

**Town of Proctor Selectboard Special Meeting Minutes**  
**November 16, 2011**  
**3:00- 5:14 P.M.**

**Board Members Present**

Rick Anderson, Chair  
Lloyd Hughes  
Vincent Gatti  
Bruce Baccei  
Susan Feenick

**Employees Present**

Stan Wilbur, Town Administrator

**Other Guests Present**

Kevin Smith, Marble Valley Engineering  
Attorney Paul Kulig  
Attorney Stephen Crowley  
Attorney Alan George

**Action Items**

**I. Call to Order**

The meeting was called to order at 3:00 p.m.

**II. Water System Improvements**

Vincent Gatti made the motion at 3:05 p.m. to adjourn the meeting of the Selectboard and convene the Board of Water Commissioners. The motion was seconded by Bruce Baccei and approved unanimously.

**A. Outer District**

Vincent Gatti excused himself from the meeting due to a possible conflict of interest, as he is on the Proctor-Pittsford Country Club Board.

Susan Feenick made the motion at 3:10 p.m. to go into executive session to discuss Outer District legal matters and to invite Attorneys Paul Kulig and Stephen Crowley, Town Engineer Kevin Smith and Town Administrator Stan Wilbur to attend. The motion was seconded by Bruce Baccei and approved by majority.

Susan Feenick made the motion at 4:05 p.m. to come out of executive. The motion was seconded by Lloyd Hughes and approved by majority.

Lloyd Hughes made the motion to approve the Agreement to Mediate presented to the Board by Attorney Kulig. The motion was seconded by Bruce Baccei and approved by majority.

Susan Feenick made the motion to appoint Lloyd Hughes as the Selectboard's representative to the November 18, 2011 mediation. The motion was seconded by Bruce Baccei and approved by majority.

With the Outer District business concluded, Vincent Gatti rejoined the meeting.

## **B. Bluff Street Tank Easement**

Lloyd Hughes made the motion at 4:15 p.m. to go into executive session to discuss legal matters and to invite Attorney Alan George, Town Engineer Kevin Smith and Town Administrator Stan Wilbur to attend. The motion was seconded by Bruce Baccei and approved unanimously.

Vincent Gatti made the motion to come out of executive session at 5:00 p.m. The motion was seconded by Bruce Baccei and passed by majority. Susan Feenick had left the meeting during executive session.

Lloyd Hughes made the motion to go with Alan George's proposed response to Judy and Paul Risteff's letter dated November 3, 2011 with the caveat that the Board is concerned for protecting the two Colorado Blue Spruce trees referenced in the letter from damage during construction and for their life expectancy after construction and that the Town proposes to plant two or three new trees, 8 to 12 feet tall, on the Risteff's property if they will withdraw their objections to cutting the existing trees. The motion was seconded by Bruce Baccei and approved by a majority.

## **C. Contract No. 1 – Closeout**

No discussion or action

## **D. Contract No. 3**

Kevin Smith gave a brief overview of the Pre Bid Meeting and noted that there is a good response from potential bidders. The Storm Water Permit Application has been submitted and Stan Wilbur has to submit a request for an amendment to the loan agreement. Kevin hopes to have State approval for the construction Phase Engineering Agreement by the November 30, 2011 special Selectboard meeting.

## **E. West Tank**

There will be a meeting with Frank Beyette to review the proposed construction at the West Tank Site. Frank Beyette has just purchased the property from OMYA. There will be 60% design review meeting in December for the West Tank Contract.

## **F. Total Project Overview**

There will be a meeting with OMYA and their logger to regarding East Tank construction.

We are currently 2 months behind schedule for a November 1, 2012 completion.

## **III. Adjourn**

Vincent Gatti made the motion to adjourn the meeting at 5:14 p.m. The motion was seconded by Lloyd and was approved by majority.