

**Town of Proctor Selectboard Meeting
September 27, 2010
6:00 – 9:30 P.M.**

Board Members Present

Rick Anderson, Chair
Susan Feenick
Lloyd Hughes
Dick Norris

Other Guests Present

Bruce Baccei
Lisa Miser
Leslie Muir
Ted Schaft
PEG-TV

Employees Present

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

Agreements/Approvals

- Majority approved the September 13, 2010 meeting minutes as written.
- Majority agreed at 6:40 p.m. to adjourn the meeting of the Selectboard and convene the Board of Water Commissioners.
- Majority agreed at 6:40 p.m. to enter executive session with attorney Paul Kulig to discuss potential litigation and real estate purchase options. Majority agreed at 7:10 p.m. to resume the public meeting.
- Majority authorized attorney Paul Kulig to issue the notice of discontinuance to the outer district customers of the Proctor Water System, noting the Board will establish its policy for the disbursement of the funds committed to assist the outer district at a later date.
- Majority agreed to obtain authorization from Nancy Curtis for the Town to purchase and install a lock on the interior water shut off valve at 21 Grove Street as an interim solution to shutting the water off until the curb stop is replaced as part of the Wright A project.
- Majority agreed to execute the extended option agreements between the Town and Catherine Gallus and the Town and Robert Earl Pockett.
- Majority approved the Vermont Drinking Water State Revolving Fund Categorical Exclusion Request for the water system capital improvements.
- Scheduled a special meeting on Thursday, October 14, 2010 to meet with representatives from the Rural Development Program and Water Supply Division to discuss the process for finalizing funding for the water system capital improvements.
- Majority awarded the North Street paving work to Wilk Paving with a change order to reduce the depth of the patch to 2-inches.
- Majority agreed at 8:05 p.m. to adjourn the meeting of the Board of Water Commissions and reconvene the Selectboard meeting.
- Majority rescinded three (3) Parks and Recreation Committee charges – to repair the pool dock from 2008 because the repairs are not needed at this time and to establish a year-round community calendar for the rink and host fund raising events at the rink because there is no capacity on the committee to pursue these changes at this time.
- Majority authorized use of \$755 from the Skating Rink Fund and \$755 from the Pool insurance money to purchase and install the alarm systems/motion lights.
- Majority authorized use of up to \$1,000 from the Skating Rink Fund to purchase materials to install a hockey net/curtain to cordon off a section of the rink for hockey while others use the other section for free skate.
- Majority authorized use of up to \$1,000 from the Skating Rink Fund to purchase a 46-inch television and DVD/VCR player for movie nights at the rink with the requirement the equipment is stored off-site during the off-season.

- Majority approved the skating rink manager contract and agreed to present it to the Elrick's for the 2010-2011 season.
- Majority directed the PRC to work with the town attorney, Alan George, for guidance on how to address ADA requirements at the Olympus Pool.
- Majority agreed at 8:35 p.m. to adjourn the meeting of the Selectboard and convene the Board of Sewage Commissioners.
- Majority approved the agreement with Forcier Aldrich & Associates to complete the update of the Emergency Power Outage Plan at a cost not-to-exceed \$650.
- Majority agreed to correct the water/sewer billing at 80 North Street – the property was mistakenly billed as a 2-unit when the listers' records indicate it is a single family.
- Majority agreed at 8:45 p.m. to adjourn the meeting of the Board of Sewage Commissioners and resume the meeting of the Selectboard.
- Majority approved a reduction of \$8,900 for the 2010 assessment at 9 Reynolds Street to comply with the State statutes governing property ownership by the Vermont Housing Financing Agency.
- Signed the orders totaling \$39,398.99.
- Majority agreed at 9:25 p.m. to enter executive session to discuss potential litigation. Majority agreed at 9:30 p.m. to resume the public meeting and adjourn the September 27, 2010 Selectboard meeting.

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 and a review of the Selectboard Meeting Rules and Procedures Policy.

II. Moment of Silence for Jim Taranovich

The Selectboard had a moment of silence to honor the passing of Jim Taranovich.

III. “Good News”

The good news items included:

- 5-corners property has been accepted into RRPC Brownfields Program for Phase I assessment.
- Community Fair was a success! It was great so many residents came out to participate. The Rutland Herald wrote a nice follow-up piece and published a photo of the elementary students, who came to teach residents about the school website.

