

Town of Proctor Selectboard Meeting Minutes

Draft

September 12, 2016

6:00 p.m. – 9:29 p.m.

Board Members Present

Bruce Baccei, Chair
Bill Champine
John Jozwiak
Joe Manning
Frank Wolff

Employees Present

Lisa Miser, Recorder
Stan Wilbur, Town Manager

Other Guests Present

Patrick Burke
Robert Curtis
Emily Cutts, Rutland Herald
Carol Grace
John Greenen, GMP
Dick Horner, Planning Commission Chair
Jodi Jones
John Jones
Lee Kahrs, Reporter
Rick Moreno
Bob Protivansky
Carol Protivansky
Amy Ridlon
Josh Ridlon
Korrine Rodrigue
Leanne Wootten-Weeks
John Zawistoski
Peg TV

Agreements/Approvals

- Consensus to approve agenda with two additions and two deletions.
- Unanimously approved August 22, 2016 regular meeting minutes, with two changes.
- Unanimously approved August 26, 2016 special meeting minutes as written.
- Unanimously agreed to take Fire Station Heating System Bids under advisement.
- Unanimously agreed to take Fire Station Water Softener Bids under advisement.
- Majority approved rescinding water disconnect for Rick Reed, 4-1.
- Unanimously approved procuring insurance for the Fall Festival and fireworks for September 24, 2016.
- Unanimously agreed to waive the variance fee for 17 Oak Street and 17 Meadow Street.
- Unanimously agreed at 8:28 p.m. to recess the meeting of the Selectboard and convene the Board of Water Commissioners.
- Unanimously approved the Chittenden Timber Harvest Contract Extension.
- Unanimously approved keeping the 10 inch valve.

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- Unanimously agreed at 8:52 p.m. to adjourn the Board of Water Commissioners and convene the Board of Sewage Commissioners.
- Unanimously agreed at 9:04 p.m. to adjourn the Board of Sewage Commissioners and resume the meeting of the Selectboard.
- Majority appointed Pauline Hogan to the Riverside Cemetery Commission, 4-0-1.
- Unanimously authorized the chair to sign and submit three permits.
- Signed orders totaling \$447,808.48. Majority agreed at 9:29 p.m. to adjourn the September 12, 2016 meeting of the Selectboard, 4-1

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

Consensus to approve the agenda with four changes: Add Judy Frazier, Our Yard – Fireworks under Guests; add Highway Department Permit Application – 17 Meadow Street under Highway Department and delete Notice of Discontinuance of Water Service- 39 Main Street and Notice of Discontinuance of Water Service – 61 Main Street.

III. Fire Station Heating System Replacement Bids

Four Bids were opened.

1. Bill Lohsen Plumbing & Heating - \$53,350.00
2. Tom Ransom Plumbing & Heating - \$91,502.00
3. Alliance Mechanical - \$68,300.00
4. Vermont Mechanical Inc. - \$66,795.00

John Jozwiak made the motion to take the bids under advisement and pass to the Fire Department for review. The motion was seconded by Bill Champine, unanimously approved.

IV. Fire Station Water Softener Proposals

Two bids were opened.

1. Bill Lohsen Plumbing & Heating - \$1,950.00
2. Waterguard - \$1,876.84 (single unit) \$2,895.00 (double unit)

Frank Wolff made the motion to take the bids under advisement and pass to the Fire Department for review. The motion was seconded by Joe Manning, unanimously approved.

V. Review of Minutes

Bill Champine made the motion to approve the August 22, 2016 regular meeting minutes with two changes; attach the letter from Jodi Jones, page 5 change pool close date from 9/28 to 8/28. The motion was seconded by Frank Wolff, unanimously approved.

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John Jozwiak made the motion to approve the August 12, 2016 special meeting minutes as written. The motion was seconded by Bill Champine, unanimously approved.

VI. Open Public Comment

Korrine Rodrigue: Korrine Rodrigue was present to introduce herself to the Proctor community, she is a candidate for the Rutland County Senate.

Dick Horner: Dick Horner was present to discuss the Selectboard allowing a resident to dig a well. He questioned why the decision was made as the Board of Selectmen and not the Board of Water Commissioner. He questioned the legality of the vote, if the Selectboard had read other Town of Proctor ordinances, and why debate occurred on this matter. He noted John Jozwiak requested legal advice, and his request was disregarded. Dick Horner stated he finds the Selectboard decision disturbing and shameful and requested the Selectboard withdraw the motion as it was made improperly.

Bruce Baccei replied this would need to be referred to the town attorney.

John Zawistoski suggested having town consul review the state statue which is broader than the town ordinance.

John Jozwiak made the motion to rescind the motion to allow Rick Reed to disconnect from the municipal water. The motion was seconded by Joe Manning, approved by majority 4-1, Bruce Baccei voted no.

