

**TOWN OF RUTLAND
SELECT BOARD**

MINUTES: April 7, 2015

Board members present: Mary Ashcroft, Joe Dicton, Paul Clifford, Don Chioffi and John Paul Faignant

The meeting opened at 6:34 P.M. with the Pledge of Allegiance.

Town Delinquent Tax Collector Mr. Chris Howland met with the Board and discussed various issues. Mr. Howland told the Board that he has mailed notices to 24 delinquent real estate property owners' and has not sent a delinquent personal property notice, to an individual, with a personal property value less than \$20.00.

Mr. Howland told the Board that he is happy with the values he has received in the NEMRC delinquent tax report he has received from former Town Delinquent Tax Collector Mr. James Schultz. Mr. Howland said he has collected a total of \$1,200.00 since becoming the Delinquent Tax Collector. He said of the \$1,200.00 about \$800.00 is actual taxes.

Mr. Howland questioned Board members regarding reimbursement of Delinquent Tax Collector expenses. Mr. Howland said both Mr. Lloyd and Mr. Schultz received prepaid envelopes from the Town. He said he does not have a problem paying for postage.

He said under Vermont law he is entitled to collect 50¢ for each mailing. Mr. Howland informed the Board that in some cases it cost him more to drive to a residence than the delinquent fee he collects.

Mr. Howland informed the Board that he has had some problems accessing the NEMRC database on Ms. Donna Zeller's computer because Ms. Zeller is using her computer when Mr. Howland attempts to access the NEMRC data. Mr. Howland said he is able to view Ms. Zeller's records when she is using here computer.

Ms. Zeller said the Town will need to get a central server when the transition to NEMRC is complete. Ms. Zeller said NEMRC would be advising the Town regarding hardware specifications required for the installation of a server.

Mr. Dicton said he would like to accelerate the schedule to get a server sooner than when the NEMRC transition is complete. Ms. Zeller said she would be receiving server specifications from NEMRC.

Mr. Howland said when the NEMRC program is operational he will be able to make digital transfers from his computer to Ms. Zeller's computer. Town Administrator Mr. Joseph Zingale Jr., told Board members that having a server would allow him to access the working Grand List for 911 addressing purposes. He said presently he has to contact Mr. Burgess to get the information. Mr. Dicton asked Mr. Zingale to work with Ms. Zeller and Mr. Howland regarding getting a new server as soon as possible.

Mr. Howland sought Board guidance regarding a pending 2012 Tax delinquency handled by Attorney William Bloomer for the Town Delinquent Tax Collector. Mr. Howland said that according to former Town Delinquent Tax Collector Mr. Bloomer should continue in the collection process.

Mr. Howland informed the Board that Mr. Bloomer is presently representing an appellant in a Town Tax appeal case and he asked for guidance. Mr. Howard Burgess said Mr. Bloomer is representing TD Bank in an appeal against the Town in Superior Court. Mr. Dicton and Ms. Ashcroft said the matter is a conflict of interest.

Mr. Howland told the Board that according to Mr. Dick Lloyd the Town of Rutland paid Mr. Bloomer's legal fees for the tax sale that fell apart in 2014. Mr. Chioffi asked if it is Town Policy for the Town to pay all of the collection litigation fees as opposed to the tax collector.

Mr. Dicton said he believes there were extenuating circumstances surrounding the incident cited by Mr. Howland as to why the Town had to pay the bill. Mr. Howland said it doesn't matter where it comes from.

In responding to a question from Mr. Chioffi, Mr. Howland said the question of whether the Town pays the Delinquent Tax Collector's legal bills or whether he pay his own legal fees needs to be addressed. Ms. Ashcroft said if it goes to tax sale then all the separate charges are against the property. Mr. Howland said at the end everyone remains whole.

Mr. Howland said no liens have been placed against any delinquent properties in Town. He said it is important to do so because with the lien the Town would come before others in receiving owed money if there is a bankruptcy. He said without a lien the Town would be subordinate to the bankruptcy claim of "ABC" lien.

Mr. Chioffi said his question is whether the Tax Collector has the right to contact an attorney and incur expenses on behalf of the Town, independently of Board approval. Mr. Faignant said he believes Mr. Lloyd paid legal expenses for tax collection. Mr. Howland said according to Mr. Lloyd Mr. Bloomer has been paid for the research into the DBS sale.

