Florence Road were evaluated during the recent inventory and no public hazards were identified.
 - **Communication with Public Works Employees:** Rick Anderson reminded the other board members that the public works employees have a busy construction season and that all inquiries/requests from board members should be directed to him, as the board chair, instead of to the employees themselves outside of a public meeting.

IV. Open Public Comment

Pamela Conway: Conway was redirected to present her matter before the Planning Commission.

Warren McCullough: McCullough thanked the Highway Department for removing the trees from the Proctor Elementary School. He also submitted an excerpt from a town report which verified that the paving on Park Street and Chatterton Park was done in FY04 – after his retirement from the Town, so the water valves were not paved over during his employment. The Selectboard took McCullough's concerns about the paved over water valves into consideration and advised that the work to uncover them will be done as regular maintenance.

John Jozwiak: Jozwiak asked some questions about the amount of water main to be replaced on North Street.

V. Invited Guests

There were no invited guests.

VI. Board of Water Commissioners

Bill Dritschilo made the motion at 7:15 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:
 - Investigation of Potential Leak off Larry Lane: Blow confirmed that the area was investigated and no leak from the municipal drinking water system was found.
 - North Street Main Replacement: Blow indicated he has a material list for the project and requested authorization from the Board to solicit quotes from Ferguson and Vellano and purchase materials from the lowest bidder. Bill Dritschilo made the motion to authorize Todd Blow to obtain material estimates from Ferguson and Vellano and purchase materials from the lowest bidder. The motion was seconded by Susan Feenick and unanimously approved.

Rick Anderson questioned how the private water service for the three houses on Gorham Bridge Road was going to be incorporated into the main replacement project. Blow explained both the short and long-term options for the private service.

- Special Meeting: The Board agreed to hold a special meeting on Tuesday, July 20, 2010 at 1:00 p.m. at the Town Office to review the draft revisions to the Comprehensive Preliminary Engineering Study, draft Environmental Assessment, final project scope and associated cost estimates and estimated bond funding/user costs, and review the cost estimate for replacing the controls at the back-up well.
- July 15, 2010 Special Meeting: Rick Anderson will work with Steffanie Bourque to finalize the presentation for the special meeting regarding the outer district. Once final, a copy of the presentation will be disseminated to the Board members.
- Kevin Smith Project Update: Smith informed the Board that he had submitted the draft revisions to the Comprehensive Preliminary Engineering Study and the draft Environmental Assessment to the Rural Development Program for review. He then recommended the Board enter executive session to discuss matters involving potential litigation. Bill Dritschilo made the motion at 7:20 p.m. to enter executive session to discuss matters involving potential litigation. The motion was seconded by Susan Feenick and unanimously approved. Bill Dritschilo made the motion at 7:55 p.m. to resume the public meeting. The motion was seconded by Lloyd Hughes and unanimously approved. No action was taken.
- Other Old/New Business: Bill Dritschilo inquired about the status of the water shut off at 21 Grove Street, citing John Jozwiak has removed the obstructions from the curb stop and it is apparently now operable. Todd Blow indicated that he has not been contacted by Jozwiak since May 11, 2010. The Board directed Blow to respond if contacted by Jozwiak.

VII. Board of Sewage Commissioners

Bill Dritschilo made the motion at 8:15 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. A summary of the report highlights is provided here:
 - North Street Main Replacement: Final restoration is complete.
- Report on Brenda Cook's Tree: Blow confirmed that the tree is not on Brenda Cook's property and that, according to the Road Commissioner, it is within the highway right-of-way. He confirmed that although the tree is within the highway right-of-way that it does not represent a public hazard. It does represent a maintenance responsibility for the homeowners who share the private sewer service that

crosses under the tree. For these reasons, the tree is not scheduled to be removed by the town at this time.

- Other Old/New Business: Susan Feenick made some recommendations regarding minor maintenance needs at the Wastewater Treatment Facility.

Bill Dritschilo made the motion at 8:15 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 unanimously approved.

VIII. Standing Committees

- Reports:
 - *Parks and Recreation Committee*: The Selectboard received the July 14, 2010 meeting agenda.
 - *Finance Committee*: No report.
- Charges: Dick Norris made the motion to charge the Parks and Recreation Committee with developing a use policy for the Olympus Pool. The policy is to address use of the facility by groups, residents, and non-residents. The motion was seconded by Lloyd Hughes and unanimously approved. The recommendations from the Committee are due by July 26, 2010.

IX. Additional Items Requiring Action from the Board

- FY10 June Budget Reports, including Overtime: The Selectboard reviewed the budget reports and commended the department heads for managing overtime in FY10.
- Uniform Contract Implications for FY2011: Dick Norris made the motion to continue the uniform contract with Foley Distributing for FY2011 and request a reduction in fees given the budget constraints. The motion was seconded by Lloyd Hughes and unanimously approved.
- Communicable Disease Policy and Exposure Control Plan: Dick Norris made the motion to adopt the Communicable Disease Policy and Exposure Control Plan. The motion was seconded by bill Dritschilo and unanimously approved. The next steps include scheduling a training session on the policy and plan through the VLCT and arranging for hepatitis vaccinations.
- Updated Sexual Harassment Policy and New General Harassment Policy: Bill Dritschilo made the motion to adopt the updated sexual harassment and new general harassment policies. The motion was seconded by Lloyd Hughes and unanimously approved.
- Schedule Capital Planning and Budgeting Workshop: The Selectboard agreed to tentatively schedule the workshop on Thursday, August 12, 2010 at 4:00 p.m. pending confirmation with the trainer.
- Other Old/New Business:
 - Selectboard Liaison to Planning Commission: The Selectboard considered a request from the Planning Commission to appoint Bill Dritschilo as a Selectboard liaison to the Planning Commission. Dick Norris made the motion to appoint Bill Dritschilo as the Selectboard liaison to the Planning Commission. The motion was seconded by Lloyd Hughes and unanimously approved.
 - Facility Use Request: Susan Feenick made the motion to approve the request from Tammy Hance to use the Main Street Park gazebo for a wedding ceremony on August 28, 2010, with approval contingent of proof of liability coverage. The motion was seconded by Bill Dritschilo and unanimously approved.
 - Nuisance Odor at 12 North Street: The Selectboard tasked Bill Dritschilo getting clarification from the Planning Commission regarding regulating animal waste.
 - Property Survey of West Mountain Municipal Forest: Susan Feenick asked about the status of the survey, budgeted for FY11. The Selectboard agreed to discuss the matter on July 26, 2010.
- Orders: The Selectboard reviewed the bills and signed the orders totaling \$138,776.21.

X. Board of Liquor Control Commissioners

Bill Dritschilo made the motion at 9:10 p.m. to adjourn the July 12, 2010 meeting of the Selectboard and convene the Board of Liquor Control Commissioners. The motion was seconded by Susan Feenick and unanimously approved.

Susan Feenick made the motion to approve the Second Class Liquor License Application for the Proctor General Store. The motion was seconded by Lloyd Hughes and unanimously approved.

XI. Adjourn

Lloyd Hughes made the motion at 9:20 p.m. to adjourn. The motion was seconded by Bill Dritschilo and unanimously approved.