

**TOWN OF RUTLAND
SELECT BOARD**

MINUTES: August 11, 2015

Board members present: Mary Ashcroft, John Paul Faignant, Joe Dicton and Joshua Terenzini

The meeting opened at 6:36 P.M. with the Pledge of Allegiance.

The Board reviewed the July 28, 2015 meeting minutes. Ms. Ashcroft moved to accept the minutes as printed. Mr. Terenzini made a second to the motion. The motion passed by a vote of 3 to 0. Mr. Faignant 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:

Mr. Dicton informed Board members that Mr. Lloyd reviewed both the Hubbard Brothers and Casella Waste Management's compactor bids. Mr. Dicton said according to Mr. Lloyd both bids met Town specifications and that Casella was the low bidder.

Mr. Zingale informed Board members that the Hubbard bid was over **\$7,000.00** higher than the Casella bid because the Hubbard's' included a new container box at a cost of **\$7,000.00**. Mr. Zingale said the Town did not specify a new container.

Mr. Faignant said he thought the existing compactor box was going to be refurbished to be used for zero-sort. Mr. Faignant said he thought that the Hubbard Brothers had submitted a proposal to convert the existing compactor box into a zero-sort container.

Mr. Dicton said the bid did not address zero-sort. He said the matter would be dealt with at a subsequent meeting. The Board referred to the recent Transfer Station Committee meeting minutes regarding discussion pertaining to whether it's economically feasible to convert the existing compactor box into a zero-sort container.

Mr. Dicton also cited the expected saving the Town will receive by replacing the present inefficient compactor with a new more powerful compactor. He said the new compactor will save the Town approximately **\$1,000.00** a year because it will not have to be pulled as often as a result of better compaction.

Ms. Ashcroft moved the subject to the approval of the voters at the special Town Meeting on August 25, 2015 the Board accept the Casella bid, including the **\$1,000.00** trade-in for the existing unit, which would bring the total price to **\$19,350.00**.

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

Mr. Dicton read the Transfer Station Committee minutes.

Mr. Dicton said the gate to Northwood Park has been open when it should be closed. He said the Board needs to get a handle locking the gate. Mr. Hathaway told the Board that an individual who lives next to the park might volunteer to lock the gate for the Board.

Town Deputy Police Chief, John Sly, told the Board that with the exception of a night or two the Town police lock the gate every night around 9:00 P.M.

The Board discussed doing a mailing to residents prior to the August 25th election. All members said a mailing should be done. Ms. Ashcroft made a motion to send out a mailing citing the date, time and location as well as encouraging residents to get out and vote. Mr. Faignant made a second to the motion. The motion passed unanimously. The Board will meet on Thursday August 13th at 3:45 P.M. to assemble the mailing.

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

Not present.

Town Clerk & Treasurer Ms. Donna Zeller reported:

1. She told the Board she is attending mandatory election training.
2. Ms. Zeller reminded everyone that the next meeting is on August 24th at the Town school.
3. She told the Board that absentee ballots are available.
4. She told the Board she plans to schedule a Board of Civil Authority and a Board of Abatement hearing for September 8, 2015 prior to the Board regular meeting.
5. Ms. Zeller told the Board that full conversion to NEMRC is in progress.

Town Road Commissioner Mr. Byron Hathaway reported:

1. Mr. Hathaway requested the Board sign a letter from the Town's salt supplier opening a winter salt account for the Town. Mr. Faignant moved to authorize the Road Commissioner to sign the letter. Ms. Ashcroft made a second to the motion. The motion passed unanimously. Mr. Hathaway said salt is about **\$3.00** a ton more this year than it was last year. He said the price per ton is **\$79.06** per ton.
2. Mr. Hathaway asked the Board to sign a VTrans grant form which is required in order for the Town to receive **\$ 90,000.00** in grant money for the Prospect Hill Box culvert. Board members signed the form.

3. Mr. Hathaway requested the Board sign the Town's Storm water permit for the proposed Highway Garage. He said the signed permit would then be sent into the State. Mr. Faignant moved for the Chairman to sign. Ms. Ashcroft made a second to the motion.

Mr. Hathaway told the Board that he is investigating switching from clay liners in the proposed detention ponds to a membrane material, which should result in a cost savings. He said the Town could also save money by constructing the detention ponds rather than contract for the work. Mr. Dicton called for the vote. The motion passed unanimously.

