

Town of Proctor Selectboard Meeting Minutes

Draft
May 26, 2015

6:00 p.m. – 8:59 p.m.

Board Members Present

Bruce Baccei
Bill Champine, Chair
Dick Horner
John Jozwiak
Frank Woolf

Employees Present

Celia Lisananti, Town Clerk/Treasurer
Stan Wilbur, Town Manager
Alan George, Town Attorney

Other Guests Present

Lt. David Fox
Deputy Jessica Ryan-LeBlanc
Allison Richardson
Sarah Hall
Duane Hall
Luke Schullenberger
Patrick Burke
Peg TV

Agreements/Approvals

- Unanimously approved May 11, 2015 special meeting minutes and the April 11, 2015, corrected regular meeting minutes.
- Agreed to hire Bendig to clean the remaining streets.
- Unanimously approved First Amendment to Solar Energy Services Agreement
- Unanimously agreed at 7:00 p.m. to recess the meeting of the Selectboard and convene the Board of Water Commissioners.
- Unanimously agreed at 7:10 p.m. to adjourn the Board of Water Commissioners and convene the Board of Sewage Commissioners.
Unanimously agreed at 7:15 p.m. to adjourn the Board of Sewage Commissioners and resume the meeting of the Selectboard.
- Unanimously approved Proctor Elementary School June 5, 2015 Proctor Youth League Field Facilities Use Agreement
- Unanimously approved Proctor Elementary School June 15, 2015 Proctor Pool Facilities Use Agreement
- Unanimously approved revised agreement with Comprehensive Building Solutions for \$36,197 Fire Station energy upgrade project
- Unanimous support for Fire Department heat conversion program.

- Unanimously approved opening the Transfer Station for brush, yard waste, trash and recyclables at no charge on the first Saturdays of October and May (Green Up Day) from 12:00 p.m. to 5:00 p.m.
- Unanimously agreed Dick Horner made the motion at 7:40 to go into executive session for Labor Relation and Contract matters.
- Unanimously agreed to leave executive session at 8:55 p.m.
- Majority agreed to table Simon Operation Services, Inc. Proposal for Contract Operation and Maintenance
- Unanimously agreed to update the personal policy and to include town manager form of government and time card policy
- Signed orders totaling \$\$398,982.23
- Unanimously agreed at 8:59 p.m. to adjourn the May 26, 2015 meeting of the Selectboard.

Action 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. Review and Approve Agenda

There were no changes to the agenda.

III. Review of Minutes

Bruce Baccei made the motion to approve the May 11, 2015 special and regular meeting minutes. The motion was seconded by Frank Woolf. Bill Champine pointed out that he had voted no on the motion to hire Bendig to complete street sweeping therefore the motion was defeated. The correction to the May 11, 2015 regular meeting minutes was accepted by the mover and the seconder and the corrected motion was unanimously approved.

IV. Open Public Comment

No comments.

V. Invited Guests

Allison Richardson spoke to her concern for the disrespect by motorists for crosswalks, speed limits and stop signs; people, including neighbors, come flying up their dead end road. No one stops for cross walks. A tractor trailer passed her on Route 3 in the 25 MPH zone. She has a list of people who are concerned about the problem.

Duane Hall expressed similar concerns in their neighborhood and especially on Route 3 (East Street). They used to see police presence but have not seen it over the past couple years. People zoom right through the Williams Street crosswalk.

Discussion regarding measures that might help the situation such as crosswalk signs in the street, dummy police car, flashing speed detection and limit signs and more police presence.

Deputy Ryan-LaBlanc described the sheriff department scheduling for Proctor and West Rutland coverage.

Discussion on the use and value of running radar, the need for police to be here more often and presence at School Street. With the exception of portions of West Street, Florence road and Gorham Bridge Road the speed limit is 25 MPH. Lt Fox offered that if people will provide names or plate numbers the Sheriff Department will go talk with the people without revealing where the information came from.

Allison Richardson provide a list of concerns.

Sarah Hull wondered if was possible to make the crosswalks more visible, maybe paint a different color. The Town will look into portable crosswalk signs and flashing speed signs and will follow up with neighbors.

Chair Champine thanked Frank Beyette for planting flowers and the Proctor High School Class of 2021 for planting flowers and cleaning up around the entrance to Proctor sign and Our Yard and especially Linda Doty for planting flowers around town.

VI. Highway Department

- **Manager's Report**

 - Field Actives:

 - Cleaned up tree limb and debris in drainage at Ormsbee Ave. Proctor Mansion to Oak St/ fire hydrant
 - Collected numerous piles of sweeping from residents left roadside
 - Repaired large sink hole in road at Elm / Gorham Bridge
 - East St washouts swept
 - Hauled beach sand to pool
 - All town areas mowed, trimmed, swept, tidied and garbage collected.
 - Park decorated for weekend celebration and Memorial Day remembrances Detailed truck 1 for Memorial Day
 - Cut brush/ trimmed at East St walls and library pump station
 - Various errands, shop work and vehicle maintenance, etc.
 - Town staff has been low due to vacations and personal time usage

Discussion regarding completing winter sand cleanup. Frank Woolf made the motion to hire Bendig to finish the cleanup. The motion was seconded by Bruce Baccei and approved by majority; John Jozwiak and Dick Horner voting no.