We have collected 70 surveys to date. The surveys are due Thursday, September 30, 2010. They can be returned to the Town Clerk or Library. There are extra surveys available at both locations. If you have not filled out a survey, take a moment and do so. This is your opportunity to make your voice count as we plan for the future of Proctor. Thanks to all that have participated in this planning process.

[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.]

IV. Review Meeting Minutes

Lloyd Hughes made the motion to approve the September 13, 2010 meeting minutes as written. The motion was seconded by Dick Norris and approved by a majority.

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 highlights is provided here:
 - *Fuel Pump at Town Garage*: The pump has been repaired.
 - *Town Office Front Steps*: This item will be incorporated into the capital planning effort.
 - *5-Corners Hillside*: Susan Feenick asked that the entire hillside be brush cut. Rick Anderson noted the work should be postponed until later in the season so the crew can focus on finishing up the construction projects.
- Representative to Attend RTAC Meeting September 30: Rick Anderson and Susan Feenick will attend.
- Other Old/New Business: Rick Anderson asked Brian Sanderson to obtain estimates for a truck load of logs for the Town Garage. Steffanie Bourque informed Sanderson that the Omya signs for Route 3 are ready. Sanderson will coordinate with Omya to get the new signs posted.

VI. Open Public Comment

Leslie Muir: Muir requested the Selectboard's assistance with the free ranging chickens on North Street. The Selectboard agreed to contact the Rutland County Sheriff's Department to try and resolve the problem.

Ted Schaft: Schaft thanked the Selectboard for the reduction in property taxes this year. He then requested permission to access the backside of his property via the South Street Cemetery. The Selectboard explained the cemetery is not town property and referred him to Henry Socinski and/or Peter Freeborn. Schaft requested the Selectboard take a position on the Transfer Station recommendations put forth by the Public Works Committee before the FY12 budget is finalized. He also disagreed with the Selectboard's policy regarding authorized representatives for discussing funding matters with the State for the water system capital improvements.

VII. Board of Water Commissioners

Lloyd Hughes made the motion at 6:40 p.m. to adjourn the meeting of the Selectboard 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:

- Executive Session – Potential Litigation and Real Estate Purchase Options: Dick Norris made the motion at 6:40 p.m. to enter executive session with attorney Paul Kulig to discuss potential litigation and real estate purchase options. The motion was seconded by Lloyd Hughes and approved by a majority. Dick Norris made the motion at 7:10 p.m. to resume the public meeting. The motion was seconded by Lloyd Hughes and approved by a majority. Lloyd Hughes made the motion to authorize attorney Paul Kulig to issue the notice of discontinuance to the outer district customers of the Proctor Water System, noting that the Board will establish its policy at a later date for the disbursement of the funds committed to assist the outer district. The motion was seconded by Dick Norris 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 is provided here:
 - *Notification of Water Shut Off at 16 Newton Street*: The Board requested the notice be resent as certified/return receipt.
 - *Water Shut off at 21 Grove Street*: Todd Blow explained the curb stop is broken and informed the Board of an interior locking device that the Town can purchase and install on the shut off inside the property until the curb stop is replaced as part of the Wright A project. Dick Norris made the motion to obtain authorization from Nancy Curtis for the Town to purchase and install a lock on the interior water shut off valve at 21 Grove Street as an interim solution to shutting the

water off until the curb stop is replaced as part of the Wright A project. The motion was seconded by Lloyd Hughes and approved by a majority.