4. Mr. Hathaway and the Board reviewed Mr. Hathaway's specifications to replace the Town's 550 truck. Mr. Hathaway said the specifications are for a lease vehicle. He said the item is in his budget.

Mr. Hathaway said the Board can throw the bids out if they come in high and he will continue to use the existing Town truck for another year. Mr. Dicton read the bid notice. Mr. Hathaway will delete the word "area" dealers from the bid notice.

Mr. Faignant moved to approve the bid notice. Ms. Ashcroft made a second to the motion. The motion passed unanimously.

Town Fire Chief Mr. Frank Cioffi reported:

1. Mr. Cioffi told the Board that he and Mr. Zingale met the previous with a representative from Sun-Edison Company which owns the solar farm on Seward Road. Mr. Cioffi said the individual was given two options and that he will get back to Mr. Cioffi after considering his options.

Mr. Dicton said the meeting was called because Sun-Edison eliminated the existing access road to the side and back of the building.

2. Mr. Cioffi told the Board he has a new plan to deal with the runoff from the Fire Station roof in Center Rutland. He said the new plan will only require that about 4 to 5 feet of pavement needs to be cut.
3. The Chief informed the Board that he has prepared the bid notice for the generator for the McKinley Station and also a bid notice for the fuel tank.
4. Chief Cioffi informed Board members that he has authorized Town fire fighters to take a truck to Killington for joint training.

Mr. Dicton asked Mr. Faignant if his Bennington Furniture letter is public. Mr. Faignant said the letter is public. Mr. Faignant told Board members he wrote the letter because the business poses a very considerable risk to life safety for both;

employees, members of the public and firefighters. He said the Fire Department has put the owners of the building on notice that except for life saving activities the Town will not provide any fire service to the interior of the building.

Mr. Faignant said the building is in violation of State code and that the danger to firefighters is too extreme. Mr. Faignant said the third floor does not have a required exit and the basement is not sprinkled.

Mr. Dicton asked if Mr. Cioffi tried to work out the matter. Mr. Cioffi said he worked with the Division of Fire Safety, which recently decided to do nothing. He said the letter was sent in to appeal the Division's decision.

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

Not Present.

Town Police Deputy Chief Mr. John R. Sly Reported:

Rutland Town Police Department Report

181 Business Route 4
Center Rutland, Vermont 05736
Date Prepared: 8-1-15

Major John R. Sly # 140
Deputy Chief of Police
Rutland Town Police Department

Monthly Activity Report
For the Month of: **July 2015**

Activity Data

Assigned Calls:	78
Assisted Calls:	6
Criminal Arrests / Lodging	0
Criminal Arrests / Citations	2
Number of Traffic Stops:	57
Number of VCVCs Issued:	45
Total Waivers Fines:	\$7,535.00
Number of Warnings:	24

Time Data

Total Hours Spent on Call Assignments: **56.75**

Total Hours Spent on Assigned Assists:	5.25
Total Hours Spent on Directed Patrol:	51.25
Total Hours Spent on Case Reports:	65.25
Total Hours Spent in Court:	0.00
Total Hours Spent on Administrative Duties:	62.50
Total Hours Spent in Training:	0.00
Total Hours Spent on Vehicle Maintenance:	30.25
Total Hours Spent on General Patrol / Other:	116.75

Totals

Total Duty Hours:	389.00
Total Patrol Miles:	2817.00
Total Gasoline Consumed (gallons)	114.227
Average Miles per Gallon:	24.66 MPG

Mr. Terenzini questioned Mr. Sly regarding the percent of ticket revenue which the Town receives. Mr. Sly said according to State officials the Town would receive 56.5 % of ticket waiver fine revenue. He said the Town would get more or less revenue if a ticket is appealed.

Mr. Sly encouraged individuals to call law enforcement if they should see anyone acting strange or out of the ordinary. He cited an incident where a retired City official called police to report someone acting out of the ordinary in the downtown. Mr. Sly said the individual had a high powered rifle and was stopped before he began shooting.

Mr. Sly told Board members that he recently attended an ALICE training course designed to teach responders and others how to better deal with intruders. Deputy Chief Sly said ALICE stands for alert, lockdown, inform, counter and evacuate.

He said the new protocol will be implemented at the Town school. He said the new protocol promotes a more aggressive stance rather than just backing down to armed intruders.