- **VT AOT Bridge Inspection Reports:**

The board reviewed Calendar Year 2014 Bridge Inspection Reports for the Marble Bridge and Gorham Bridge. The reports indicate that both bridges are good shape. Reports for the two AOT railroad bridges are available on AOT's website. Both bridges need attention.

- **Other New and/or Old Business:**

None

V. Invited Guests (continued)

Luke Schullenberger, Green Lantern, went over the proposed First Amendment to the Solar Services

Agreement between Green Lantern and the Town. Since we signed the agreement last November the legislature changed the net metering statute regarding the tariff rate and Green Mountain Power filed for a rate change. The net effect reduced the value of the net metering credits from \$0.21 to \$0.19 with a net saving to Proctor down about \$1,000 per year. They have two projects ready to go, one in Pittsford and one in Proctor. Proctor together with Grace Cottage Hospital will fully subscribe either of the projects. Chittenden County Supervisory Union will take the total output of either project. The current proposal is for Proctor and Grace Cottage to participate in the Pittsford project. There is no economic advantage of one over the other project. The tax revenue from the Proctor project will still go to the town. If Proctor remains with the Proctor project, Green Lantern will have to amend the Grace Cottage agreement. Benefit to the Town under the agreement will be approximately \$11,500 per year. Once the project is built it is grandfathered from legislative changes for 10 years Both projects will start about the same time.

Dick Horner made the motion to accept the Pittsford amendment. The motion was seconded by Frank Woolf and unanimously approved.

VII. Board of Water Commissioners

Bruce Baccei made the motion at 7:00 p.m. to recess the meeting of the Selectboard and convene the Board of Water Commissioners. The motion was seconded by Frank Woolf and unanimously approved.

- **Manager's Report**

Field Activities:

- Routine facility inspections
- Daily/monthly required monitoring
- East Tank shut down for warranty repair to inlet line
- Main shut down at OMYA main office for damaged service connection hit in excavation. Main and surrounding hydrants flushed, recharged. Valve boxes needed to be cleaned and valves were exercised, no issues
- East side of town mains and hydrants from tank down to southern dead ends including flow points at WWTF and DPW garage are finished. Northern end of east side to town line, low pressure side at vault is ongoing
- Extensive leak testing in area of Chatterton Park, Park and Larsen Streets. 108 Park has standing water in rear of property. Possible conclusion is natural spring and/or a failed culvert / drain discovered running cross lot between #110 and #108. Will need to tv video camera to determine origin of water.
- Lincoln Applied Geo. Has confirmed through Endyne lab, samples drawn in distribution at well, East and West sides of town is discolored calcium carbonate flaking. No health hazard to residents
- A dirty sample of water, drawn by John J , has been collected and will be sent for analysis

- Flushed and reconnected service to town pool, summer startup in progress. Pool is filling
- Other New and/or Old Business:
 - Water System Improvements
 Contract 4A – East Side Tank Distribution and Site Work is complete. The next project is the Taylor Hill Booster Pump Station. DuBois & King is actively working on the final design and how to be able to put the contract out to bid this year,

VIII. Board of Sewage Commissioners

Dick Horner made the motion at 7:10 p.m. to adjourn the meeting of the Board of Water Commissioners and convene the Board of Sewage Commissioners. The motion was seconded by Frank Woolf and unanimously approved.

- Manager's Report
 - Field Activities:
 - Routine facility inspections
 - Daily sampling, testing and reports
 - Met with D. Lilly Services for UV lamp control rebuild. Recalibration of UV sensors needed
 - Repaired and cleaned MH on Gibbs St. - riser washed out, partial blockage of main and service lateral
 - Re-plumbed phosphorus feed line from Tank B. - broken fitting and clogged strainer

The Town is on the State's priority list for the Willow Street Pump Station I/I study, the base on last year's discussion, this work will be deferred until the water project is completed.

- Ormsbee Avenue Sewer Backup Claim – FYI
 - A letter from the VLCT regarding the claim was included in the packet. They found no negligence or liability on behalf of the Town of Proctor, however coverage is provided under our sewer backup extension coverage and will assist with the damages. A condition of this coverage is that a backflow preventer be installed if it is possible. The owner will be reimbursed for the cost of the backflow preventer.
- Other New and/or Old Business
 - None
 Bruce Baccei the motion at 7:15 p.m. to adjourn the meeting of the Board of Sewage Commissioners and resume the meeting of the Selectboard. The motion was seconded by Frank Woolf and unanimously approved.

IX. Standing Committees

- Parks and Recreation: Bruce Baccei
 - The Pool will be open on June 13 & 14, will be closed on June 15 for the Elementary School program and will reopen on June 16 for the season.
 - John Jozwiak made the motion to accept both Facility Use Agreements requested by the Elementary School; the Pool and the Youth League Field on June 15, 2015. The motion was seconded by the motion was seconded by Frank Woolf and unanimously approved.

John Jozwiak reported that there are dead limbs on the pine trees at the pool that should be trimmed. There is also a washout on the path to the pool. The tree work will have to be contracted out.