- *North Street Main Replacement:* Todd Blow explained his plan for addressing the leak. The Board acknowledged the efforts of the town crew to date on this project. All agreed once the project is complete to re-evaluate the schedule for the remaining projects on the 2010 work plan.
- *Extended Option Agreements:* Dick Norris made the motion to execute the extended option agreements between the Town and Catherine Gallus and the Town and Robert Earl Pockett. The motion was seconded by Susan Feenick and approved by a majority. Todd Blow will contact the property owners.
- *Vermont Drinking Water State Revolving Fund Categorical Exclusion Request:* Dick Norris made the motion to approve the Vermont Drinking Water State Revolving Fund Categorical Exclusion Request for the water system capital improvements. The motion was seconded by Lloyd Hughes and approved by a majority.
- *Water System Capital Improvements Budget Update:* Steffanie Bourque presented the Board with a budget update.
- *Funding Meeting with Rural Development and Water Supply Division:* The meeting to discuss the process for finalizing funding with the funding agencies was scheduled for Thursday, October 14, 2010 at 4:00 p.m.
- North Street Paving Bids: The Board received one (1) bid for the work on North Street. The bid from Wilk Paving was for \$22,358.94 to 1) apply a 3-inch top course of Type III hot mix to patch the excavated areas from the pipe replacement and 2) repair the swale, sidewalk, and curbing impacted by the pipe replacement. The bid submittal included proper proof of insurance. Todd Blow clarified this work would only be a patch to the road surface and that the road will need to be reclaimed and paved at some point in the future. He suggested the depth of the patch could be reduced from 3-inches to 2-inches if the permanent pavement will be done within the next year or two. Alternately, the Board could reclaim and put down a base course this year with a top course to follow. Dick Norris made the motion to award the work to Wilk Paving with a change order to reduce the depth of the patch to 2-inches. The motion was seconded by Lloyd Hughes and approved by a majority.
- Recommendations Regarding Department Policies on Service Shut Off: Rick Anderson and Susan Feenick schedule time on October 6 to review the policies.
- Other Old/New Business: Susan Feenick requested Todd Blow consider including purchase of a specialized light to view into curb stems in his FY12 budget request.

Dick Norris made the motion at 8:05 p.m. to adjourn the meeting of the Board of Water Commissions and reconvene the Selectboard meeting. The motion was seconded by Susan Feenick and approved by a majority.

VIII. Invited Guests

Lisa Miser: Miser introduced Bruce Baccei as the new chair of the Parks and Recreation Committee. She proceeded with several additional requests from the Parks and Recreation Committee. A summary is provided here:

- Outstanding Charges: The Parks and Recreation Committee (PRC) requested three charges be rescinded – 1) to repair the pool dock from 2008 because the repairs are not needed at this time and 2) to establish a year-round community calendar for the rink and host fund raising events at the rink because the committee does not have the capacity to pursue these charges at this time. Dick Norris made the motion to rescind the charges as requested. The motion was seconded by Susan Feenick and approved by a majority.
- Request to Use Skating Rink Fund for Alarm System/Motion Lights at Rink: The fund consists of monies received from donations at the rink. The PRC requested authorization to use \$755 to pay for the purchase and installation of the alarm system/motion lights at the rink. Susan Feenick made the

motion to authorize use of \$755 from the Skating Rink Fund and \$755 from the Pool insurance money to purchase and install the alarm systems/motion lights. The motion was seconded by Dick Norris and approved by a majority.

- Request to Use Skating Rink Fund for Hockey Net: The PRC requested use of up to \$1,000 to purchase materials to install a hockey net/curtain to cordon off a section of the rink for hockey while others use the other section for free skate. This will enable the safe multi-use of the rink. Lloyd Hughes made the motion to authorize the expenditure. The motion was seconded by Dick Norris and approved by a majority.
- Request to Use Skating Rink Fund for Television/DVD/VCR: The PRC request use of up to \$1,000 to purchase a 46-inch television, DVD/VCR player for movie nights at the rink. Lloyd Hughes made the motion to authorize the expenditure with the requirement the equipment is stored off-site during the off-season. The motion was seconded by Susan Feenick and approved by a majority.
- 2010-2011 Rink Managers: An updated manager contract was presented for Selectboard approval with a recommendation from the PRC that Bonnie and RJ Elrick be hired as the managers for the 2010-2011 season. Dick Norris made the motion to approve the manager contract and present it to the Elrick's for the 2010-2011 season. The motion was seconded by Susan Feenick and approved by a majority.
- ADA Pool Direction: Dick Norris made the motion to direct the PRC to work with the town attorney, Alan George, for guidance on how to address ADA requirements at the Olympus Pool. The motion was seconded by Lloyd Hughes and approved by a majority.
- FY12 Budget Parameters: Miser commented that the Selectboard should be open to discussing the capital needs at the pool and rink. Rick Anderson noted that the needs at these facilities will be included in the capital planning.
- Municipal Planning Grant: Miser confirmed the Planning Commission does not have any eligible projects for this grant. Steffanie Bourque will review for eligible municipal projects.
- Thank you: The PRC thanked Susan Feenick for soliciting the donation from Johnson Energy to do the annual servicing of the rink furnace free of charge.

