

**TOWN OF RUTLAND
SELECT BOARD**

MINUTES: July 28, 2015

Board members present: Mary Ashcroft, Don Chioffi, Joe Dicton and Joshua Terenzini

The meeting opened at 6:37 P.M. with the Pledge of Allegiance.

Mr. Chioffi cited corrections to the 7-14-15 Board minutes. Ms. Ashcroft moved to approve the 7-14-15 minutes as printed and amended. Mr. Chioffi made a second to the motion. The motion passed by a vote of 3 to 0. Mr. Terenzini abstained from the vote.

There were no questions from the floor.

Town Planning Commission Chairman Andrew McKane reported:

Not present.

Town SWAC & Transfer Station representative Mr. Richard Lloyd reported:

1. Mr. Lloyd thanked the Road crew for cutting trees at the Transfer Station.
2. He told the Board that the doors have been replaced.
3. Mr. Lloyd told the Board that he has received a lot of positive comments regarding the lowering of a rail to 42" from the ground. Mr. Lloyd said the Transfer Committee met and decided that all of the rails to the roll-offs should be lowered. Mr. Lloyd said Earl's Truck repair would do the job for **\$1,150.00**. Mr. Dicton said the Board could reduce liability to the Town by lowering all of the rails.

Mr. Terenzini made a motion to approve the **\$1,150.00** expense. Mr. Chioffi said there is no need to approve a motion to spend the **\$1,150.00** because Mr. Lloyd has the amount in his budget. Mr. Chioffi said other Town Departments do need to get Board approval.

Ms. Ashcroft made a second to the motion. Ms. Ashcroft and Mr. Chioffi discussed whether the Board should vote to approve the money to lower the railings. Mr. Chioffi said he is looking for consistency from the Board. He cited the fact that some departments are allowed to make purchases without getting Board approval. He cited shirts purchased by the recreation department.

Mr. Chioffi said voting to approve such an item is a needless process if the Board has confidence in the Department heads. Mr. Dicton called for the vote. The motion passed unanimously.

4. The Board opened the compactor bids submitted by the Hubbard Brothers and Casella Waste Management. Mr. Dicton read the public notice.

Casella Waste Management	-	\$19,350.00
Hubbard Brothers	-	\$28,547.13

Ms. Ashcroft suggested Mr. Lloyd review the two bids to make sure the specifications are correct and report back to the Board. Ms. Ashcroft cited the fact that the Casella bid involves removing the existing compactor and that the Board had previously discussed converting the old compactor into a zero-sort container.

Mr. Chioffi said the Board may have talked about doing so, however, he said the Transfer Station committee has no plans to do so. Mr. Chioffi said the unit has reached its useful life.

Mr. Zingale and others in the audience said they remember what Ms. Ashcroft recalled, as to the Board's intentions. Mr. Chioffi said this stuff all goes through committee. He said every single thing that come into the room goes through committee.

He said the committee never met to discuss converting the old container into zero-sort container. Mr. Chioffi said he and Mr. Dicton as committee members do not think it is a good idea.

Mr. Chioffi said his committee had other plans but never had a chance to bring their plans before the full Board. He said they were jumped out of the committee process, which disturbs him.

Mr. Chioffi said the Board follows the Committee process or it doesn't follow the process. We don't get selective about it Ms. Ashcroft, he said.

Mr. Dicton said he, Mr. Lloyd and Mr. Chioffi discussed whether to fix the compactor or not. He told Ms. Ashcroft that Mr. Lloyd had spoken with many vendors regarding whether it's worth it to rebuild the compactor. Mr. Dicton said they were told it would take a substantial amount of additional money to convert the old box into a zero-sort box. This is what we learned in our committee meeting, he told Ms. Ashcroft.

Ms. Ashcroft said she had not received a report from the committee so she raised her question. Mr. Dicton said the committee planned to discuss the matter at a later date.

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

Not present.

Town Clerk & Treasurer Ms. Donna Zeller reported:

1. Mr. Chioffi asked Ms. Zeller why she is involved in the fuel oil bids. Ms. Zeller said because she put out the bid notice and received the bids. Ms. Zeller said it was on her calendar of to do things. Ms. Zeller said the Board tabled the bids two weeks ago.

Mr. Dicton questioned Ms. Zeller regarding the bid notice. Mr. Dicton read the notice. Mr. Dicton cited the fact that the notice did not specify either the Albany or the Rutland/Middlebury rack price.

Mr. Chioffi cited the fact that the notice instructed bidders to contact the Town Clerk and that Ms. Zeller would have given the Albany rack price. Ms. Zeller said some individuals asked for the additional information and others did not.