- Rutland Regional Transportation Council: John Jozwiak - nothing to report
- Rutland Regional Solid Waste District: John Jozwiak nothing to report
- Personnel Committee: Frank Woolf – nothing to report
Dick Horner asked about the town manager contract; it has not been given to the committee; but we still should move along with it.
- Fire Department: John Jozwiak
Vinnie Gatti was present and reported on the revised contract with Comprehensive Building Solution for energy efficiency work at the fire station. Since the ceiling will be down it is time to replace the light fixtures with LED fixtures at \$9,257 cost. The fire department has volunteered to do the demolition work with a cost savings of \$2,700. Therefore the revised contract amount is \$36,197. With this year's contribution there will be \$43,000 in the building fund which covers the proposed work. He also commented on the suggested improvements to the heating system and suggested doing the work this summer to save on fuel costs. They will be getting prices for the improvements. All work will be completed within the budget. The board indicated its full support for the fire departments proposal.
- Planning Commission: Dick Horner – ZBA meeting today where application came in with the idea that he was seeking a variance but his application was to appeal the decision of the zoning administrator. The Zoning Board determined with his consensus to reschedule the hearing as a variance hearing to June 22. There will be joint meeting of the Selectboard and the Planning Commission to discuss and adopt the town plan and to apply for village center designation. The planning has a meeting at the Marble Museum on Tuesday June 2 at 6:30 p.m. and that will be with business owners to discuss primarily the Proctor Prosperity Plan but also the village designation and get their ideas and concerns they might have regarding the Proctor Prosperity Plan. He and Stan Wilbur talked with 30 – 40 people on Saturday about the Proctor Prosperity Plan as part of the Proctor Gala. There were a lot of questions and people were excited about the plan, the town office in the building next door and the college coming. There were no negative comments, everyone was very supportive and positive about the plan.

X. Additional Items Requiring Action from the Board

- Property Maintenance: John Jozwiak reported everything is done except for the West Proctor Road site. They have another dumpster coming at no expense to the town. They are working on it and gradually getting it done.
- Beaver Pond: Stan Wilbur reported that he and Bill Champine had met with Don Burns of Omya and he will be preparing an agreement to be approved before they do any work on the dam which will commit the town to accepting the pond if they meet the town's stipulations. Omya has retained an engineer to work with them and the state to identify any issues with the dam and to take care of them. What they expect that if they do their part in due diligence the town will accept the pond.
- Youth League Field Facilities Use Agreement – Proctor Elementary School: prior action

- Proctor Pool Facility Use Agreement – Proctor Elementary School: prior action
- Mortimer Proctor Trust Grant: The Town received a Mortimer Proctor Trust Grant of \$206,248 to be used to provide a permanent home for the town office. A thank you letter will be sent to the Trustees. It is time to do some publicity on where we are going, how it is going to be done and what is the schedule. Celia Lisananti and Stan Wilbur met with Dan Pratt, the architect for the college and have questions for the college regarding the schedule.
- Water and Wastewater Proposal: A revised proposal is in the packet. The proposal to responds the questions that were asked. Deferred to executive session later on the agenda.
- Comprehensive Building Solutions – Revised Contract for Fire Station Work: prior action
- Transfer Station Free Day: The cost for the Green Up Free Day was \$1,540.10. Discussion regarding a fall free day. John Jozwiak made the motion to hold free day twice a year; the first Saturday in October and the official Green Up Day from 12:00 p.m. to 5:00 p.m. The motion was seconded by Frank Woolf and unanimously approved.
- Omya 60 Main Street Parcel 5B Corrective Action Plan – FYI: Notification by VT DEC regarding corrective action. The work is anticipated to be completed this year.
- Other New and/or Old Business:
- Labor Relations – Executive Session:
Dick Horner made the motion at 7:40 p.m. to go into executive session to consider a matter of labor relations with employees given that premature general public knowledge of this matter would clearly place the Town or the employees at a substantial disadvantage and to consider the Simon’s Water and Wastewater Facilities Contract Operation and Maintenance proposal given that premature general knowledge of this matter would clearly place the Town or the other party at a substantial disadvantage. The motion was seconded by Bruce Baccei and unanimously approved.

Patrick Burke left the executive session at 8:00 p.m.

Alan George left the executive session at 8:48 p.m.

Dick Horner made the motion at 8:55 p.m. to come out of executive session. The motion was seconded by Bruce Baccei and unanimously approved.

Action:

Bruce Baccei made the motion to table the Simon’s Proposal. The motion was seconded by Frank Woolf and approved by majority, John Jozwiak voting no.

Dick Horner made the motion to set a priority on updating the personnel policy with specific reference defining the town manager form of government and duties of the town manager and establishing time card and time sheet policies and rules. The motion was seconded by Frank Woolf and unanimously approved.

- Orders: The Selectboard reviewed and signed orders totaling \$398,982.23

XI. Adjourn

Dick Horner made the motion at 8:59 p.m. to adjourn the May 26, 2015 meeting of the Selectboard. The motion was seconded by Frank Woolf and unanimously approved.