Mr. Dicton said he would get back to Mr. Howland regarding proceeding with the DBS tax sale.

Mr. Burgess met with the Board and gave an update regarding the Common Level of Appraisal (CLA) appeal with the State Tax Department. Mr. Burgess said the appeal is scheduled for the following week and will be held in Montpelier.

Mr. Burgess said everything is pretty much ready to go. He told the Board that attorney Mr. Ren Barlow, Mr. Tom Vickery and Ms. Gail Gantick have been involved for the Town.

Mr. Burgess said he discussed the matter with Mr. Vickery and that Mr. Vickery feels the Town does not need an attorney.

Board members and Mr. Burgess discussed the matter and it was decided Attorney Barlow would attend the hearing along with the others.

Town Clerk & Treasurer Ms. Donna Zeller reported:

1. Almost 400 dogs have been licensed. Ms. Zeller said there is still time get license a dog before the May 1st warrant. Ms. Zeller also gave the rates for registering a dog late.
2. Town Scholarship applications are due April 24, 2015. Ms. Ashcroft encouraged Town students to apply for a scholarship.
3. Ms. Zeller reported that the Town e-mail is up and running fine. She told the Board that her husband helped set up the new e-mail accounts. She said those who were having e-mail issues are now good to go. She said more e-mail addresses can be created after the new server is running.
4. She told the Board that she and Ms. Susan McGee had met with Mr. Ernie Saunders of NEMRC regarding moving all the accounts to the NEMRC system. She said the time to get a server is when the accounts are on the NEMRC system. She said the Town will also need to purchase a cash register equipped with a wand scanner. She said the new scanner would not be in use until the fall.
5. Ms. Zeller told Board members that she closed her office to the public at noon the previous Friday. She said she and Ms. McGee got a lot of work done. Ms. Zeller said it will take three years to totally migrate everything to the NEMRC system. Ms. Zeller said a lot of Town Clerks are closed on Fridays because it gives them time to not be distracted.
6. Ms. Zeller said her office will be open all day for the collection of taxes on Friday May 8th. She said she will accept walk-ins on Monday the 11th. She said she will also accept a May 10th post mark.
7. Ms. Zeller informed the Board that she has two Liquor Licenses for consideration. Ms. Zeller said Chief Dumas has the two applications.

Board members reviewed the March 24, 2015 minutes. Ms. Ashcroft offered corrections to the minutes. Ms. Ashcroft moved to approve the minutes with corrections. Mr. Clifford made a second to the motion. The motion passed by a vote of 3 to 0. Mr. Faignant and Mr. Chioffi abstained from the vote.

Mr. Faignant moved to approve the Salvage Yard license application from Rosen & Berger Auto Parts. Ms. Ashcroft made a second to the motion. The motion passed unanimously.

Town Road Commissioner Mr. Byron Hathaway reported:

1. He reported to the Board regarding the awarding of the annual paving bid. Mr. Hathaway told the Board that he had opened the bids the previous Friday and prepared a spread sheet, which was emailed to all Board members.

Mr. Hathaway read the following bid submittals:

Pike Industries
\$57.95 in place
Reclaim-55¢ per square yard
Project cost \$538,233.60

Wilk paving
\$56.48 in place
Reclaim-\$1.12
Project cost \$539,279.04

Fuller Sand & Gravel
\$56.50 in place
Reclaim- \$1.00 per square yard
Project cost \$536,439.50

F.W. Whitcomb
\$76.76 in place
Reclaim- \$2.50
Project cost \$757,528.50

Mr. Hathaway recommended the Board select the Fuller Sand & Gravel bid proposal. Mr. Chioffi made a motion to select Fuller Sand & Gravel. Ms. Ashcroft made a second to the motion. The motion passed unanimously. Mr. Hathaway thanked those who submitted bids.

Mr. Hathaway and the Board discussed the Johnson Energy drainage problem and possible corrections. Mr. Chioffi cited the fact that Mr. Hathaway has given the Board a price to fix the problem which ranges from \$4,400.00. to \$6,050.00. Mr. Chioffi said Mr. Hathaway should go ahead with the work.