Ms. Zeller said generally there is about a 13 ¢ difference between the Albany and Rutland/Middlebury prices. She said the higher Rutland/Middlebury prices are due to transportation cost.

Mr. Chioffi said there is a difference in the quality of oil between the Albany and Rutland/Middlebury outlets. Mr. Chioffi said he cares about; the quality, pricing, market pricing and fairness in the bidding process.

Mr. Chioffi said Burlington, Middlebury and Rutland rack pricing is oil from Valero Canada. He said Valero only ships ultra-low sulfur fuel, which he said meets the USA Standard for # 2 fuel oil.

Ms. Ashcroft questioned why Mr. Chioffi was addressing ultra-low sulfur fuel when the matter was not addressed in the bid notice. Mr. Chioffi said of the 20 or so suppliers to the Albany oil market not all sell ultra-low fuel.

Mr. Chioffi told Board members that he has done a lot of investigation and has talked to a lot of people and that the pricing of fuel oil is attributable to transportation. Mr. Chioffi said the Town's bid notice is confusing and all over the ballpark.

Mr. Chioffi said the bid notice did not require two prices be submitted yet the additional information sheet said bidders are to submit a fixed and deliver mark-up. Mr. Dicton questioned if the fuel bid should be re-advertised.

Mr. Chioffi said the fuel oil should be re-bid with bid specifications requiring a variable with a fixed markup with a high-end cap. He said the Town would pay 3 to 5 cents more but would be protected on the high side and nothing but benefits on the low side if fuel prices go down.

Ms. Ashcroft said she does not have a problem re-bidding the fuel oil. She cited the fact that Mr. Chioffi has added the factor of ultra-low versus low sulfur. Mr. Terenzini said he too thinks the fuel oil contract should be re-bid.

Mr. Terenzini said having a fixed rate option is very important to include in the bid notice. Mr. Terenzini said he too is for ultra-low sulfur fuel oil provided the price is not higher than the prices already submitted.

Mr. Terenzini said he does not know if it worth having the taxpayers pay more for ultra-low fuel oil. Mr. Terenzini said he would prefer to not include an ultra-low sulfur fuel oil requirement in the bid specification.

Board members discussed the re-bidding of the fuel oil contract.

Ms. Zeller informed Board members that tax bills have been mailed to Town tax payers and that the August 25 election warning has been posted. Ms. Zeller announced that absentee ballots are available for voting. Ms. Zeller said told Board members that she would let them know when she has a schedule for the Board of Civil Authority (BCA).

Ms. Zeller informed the Board that the August 24th meeting at the Town School will be held in the Conference room. Ms. Zeller reported that the new computer server has been installed.

She said the server will make tax billing and coordinating with the Grand List a lot easier. She said Mr. Zingale will have access to the Grand List for 911 addressing matters.

Ms. Zeller told the Board that the new point-of-sale system has been installed. She said the system is not yet running but will be soon. Ms. Zeller said she will continue running parallel systems until the auditor tells her she is doing everything correctly.

Ms. Zeller told the Board that she has to learn a new module before she can move on to the next accounting process. She said the transition will be a three year process. Ms. Zeller said she hope to be taking either credit or debit cards on-line at this time next year.

Mr. Terenzini said he would have concerns if the Town is charged a fee by the credit card companies. Mr. Chioffi asked Ms. Zeller if he and other Board members can have a Town email address. Ms. Zeller said it would cost **\$5.00** per email per month. Board members discussed the matter further and took no action.

Ms. Ashcroft suggested that Board members have their email addresses posted on the Town's WWW site so they can be contacted. Ms. Zeller told the

Board that she will not be at the next meeting because she will be attending mandatory election training.

Town Road Commissioner Mr. Byron Hathaway reported:

1. Mr. Hathaway reported his department is doing paving clean-up work. He said the work involves top soil on lawn edges.
2. He told Board members that he has not heard from anyone regarding the AIA Garage construction contract.
3. Mr. Hathaway told the Board that the State DEC is reviewing the Highway Garage storm water permit application.
4. Mr. Hathaway informed the Board that he had been contacted by a Grover Drive resident with questions regarding the drainage easement she is being asked to consider from Mr. Grover.
5. He told the Board that the Town could apply for a Transportation Alternative Program (TAP) Grant later in the fall if the Post Road bike/pedestrian grant application is denied.
6. Mr. Hathaway said that proposed Highway Garage storm water detention ponds may be eligible to receive a TAP Grant. Mr. Hathaway said he would report back to the Board at the next meeting.