Carol Grace: Carol Grace was present to note that it has been 7 weeks and 49 days since she first read her letter to the Selectboard and requested a written response from the Selectboard.

Bruce Baccei replied that the issue is settled, and he will not be writing a letter.

Joe Manning stated that Carol Grace deserves a response in writing.

Jodi Jones: Jodi Jones was present to inquire as to the update about an apartment in a garage on Taylor Hill. She explained that there is a separate water and wastewater hookup, and there should be a second bill for water and wastewater.

Bruce Baccei and Bill Champine noted they did a site visit and that there is no apartment, no additional bill is warranted.

The Selectboard was unable to answer any question related to additional hookups.

VII. Invited Guests

John Greenan, GMP – Canoe Access: John Greenan was present to discuss changes to the proposed canoe access. Changes from the original layout; include an additional landing, stairs to turn part way down, no longer all marble stairs, marble landing top and bottom.

John Jozwiak noted the new plan looks like a fire escape. Bill Champine inquired if GMP will maintain the structure indefinitely. Joe Manning questioned who carries the liability insurance.

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John Zawistoski noted that as an abutter he had received the original plans in the mail, yet has not received a copy of the proposed changes. He has safety concerns as well as traffic, parking on South Street.

Lisa Miser echoed the same concerns, which she had stated at the first meeting with GMP. She is also questioned the need for signs on South Street near the triangle.

This issue will be placed on the next regular Selectboard agenda.

Judy Frazier, Our Yard: Judy Frazier was present to request permission and insurance coverage for fireworks on September 24, 2016 at the ball field on Elm Street for the 130th Celebration for the town of Proctor.

Bruce Baccei and Stan Wilbur stated that Our Yard is not part of the Town of Proctor and they are unaware of how the organization was formed, per their conversation with VLCT Our Yard would be responsible for insurance coverage. After much debate the Selectboard agreed to provide pay for Our Yard the insurance coverage.

John Jozwiak made the motion to procure an insurance policy for Our Yard the Fall Festival: Celebrating Proctor's 130th Birthday on September 24, 2016 which will include fireworks. The motion was seconded by Joe Manning, unanimously approved.

VIII. Good Stuff

The following groups/organizations were recognized for their outstanding service to the Proctor community: The Proctor High School Class of 2021 event at the ballfield, 3rd Annual Home Run Derby.

IX. Highway Department

- Manager's Report

Field Activities:

- Road patrol (daily)
- Painting x-walks and stop bars
- Sink hole Meadow Street & Gorham Bridge Rd
- Stacked wood
- Catch basin and pavement Warner & Olympus
- Pot holes
- Water bars East street & High Street
- Cleaned shop and equipment
- Assisted with repair of jetter
- Brushing, trimming and clean up Church St. ,Pleasant St, South St Pump Station and Main St
- Back fill sign posts at Beaver Pond
- Pool close up, move items to rink and dispose of old light fixtures
- Clean up around wood shed
- New battery for loader
- Handicap sign at Beaver Pond

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- Check out ditching locations
- Gate at WWTF
- Mowers to pool building for winter
- Winterized pool plumbing
- River Street storm drain

Pending Activities:

- Potholes and raveled edges of pavement
- Ditching
- Culverts and road surface inventory with RRPC – grant
- Storm drains and catch basins

Overtime: 1 hour – Jetter repair

- Highway Department Permit Application – 17 Oak Street:

A Zoning Permit was submitted by Amy & Josh Ridlon on 7/24/15 for a 4' hemlock picket style fence per the site plan and was signed and approved by the Zoning Administrator on 7/28/15.

Stan Wilbur contacted Amy Ridlon and requested she submitted a Highway Department Permit Application as a portion of the fence is in the Highway ROW. A permit was submitted on 9/6/16.

The Ridlon's are frustrated as they feel they have proceeded as instructed by the Zoning Administrator, their permit was approved.

Robert Curtis is concerned about the line of sight at the corner of Oak and Ormsbee Ave. John Zawistoski is also concerned about safety and the line of sight at the corner. He also questioned what was permitted and what is being constructed; he read aloud section 426 from the Proctor Zoning regulations. He is concerned with any construction in the Highway ROW and noted that the issue belongs before the Zoning Board of Adjustment not the Selectboard.

Both Robert Curtis and John Zawistoski noted that residents have the right to build fences, however they must conform to the regulations.

Rick Moreno stated he had observed the intersection, and that the fence will make traffic slow down. He encouraged the Selectboard to allow the construction of the fence to continue.

Dick Horner, chair of the Planning Commission/Zoning Board of Adjustment questioned why the Selectboard was considering this application. The Zoning Board of Adjustment has never been informed of the issue, and the first step would be to the ZBA to seek a variance. He noted the original permit is quite different from the current construction. He questioned why the Selectboard would even consider this application when they have spent a thousand dollars fighting a similar issue in town. He reiterated that the Ridlon's should apply to the Zoning Board of Adjustment for a variance. The Selectboard concurred that the proper venue is the Planning Commission/Zoning Board of Adjustment.