Ms. Ashcroft said the reason the Board wanted to do a Committee site visit was for Mr. Clifford to view the problem and because there are other options that should be considered. Mr. Clifford said in order to get the job done as soon as possible he does not have to do a site visit.

Mr. Hathaway will check with the District Highway Office regarding whether any of the planned correction would require State permitting. Mr. Diction said the Town should move forward after hearing from the State.

Mr. Chioffi moved to authorize up to **\$6,000.00** be spent out of the Bond money to and to authorize Mr. Hathaway to get started with AOT so the Board can get the work done asap. Mr. Faignant made a second to the motion. The motion was discussed further. The motion passed unanimously.

Highway Committee of the Rutland Town Board of Selectman reported:

The committee met on Friday, April 3 at 4PM in the Select Board room at the Town Office. Present were committee members Mary Ashcroft and Paul Clifford as well as Road Commissioner Byron Hathaway. Fred Nicholson also attended for the first part of the meeting.

1. The committee first discussed the proposed Town Highway garage. Fred Nicholson, one of the neighbors, briefed the committee on the history of tension between the neighborhood and night-time lighting proposals at the Northwood facility, particular at the recreation fields. The highway subcommittee agreed that no pole lights were planned for the highway garage, nor were any needed. The outdoor lighting would be building mounted downcast lighting over entrances. Mary will check the existing Act 250 permit, which we are seeking to amend to allow the Town garage. If there is not a condition prohibiting such pole lights, she will draft a request for the DEC #1 to include such a permit condition.

2. Byron noted that the City Alderman had given its approved some time ago for water to supply the Town's garage at this location, subject to approval of the City engineer. The letter from the City engineer has been looked for but not found. Byron will visit with the City Engineer to see if a letter can be obtained to complete this permission for use of city water at the Town's new garage.

3. The committee discussed the pros and cons of design/construction bids vs. hiring an architect to design, then letting those specs to bid. The committee decided to recommend to the Select Board that we go with design/construction bid. The committee reviewed Byron's proposed specs and recommended them for approval by the full board. The committee also set the following proposed timetable:

- Proposals due at the Town Clerk's office by Tuesday, May 29th 2015.
- Proposals to be discussed at the Select Board meeting on 6-2-15
- Selection of the general contractor may be done at the 6-2-15 select board.
- Special town meeting to vote on the highway garage proposal on July 14, 2015.

--Other conditions in request for proposal as in 5 (plus GC to construct at least 50% of the project), 6 and 7 (Town reserves right to reject any and all proposals.)

4. Byron reviewed end of the year projections for income and expenditures in the highway department with the committee.

5. The committee discussed with Byron the idea of standards for plowing contractors, including routes, rates and billing practices. More discussion will follow in the future.

There being no further discussion, the meeting was adjourned at 6:00PM.

Respectfully submitted:
For the Committee
Mary Ashcroft

Ms. Ashcroft read a proposed Act 250 letter requesting a permit condition that there be no pole mounted exterior lighting at the new Town Highway garage. The only lighting to be building mounted lights that are shielded and cast lighting downward. The lights will be installed over the entrances to the building.

Ms. Ashcroft moved to send the letter to the District Environmental Commission. Mr. Clifford made a second to the motion. The motion passed unanimously.

Ms. Ashcroft also reported that Mr. Hathaway and Mr. Zingale are looking for the City water connection approval letter, which is required for the Act 250 application.

Ms. Ashcroft told Board members that the Highway Committee also discussed the pros and cons of doing a design construction bid verses hiring an architect and then going out to bid. Ms. Ashcroft said the Committee recommends doing a design construction bid.

Ms. Ashcroft cited a proposed Request for Proposal (RFP) prepared by Mr. Hathaway regarding garage construction. Ms. Ashcroft said the committee recommends the Board accept the RFP prepared by Mr. Hathaway.

Ms. Ashcroft moved to accept the RFP prepared by Mr. Hathaway. Mr. Clifford made a second to the motion. Ms. Ashcroft filled in the open dates in the proposed RFP. The motion passed unanimously.