Town Fire Chief Mr. Frank Cioffi reported:

1. He told the Board that he had met with Mr. Chioffi and that they discussed various issues and how the Town will proceed.
2. Mr. Chioffi told the Board that he was told by the Town attorney that he (Mr. Cioffi) would be hearing from Heating and Air Conditioning contractor in connection with outstanding Fire Station construction issues. Mr. Cioffi said he had not yet been contacted. Mr. Dicton asked Mr. Cioffi to inquire regarding the status of the punch list items.
3. Chief Cioffi told the Board that he planned to meet with a representative of the Seward Road Seward Road solar field next week.

4. Mr. Cioffi suggested that the Town Police Department have a contact phone number on the Town's www site because he is receiving a lot of calls from individuals trying to reach the Town Police Department. Chief Dumas said the department needs a land line where people can leave messages regarding police matters. Ms. Ashcroft said individuals should call 911 if there is an emergency.

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

Present, no report.

Town Police Chief Mr. Ed Dumas Reported:

1. He informed Board members that the police Committee had met and discussed; the outside work contract and the lack of office space. Mr. Dumas said the Department thanks Mr. Zingale for giving up some of his space so the Police Department can have more space.

Mr. Chioffi read the 7-23-15 police Committee minutes. Mr. Diction said he would like to have Mr. Faignant attend the next Police Committee meeting to address the outside work agreement.

Town Recreation Director Mr. Mike Rowe reported:

1. Soccer registration is ongoing. He said forms are available on the Town's www site. He said registration forms are also available at the Town pool.
2. Mr. Rowe told Board members that there was a great deal of activity at the pool over the weekend. Mr. Rowe said the Town hosted a swim meet which drew up to 900 people during the day. He thanked various Town officials for their assistance with the swim meet event.
3. Mr. Rowe told the Board that the lifeguard stands are now installed.
4. Mr. Rowe said the last day the pool will be open is August 23, 2015.
5. Mr. Rowe told the Board he would like to purchase a **\$1,500.00** 4X8 directional sign for Northwood Park. Mr. Rowe said the Town would install the sign. Mr. Chioffi made a motion to purchase the sign for **\$1,500.00**. Mr. Diction said the Recreation Committee should review the proposal before the sign is purchased.

Ms. Ashcroft inquired as to whether the "Thank You" signs have been placed on the bleachers. Mr. Rowe said the signs have not yet been put up. He said he

would have the signs put up. Mr. Dicton congratulated Mr. Rowe for the good job he did putting on the swim meet.

The Board scheduled a site visit for 5:00 PM on August 11, 2015 to walk the new Dewey Field land.

Town Administrator Mr. Joseph Zingale Jr. reported:

1. Mr. Zingale informed the Board that the unified Towns and Gores of Essex County, VT. have approved the Town Solar resolution. He said Averill, Avery's Gore, Ferdinand, Lewis, Warner's Grant and Warren Gore all voted to support Rutland Town's resolution.
2. He told the Board that the manhole rehabilitation project has stalled because the owners of the Rail Road are requiring Fabian's to get an additional six million dollar insurance policy. Mr. Zingale told the Board that he provided Fabian's insurance agent a map showing the manhole locations along the edge of the rail road's right-of-way. Mr. Zingale said there could be a substantial cost for the policy, which Fabians did not anticipate.
3. Mr. Zingale told the Board that the Cunningham's have requested a meeting with Mr. Hathaway and himself to address the condition of their lawn, which was disturbed as a result of the Town's soil tests.
4. He informed the Board that the amendment to the Town Dog Ordinance becomes effective on Monday August 3, 2015.
5. Mr. Zingale told the Board that he has not yet received a letter of resignation from Mr. Stan Rhodes, regarding his position as Town Health Officer. Mr. Zingale said according to a State Health department official, Mr. Dicton may be appointed Town health Officer if Mr. Rhodes is Health Officer and is not active.

The Board reviewed packet correspondence.

Mr. Chioffi read thank you letter to be sent to Mr. James Hall for his willingness to fill the vacant Board seat until the August election and a thank you letter to Mr. Brad Lafaso for his donation of his time and equipment in order to place the new letter on the Anthony J. Tony Flory Transfer Station.

Ms. Ashcroft moved to have the Board sign the two letters. Mr. Terenzini made a second to the motion. The motion passed unanimously.

Board members discussed going into executive session to discuss a letter submitted regarding the Town Delinquent Tax Collector. Mr. Chioffi made a motion at 8:31 P.M. to

go into executive session to discuss a situation between a Town resident and a Town official. Ms. Ashcroft made a second to the motion. The motion passed unanimously.

Mr. Terenzini moved to adjourn the meeting at 9:00 PM. Ms. Ashcroft made a second to the motion. The motion passed unanimously.