- Highway Department Permit Application – 15 South Street: No permit application submitted.
- Highway Department Permit Application – 17 Meadow Street: This issue was referred to the Zoning Board of Adjustment.

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- Other New and/or Old Business:

Bill Champine made the motion to waive the variance application fee for 17 Oak Street and 17 Meadow Street. The motion was second by Frank Wolff, unanimously approved.

John Jozwiak was dismayed with the report on the tractor/mower; he stated the tractor is fine, a small crack on the mower which can be welded.

X. Board of Water Commissioners

Bill Champine made the motion at 8:28 p.m. to recess the meeting of the Selectboard and convene the Board of Water Commissioners. The motion was seconded by Frank Wolff, unanimously approved.

- Manager's Report

- **Simon Operation Monthly Report**

Activities Completed:

- The water mains on North Street and School Street were shut down. The hired contractor installed a new gate valve at the corner. Water samples were collected in order to lift the boil water notice.
- All compliance monitoring for water facility was completed and samples tested passed state requirements.
- A new water connection was inspected at 52 Chatterton Park Ext. The service was connected to an existing curb.
- The water main was located and marked with paint on Gorham Bridge Road for possible hydrant location, and three potential installation sites were submitted to the board for approval.
- Aquastore installed a new vent cover on the West Side tank. Overflow repairs are scheduled for 9/13/16.
- The hydrant flushing has been completed on the West side of Town.
- Ten lead and copper samples were collected from distribution and the results were distributed to participating homeowners.
- Weekly sampling at the pool until the pool closed.
- Curb stops located on High Street and Chatterton and recorded in curb location book.
- The service line on Oak Street was traced and the curb stop was located for a contractor.
- Fire Hydrant #H1204 on Elm Street was rotated to face the road.

Activities in Progress:

- Computer training on SCADA system to enable monitoring of water system
- Curb shut off locations and recording these in a book
- Repairs to overflow pipe at West tank
- Hydrant installation per location choice. Options included Meadow Street, Gorham Bridge Road or Elm Street. A map was provided for detail.

Activities Planned or Needed:

- Develop procedures for after hour request from the public
- Develop procedures and requirements for sub-contractors who assist with Town projects

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- Digitize maps for easier reference and customer assistance
 - West tank cathodic protection needs replacing. Installation of pressure reducing valve at River crossing is being explored. Pressure of the west side needs to be controlled in order to drain the west side tank for cleaning and cathodic protection replacement.
 - Update the town's water service connection and inspection certification forms
 - Rebuild old water plant chemical feed pumps to be used as spare or back up pumps
 - Investigate Patch Street distribution
- Notice of Discontinuance of Water Service – 38 Pleasant Street: Stan Wilbur will send a letter noting the procedure and include the change in the water ordinance.
 - Notice of Discontinuance of Water Service – 39 Main Street: Delete from agenda.
 - Notice of Discontinuance of Water Service – 61 Main Street: Delete from agenda.
 - Chittenden Timber Harvest – Contract Extension: Bill Champine made the motion to accept A. Johnson Co. L.L. extension from November 1, 2016 to June 30, 2017 and sign the extension letter. The motion was seconded by Frank Wolff, unanimously approved.
 - Taylor Hill Booster Pump Station Update: Per Bill Champine: Job site shut down until October 1, 2016.
John Jozwiak made the motion to keep the 10 inch valve. The motion was seconded by Frank Wolff, unanimously approved.
 - Other New and/or Old Business: Joe Manning requested that the minutes reflect that Bruce Baccei, Selectboard chair refused to answer Jodi Jones about water charges.

XI. Board of Sewage Commissioners

Bill Champine made the motion at 8:52 p.m. to adjourn the meeting of the Board of Water Commissioners and convene the Board of Sewage Commissioner. The motion was seconded by Joe Manning, unanimously approved.

- Manager's Report
- Simon Operation Monthly Report:
Activities Completed:
 - Performed compliance monitoring for the WWTF and all samples tested passed state requirements.
 - Repairs were completed to the jetter/flushing machine. It was tested and now works fine
 - Ormsbee Ave. was flushed with the jetting machine and camera work was completed on same. A severe root blockage was noted. A-1 has been retained to foam 165 foot affected section of pipe on Monday August 12, 2016 starting at midnight. The foam is the most effective if it can remain expanded for 6 hours.
 - Routine flushing of known sewer line issues has been completed
 - An electrician installed new radios in all MISSION monitoring systems. The upgrade was at no charge to the Town other than hourly installation cost. This was a required AT+T radio change to improve the cell service.
 - A new battery was installed in the sewer camera monitor. The unit will not record images to the VCR. No VCR recording device is available from RIDGID and an upgrade may be needed.