Mr. Chioffi suggested the Board consider installing solar hot water panels on the proposed new Town Highway Garage. Town Recreation Director Mr. Mike Rowe asked if any trees would be taken down between the new garage and the Town pool. He requested as many as possible be left. Mr. Rowe also questioned the proposed color of

the new Highway garage. Mr. Rowe cited the fact that both Recreation Building and the Town Transfer Station are blue. Mr. Hathaway said there will be a buffer on the west side of the new garage and there would be minimal buffer facing the Town Pool.

Mr. Dicton questioned if there are any problems with the fact solar panels have been added to the project after voters approved the ballot item. Neither Messrs., Chioffi, Faignant, Clifford nor Ms. Ashcroft had any problem with the possible addition of solar panels for hot water to the project.

Mr. Dicton also questioned if the landscaping of the new garage has been addressed. Mr. Hathaway said according to the Act 250 permit anything not involved with the driveway or parking is to be seeded and mulched and kept as lawn.

Mr. Dicton said he would like to have to have trees planted and other landscaping. Mr. Hathaway suggested the Board seek a bid for landscaping separate from the construction of the new garage.

Ms. Ashcroft amended her motion to also ask for a separate bid for roof mounted solar hot water for the radiant floors and to for the roof color to be dark green. Mr. Clifford made a second to the motion. The motion passed unanimously.

Ms. Ashcroft said the committee also discussed whether the Town should have standards for snow plowing contractors, including routes, rates and billing and took no action.

Town Planning Commission Chairman Andrew McKane reported:

Not Present.

Mr. Dicton cited the fact that the Town Select Board and Mr. Zingale were very involved in getting the recent BJ's Act 250 approval. He cited meetings with BJ's officials, town officials traveling to Montpelier to support BJ's as well as Act 250 support. Mr. Dicton congratulated everyone and said good job by all.

Mr. Dicton said the Board should consider sending a letter to the owners of the Diamond Run Mall in an effort to get their support for the project. Ms. Ashcroft told Board members that she had read the decision and that the Board needs to be cautious because the issue will come back on 9L.

She said the Town was fortunate that the development is infill and that it was previously Act 250 permitted. She said the Town will need to better address strip development in future applications.

Ms. Ashcroft said the Board needs to be thinking about incorporating neighborhoods with sidewalks and crosswalks so the new development is a mixed development. Mr. Chioffi said he is very disappointed with the Rutland Herald's editorial regarding the

permitting of BJ's. Mr. Chioffi said he resents the fact that development in Rutland Town is called strip development and development in other locations such as the City is not strip development.

Town SWAC Representative Mr. William Matteson reported:

1. He announced the Household Hazardous Waste Collection will be on Saturday for 8:00 A.M. to 11:30 A.M. He encouraged individuals to participate and to bring appropriate items.
2. Mr. Matteson said the next SWAC meeting is scheduled for May 7, 2015.
3. Mr. Matteson informed the Board that a Vermont Girls Hockey Team, with two town residents and a Mendon resident, recently took third place in national competition held in Michigan.

Mr. Dicton read a letter of resignation from Mr. Matteson, which expressed his desire to step down from service on the Town Planning Commission. Board members and those in attendance applauded Mr. Matteson for his time on the Planning Commission. Mr. Matteson said he would remain on the Planning Commission until such time the Board appoints a person to take his place.

Town Recreation Director Mr. Mike Rowe reported:

1. He told the Board that the two recreation maintenance workers would begin work in the next week or two. He said he and Mr. Hathaway would be taking care of downed trees at Northwood Park the following week.
2. Baseball will begin in a week or when the fields dry out.

Mr. Dicton opened the only bid received for a new recreation maintenance tractor. Mr. Dicton inquired as to the bid specifications. Mr. Zingale said the specifications addressed; minimum horse power and a side discharge.

Mr. Dicton said according to the Mountain View Equipment submittal the Town would receive **\$700.00** for the trade in of the Town's 445 town mower. Mr. Dicton said Mountain View Equipment has proposed a 2014 John Deere 1023 E sub compact utility tractor. He said the list price is **\$12,154.25** and that the Town would pay **\$9,940.00** with the trade-in.

Mr. Dicton said the John Deere 60D 7 side discharge mower would cost **\$2,325.00**. Mr. Dicton said the total cost would be **\$12,265.00**. Mr. Rowe said he has the money available in the Depreciation account.