IX. Board of Sewage Commissioners

Lloyd Hughes made the motion at 8:35 p.m. to adjourn the meeting of the Selectboard 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:
 - Emergency Power Outage Plan Update: Dick Norris made the motion to approve the agreement with Forcier Aldrich & Associates to complete the update of the Emergency Power Outage Plan at a cost not-to-exceed \$650. The motion was seconded by Lloyd Hughes and approved by a majority.
 - Loss Control Inspection: Bill Dritschilo will attend as the Selectboard representative.
- Other Old/New Business: Steffanie Bourque explained to the Board the origins of a billing error at 80 North Street. The property was mistakenly billed as a 2-family instead of a single family in FY11. Susan Feenick made the motion to correct the billing accordingly. The motion was seconded by Lloyd Hughes and approved by a majority.

Susan Feenick made the motion at 8:45 p.m. to adjourn the meeting of the Board of Sewage Commissioners and resume the meeting of the Selectboard. The motion was seconded by Dick Norris and unanimously approved.

X. Standing Committees

- Reports:
 - *Parks and Recreation Committee:* The Selectboard received the September 23, 2010 minutes.
 - *Finance Committee:* There was no report.

XI. Report from Planning Commission Liaison, Bill Dritschilo

There was no report.

XII. FY2010 Budget Planning

- Final Budget Schedule and Parameters: The Selectboard received a copy of the budget schedule and parameters memo, which has been issued to all department heads. Susan Feenick commented she has received feedback from the public that is not supportive of the Selectboard's decision to provide municipal employees with a 2% pay increase.

XIII. Additional Items Requiring Action from the Board

- Solid Waste Management Issues: Steffanie Bourque presented the Selectboard with an outline of the proposed alternatives analysis for solid waste. The Selectboard generally agreed with the goals for the curbside program and transfer station. Bourque will prepare a cost analysis of various alternatives and work with the Rutland County Solid Waste District to make recommendations for improving these public services.
- Participation in Free Electronics Collection Event: The Selectboard agreed to participate in the event.
- Edward Jones Announcement: The Selectboard received the announcement Tad Smith is transferring to an Edward Jones office in Connecticut and our new financial advisor will be William Root.
- 2010 Grand List Error & Omission: Dick Norris made the motion to approve a reduction of \$8,900 for the 2010 assessment at 9 Reynolds Street to comply with the State statutes governing property ownership by the Vermont Housing Financing Agency. The motion was seconded by Lloyd Hughes and approved by a majority.
- October 12 Meeting with Preservation Trust and Vermont Community Development Program: Steffanie Bourque informed the Selectboard of a meeting scheduled for October 12, 2010 at 12:30 p.m. to work with representatives of the Preservation Trust of Vermont and the Vermont Community Development Program to define a scope of work for the planning phase of the 5-corners redevelopment project. Rick Anderson and Dick Norris will attend the meeting representing the Selectboard and Lisa Miser will attend representing the Planning Commission.
- Memo from Town Clerk's Office Regarding Absentee Ballots: Rick Anderson read aloud a memo from the Town Clerk's Office regarding absentee ballots. This information will be posted on the town website (www.proctorvermont.com).
- Other Old/New Business: Steffanie Bourque informed the Selectboard of an invitation to attend the September 29, 2010 meeting of the Rutland Redevelopment Authority to discuss the Rutland Railyard Improvement Project. Susan Feenick tentatively agreed to attend.
- Orders: The Selectboard reviewed the bills and signed the orders totaling \$39,398.99.

XIV. Executive Session – Litigation

Lloyd Hughes made the motion at 9:25 p.m. to enter executive session to discuss potential litigation. The motion was seconded by Dick Norris and approved by a majority.

XV. Adjourn

Dick Norris made the motion at 9:30 p.m. to resume the public meeting and adjourn the September 27, 2010 Selectboard meeting. The motion was seconded by Lloyd Hughes and approved by a majority.