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- The batteries were replaced on the MISSION monitoring systems at the Park and Styles pump stations. This is periodic maintenance; batteries last 3 to 5 years.
- The oil and air filters were changed on lagoon blowers #2 and #3
- SOS assisted Stone Environmental and completed the camera work from a manhole in front of Proctor Gas to West Street extension. Dye testing identified a cross connection from the sewer line to the box culvert storm water drain. A State mandated notice was posted at the box culvert effluent. Camera work revealed the pipe to be intact but dead ends (perpendicular) in standing water near the West Street extension main line sewer pipe.
- The new Roots blower was installed. This is blower #4, the small supplemental air unit.
- Attended flagger training course and received 2-year certification card

Activities in Progress:

- Locate manhole between Garden/Field Street and complete camera work on entire line
- Excavate the sewer force main at Willow and investigate intermittent leaking problem. The problem has subsided but we are unsure why a significant amount of water was surfacing close to the pump station well.
- Inventory
- Safety compliance issues including signage ,road work, confined space and lagoon flotation devices

Activities Planned or Needed:

- Repair sewer line from Proctor Gas manhole to West Street Extension
- Clean and evaluate check valves in Styles and Columbian Ave. pump stations
- Repairs for F350. The truck also keeps dying and shop says they are unable to find issue at this time. SOS is supplying vehicle during down time.
- A hand railing need to be built for back steps at WWTF lab building
- Eye wash needs to be installed in the UV building. We will try to relocate the old water plant eyewash station
- Algae control in lagoon #2 is needed. Algae blooms are causing alkalinity issue that affects the pH of the effluent water. This issue also occurred last year in August. The State has been informed of the pH violation in writing. Chris has asked the state to consider an algaecide application and is waiting for a response.

- West Street Extension Sewer/Storm Drain Interconnection: Information only. Signs have been posted.
- Other New and/or Old Business: No other new and/or old business.

Bill Champine made the motion at 9:04 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 Wolff, unanimously approved.

XII. Committee Reports

- Parks and Recreation: Per Bruce Baccei: Leaving fish in pool, not draining for the winter. Trout were placed in the pool at a cost of \$850.00. Will discuss budgets in October.
- Rutland Regional Transportation Council: Per Bruce Baccei: Next meeting 9/22 at 5:30 p.m.
- Rutland Regional Solid Waste District: Per John Jozwiak: No meeting.

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- Personnel Committee: Per Frank Woolf: No report.
- Fire Department: Per John Jozwiak: No report.
- Planning Commission: Per John Jozwiak: Still seeking a commission member.
- Town Office Study Committee: Per John Jozwiak: Next meeting September 13, 2016 at PES.
- Beaver Pond Committee: Per Bill Champine: Working on permits. Signs have been stolen for the second time.

XIII. Additional Items Requiring Action from the Board

- Review of Bills & Signing of Selectboard's Orders: The Selectboard reviewed and signed orders totaling \$447,808.48.
- Riverside Cemetery Commissioner Appointment: Bill Champine made the motion to appoint Pauline Hogan until March 2017. The motion was seconded by Frank Wolff, approved by majority 4-0-1, Joe Manning abstained.
- E911 Address Change: No action.
- Transfer Station Free Day: Consensus by the Selectboard to accept all waste. John Jozwiak will work the Free Day on October 1, 2016 from 12:00 p.m. - 5:00 p.m.
- Beaver Pond Permit Applications:
 - US Army Corps of Engineers
 - VT ANR Shoreland
 - VTVT ANR Lake EncroachmentBill Champine made the motion to authorize the Chair to sign and submit the three permits on behalf of the Town of Proctor. The motion was seconded by Frank Wolff, unanimously approved.
- Planning Commission Vacancy: The Planning Commission will submit a name for appointment.
- 2018 Budget Procedures: Budget review will begin in October, taking the budget in small sections and discuss during regular Selectboard meeting.
- Budget Reports: Information only. Questions should be addressed to Stan Wilbur.
- Other New and/or Old Business:

John Jozwiak inquired why residents are not receiving written responses from the Selectboard or Town Manager.

John Jozwiak also requested an explanation of items that are missing. Frank Wolff replied many of the items were disposed of due to age and safety concerns, and that other items have been gone for some time and it is impossible to back track the location/disposal time.
- Executive Session: No executive session needed.

• XIV. Adjourn

Frank Woolf made the motion at 9:29 p.m. to adjourn the September 12, 2016 regular Selectboard meeting. The motion was seconded by Bill Champine, approved by majority 4-1, Joe Manning voted no.

Joe Manning had two issues to discuss under Other New and/or Old Business and the Selectboard chair would not recognize him, and adjourned the meeting.