Mr. Clifford inquired as to bid notification. Mr. Zingale said he placed a notice in the newspaper and also encouraged Mr. Rowe to mail a notice to anyone he would like to

receive a bid submittal. Mr. Rowe said he did not mail to any business. He said he relied on the newspaper notice.

Mr. Chioffi made a motion to accept the low bid. Ms. Ashcroft made a second to the notice. Ms. Ashcroft amended her motion to read “less the **\$700.00** of the trade-in”. the motion passed unanimously.

Mr. Martin Wasserman, Town Emergency Management Director and Transportation Council representative reported:

1. No meeting, no report for the Transportation Council
2. He told the Board that the Town’s Emergency Management Plan is not current. He said if the Town does certain things to update the plan then the Town would receive 17.5% versus 7.5% reimbursement from FEMA.

Mr. Wasserman reviewed the updated Local Emergency Operations Plan with the Board. Mr. Wasserman told the Board that he would like to purchase two digital cameras which record the latitude and longitude for any photo taken.

He said the cameras would save a lot of time and are priced below **\$100.00** each. Mr. Wasserman also told the Board he needs to get a laptop computer to keep all of the reports, forms and data associated with the Emergency Management position. Mr. Wasserman said he would need a laptop that might cost up to **\$1,200.00**.

Ms. Zeller told the Board that there is not enough money in the Emergency Management budget to pay for a laptop. Board members and Mr. Wasserman discussed the matter further.

Ms. Ashcroft cited the fact the Board is being asked to approve the Local Emergency Operations Plan, yet the form is not fully filled out. Mr. Wasserman said the sections not filled in are to be filled in after the Town experiences an event. Ms. Ashcroft asked Mr. Wasserman if he checked with the appropriate officials in completing the LEOP.

Mr. Wasserman said he did check with Town Police, Highway and Fire. Ms. Ashcroft also questioned Mr. Wasserman regarding whether Mr. Faignant has the required NEMS training. Mr. Wasserman said that Mr. Faignant has the necessary training.

Ms. Ashcroft moved to approve the Town LEOP as submitted by Mr. Wasserman. Mr. Chioffi made a second to the motion. The motion passed unanimously. Ms. Ashcroft moved to the Chairman to sign on behalf of the Select Board. Mr. Chioffi made a second to the motion. The motion passed unanimously.

Mr. Diction said the Board would be addressing creating an Emergency Management budget. Ms. Ashcroft cited the fact that the Board will have to wait until next year to create a budget since it was not address for this year. Ms. Zeller sought guidance from the Board as to how to pay Mr. Wasserman for his work as Emergency Manager.

Ms. Zeller said Mr. Wasserman has submitted a time sheet for about 15 hours for time worked. Mr. Wasserman said he did not bill the Town for the time he worked from his home. He said the bill is for attending state and local meetings. He told the Board that he worked more hours at his home than in attending meetings.

Mr. Chioffi said money could be taken from the **\$12,000.00** Police Department contingency fund. Ms. Ashcroft and Mr. Diction agreed. Mr. Chioffi moved to take **\$1,300.00** from the fund to pay for a laptop and two cameras. Mr. Clifford made a second to the motion.

Ms. Ashcroft said the money would not be available until July 1st. Mr. Diction said as a matter of courtesy he would like to inform Chief Dumas prior to taking the money from his budget.

Ms. Ashcroft said the Finance Committee should discuss the matter. Mr. Wasserman said he can wait until July before he needs a laptop and cameras. Mr. Chioffi withdrew his motion. Mr. Clifford withdrew his second to Mr. Chioffi's motion.

Town representative to the Rutland Regional Planning Commission Mr. Sherman Hunter reported:

No meeting, no report.

Town Fire Chief Mr. Frank Cioffi reported:

1. The Chief informed the Board that a recent boiler inspection determined that the boiler at the Center Rutland Station is not connected properly. Mr. Chioffi said due to the error all of the safety equipment is bypassed by shutting a couple of valves.

He said the boiler needs to be corrected. Mr. Chioffi read the letter regarding the problem with the boiler. Chief Cioffi and Mr. Zingale will follow up with the Town Attorney.

2. Chief Cioffi requested a meeting be scheduled with the Fire Committee regarding a couple of trucks the Department is considering. He said one truck needs to be replaced in about a year and a half and that the planning has to begin now. He told the Board that the department is also considering replacing another truck short term.

3. Mr. Chioffi informed the Board that the department will allow a Girl Scout group to use the meeting room at the station for a couple of nights. Mr. Cioffi said a department members would be present during the meetings.

Mr. Cioffi said the department has been allowing the use of the meeting provide a Fire Department member is present. He cited the County Fire meetings as an example. Mr. Chioffi questioned if the use is ok with the Board's policy. Ms. Ashcroft said the Board has not adopted a use policy.

Mr. Chioffi informed the Board that at the request of Mr. Dicton, he (Mr. Chioffi) met with Mr. Dick Lloyd and asked if he would like to be the Transfer Station Coordinator. Mr. Chioffi said Mr. Lloyd said yes he would.

Mr. Chioffi made a motion that the Board approves the appointment of Mr. Richard Lloyd as Transfer Station Supervisor. Ms. Ashcroft made a second to the motion. The motion passed unanimously.

Mr. Chioffi said he told Mr. Lloyd that the Transfer Station Committee would like him to recommend operational changes and also any recommendations for personnel additions to the Board at the next regular meeting. Mr. Chioffi said to do so is in keeping with the Board's policy of letting a Department Supervisors control their department's operations.

Mr. Chioffi told the Board that Mr. Lloyd also plans on painting the office room at the Transfer Station. Mr. Dicton said there are other issues at the Transfer Station that will be addressed. Mr. Chioffi cited maintenance issues with the trash compactor. He said the Town may have to lease or purchase a new compactor.

Ms. Ashcroft said an article could be prepared for voter consideration at the planned July vote on the Highway Garage.

Mr. Dicton said the Board also needs to address the mowing of the Town Hall and the Center Rutland Cemetery. Mr. Dicton cited the fact that Mr. Tony Flory had been mowing the two properties.

Ms. Zeller said Mr. Flory was paid from the Municipal Building budget. Mr. Dicton asked why the Cheney Hill Cemetery Association does not mow the center Rutland Cemetery.

Mr. Hathaway said the Cemetery Association stopped mowing the Center Rutland Cemetery in the 1990's after he pointed out to the Board that the Cheney Hill Cemetery perpetual care account was being used to pay for the mowing in Center Rutland.

He said he did not feel it was appropriate for the people who paid their money for the care of the Cheney Hill Cemetery to have to pay for the upkeep of the Center Rutland Cemetery. Ms. Ashcroft moved to go out to bid for mowing the Town Hall and Cemetery properties.

Mr. Clifford made a second to the motion. The motion passed unanimously.

Board members discussed the recent water line break. Mr. Clifford said that according to the picture of the line break that he saw, it appears the gasket let loose at the elbow joint. He said it may have done so because of frost action or perhaps it may have been installed improperly.

Mr. Zingale informed the Board that according to Mr. Mark Youngstrom, P.E., who is working for the Town on the matter, a thrust block should have been placed at the elbow or something should have been done to the pipe from allowing it to move as a result of frost action. Mr. Zingale said it appears neither had been done in the construction of the water line.

Mr. Zingale said following the recent repair to the water line he received a call from Mr. Jeff Wennberg who said the repair that was made is not adequate and that he expects it will fail.

Mr. Zingale informed the Board that he had discussed question of line ownership with the Town Attorney and that Mr. Brown said the line is the property of the Town, because it is an extension of the Town's water system.

Mr. Zingale told the Board that the State Office for Environment Conservation approved the construction plans for the water line and that the City of Rutland had also reviewed the line prior to construction.

Mr. Zingale said the Town of Rutland did not review or approve the water line since the applicant went directly to the City because there is no water contract between the Town and the City. Mr. Zingale said the Town has a process for reviewing such installations but did not do so because the applicant went directly to the City for approval and because the State of Vermont reviewed the proposed connection.

The matter was discussed further and Mr. Dicton said the Inter Municipal Committee should work with Mr. Zingale to find out; why it was installed without a thrust block, did it fail because of mechanical failure or was it poor design.

Mr. Dicton said for the future the Town also needs to know if a line is the customers from the tap or not. Mr. Chioffi said the City of Rutland has a policy that the line is the responsibility of the customer from the point of the tap inwards. He said the City has had the policy for many years.

He said if the Town had the same policy it would be uniform between the Town and the City. He said wherever the tap is it is the users' responsibility to maintain. Ms. Ashcroft said the committee should also consider whether the Town should enter the permitting process and hire our own engineer.

Mr. Chioffi said we can't point to any place in the book where it says it applies to all users in Town. Mr. Zingale said basically it has always been the line belongs to the Town if it is in the public right-of-way and that the line is the owners, on private property.

Mr. Dicton said he sees problems with the proposed sale to Mr. Nutting. Mr. Dicton said the document is not descriptive regarding what the Board discussed. Mr. Faignant said he would like to review the survey map to be used for the purchase and sales agreement.

Mr. Zingale said he would send a map to Mr. Faignant. Mr. Faignant said the Town needs to spell out what it is reserving. Ms. Ashcroft said she had spoken to Mr. Brown on the matter. Mr. Faignant said he does see it in the document. Ms. Ashcroft and Mr. Faignant agreed that the language should go into the purchase and sale agreement.

Ms. Zeller asked the Board if Mr. Lloyd is going to get a raise. Mr. Dicton said the Finance Committee will review that matter as well as all salaries beginning in May.

Town Administrator Mr. Joseph Zingale Jr. reported:

1. Informed the Board that the Town has received the Hubbard Brothers Transfer Station certification application. Mr. Zingale said the Hubbard are not proposing to do anything different at their facility.
2. Mr. Zingale told the Board that he received a call from a State official who said the Town Service Officer has no role to play and does nothing.
3. He told the Board that according to Mr. Bill Burke any project requiring an Act 248 permit does not need an Act 250 permit. He said an Act 250 permit holder would not need an amendment if development required an Act 248 permit.

Mr. Zingale said that according to Mr. Burke, the District Commission might be able to regulate solar if it were part of an Act 250 development and did not trigger an Act 248 permit.

The Board reviewed packet correspondence. Mr. Dicton cited a letter of interest submitted by Mr. Dick Lloyd requesting to be considered for a place on the Planning Commission. Mr. Zingale informed the Board as to the other individuals that have submitted letter of interest for the Planning Commission and other Board appointments.

Mr. Dicton cited a letter of interested submitted by Mr. Bill Bauer expressing an interest to be the assistant at the Transfer Station. Mr. Dicton said Mr. Lloyd would be making the decision.

Mr. Dicton cited a Circle article written by Mr. Zingale regarding 911 emergency phone calls. Mr. Zingale encouraged all town residents to say they are in Rutland Town when making a 911 call.

Mr. Dicton cited a letter of interested submitted by Mr. Francis McGinnis for work at the Transfer Station.

Mr. Clifford questioned how to go about scheduling an Inter Municipal Committee. Board members discussed the matter and said the committee could schedule a meeting. Mr. Clifford also questioned why the paving bid was opened prior to the meeting and the recreation bid was opened at the meeting.

Mr. Hathaway said he states the bids will be opened and prepared for Select Board review. He said he then sends the bids to the Board so they can look at the information over the weekend.

He said in the past, bids were opened at the meeting and he was given 10 minutes to make a recommendation. Mr. Hathaway said more thought should be given to half million dollar expenditure. Mr. Zingale said he followed the procedure that evolved over the past 10 year or so under Mr. Rhodes, which is to have the Board open the bid at a Board meeting.

Ms. Ashcroft said she would like the bids to be opened and reviewed prior to the Board meeting. Mr. Clifford made a motion for the Finance Committee to consider the matter and report back to the full Board. Ms. Ashcroft made a second to the motion. The motion passed unanimously.

Ms. Ashcroft informed the Board that she planned to testify before a Senate Committee regarding the Town's Solar Standards. Mr. Chioffi gave a report regarding his solar siting testimony before a Senate Committee. He said it was a positive day.

Mr. Faignant moved to discuss a personnel matter with Ms. Donna Zeller and to discuss who would be the attorney for the Delinquent Tax Collector. Mr. Chioffi made a second to the motion. The motion passed unanimously.

Mr. Clifford moved to close the meeting. Mr. Chioffi made a second to the motion. The motion passed unanimously.