Town Recreation Director Mr. Mike Rowe reported:

1. The pool will close on Sunday August 23rd.
2. Kindergarten through 6th grade soccer registration is ongoing.
3. He told the Board he is in the process of making the signs informing individuals that their dogs must be leashed in Northwood Park. Mr. Faignant moved to approve the signs for Northwood Park. Mr. Terenzini made a second to the motion. The motion passed unanimously.

Town Administrator Mr. Joseph Zingale Jr. reported:

1. Mr. Zingale informed the Board that a tree, located in the Seward Road right of way, needs to be removed in order to install a replacement manhole. Mr. Zingale told the Board he has not received a reply from the adjacent property, who was asked to give permission even though the tree is located in the public r-o-w. Board members said Mr. Zingale should wait until he receives word from the abutting property before having the tree removed.
2. He told the Board that Architect Mr. John Berryhill is preparing bid plans for the proposed office/restroom renovations.
3. Mr. Zingale informed the Board that he upgraded the Town's carbonite off-site backup to accommodate the new server. He said the upgrade cost \$230.00. He said the Town also received 150GB additional of off-site storage for the additional \$230.00.
4. Mr. Zingale cited the proposed inter-municipal water and sewer agreement with the Town of West Rutland and told the Board that Select Board member, Mr. Don Chioffi, said the agreement does not represent what was previously agreed.

Mr. Zingale said Mr. Chioffi believes the Town of West Rutland has the right under the proposed agreement to charge different rates to West Rutland and Rutland Town users. Board members said they did not agree with Mr. Chioffi.

Mr. Faignant moved to sign the agreement with the Town of West Rutland. Ms. Ashcroft made a second to the motion. Mr. Dicton read the first paragraph of the agreement. The motion passed unanimously.

5. Mr. Zingale told the Board he would be submitting an amendment to the Stop sign ordinance add additional stop signs.
6. He informed the Board that TDI New England (DC Power link) has requested that the Select Board waive required discovery and testimony in order for the application to go directly to the Public Service Board (PSB). The Board referred the matter to the Town attorney for consideration.
7. Mr. Zingale told the Board that he expects to receive a letter of resignation from Town Health Officer Mr. Stan Rhodes III. Shortly.

Mr. Dicton read the proposed fuel oil bid notice. Board members discussed the draft fuel oil bid notice. Mr. Faignant moved to approve the notice. Ms. Ashcroft made a second to the motion. The motion passed unanimously.

Ms. Ashcroft reported on the Finance Committee's July 23, 2015 meeting. Ms. Ashcroft said the Committee is gathering information to set up a pay structure for graduated pay increases for merit and longevity. Ms. Ashcroft said the Committee will be getting VLCT's pay schedules for comparable municipal positions.

Ms. Ashcroft said the Committee also told Ms. Zeller that they would like the Board to receive monthly budget updates. She said the information should include expenditures and revenue coming in.

Mr. Dicton said the Board should have an accounting from the Treasurer rather than from department Heads. Mr. Terenzini and Mr. Faignant said they agree with Mr. Dicton. Mr. Rowe and Major Sly said if they had to present the information that they would have to ask Ms. Zeller for the information.

Ms. Ashcroft reported on the Administrator Assistant Search Committee's August 4th meeting. Ms. Ashcroft said the Committee is developing a job description and the qualities the Committee would like to see in a new part time employee.

Ms. Ashcroft said Mr. Zingale would like the new assistant to take over the writing of the Select Board and Planning Commission minutes. Ms. Ashcroft said due to the amount of time Mr. Zingale puts into writing the minutes, the Committee decided to suggest to the full Board, that the Board rely more on the DVD copy of the meeting and write minutes reflecting the actions taken by the Board and not what is said at the meeting.

Ms. Ashcroft said the other option would be to hire someone to write a verbatim copy of the meeting. Mr. Faignant said the recording takes care of any detail that someone may want to know about a particular item.

Mr. Faignant said the minutes only need to contain general topics and what was decided. He said the detail would be on the DVD. Mr. Terenzini said he agrees with Mr. Faignant. Mr. Terenzini said it's a waste of time to have the new assistant send as much time typing the minutes. Mr. Terenzini said he is in favor of cutting the length of the minutes way down.

Mr. Faignant made a motion that the Board minutes start taking the form similar to the agenda. He said the minutes would be broken down into agenda items and that Mr. Zingale would report on any action the Board took under the agenda item. Mr. Terenzini made a second to the motion.

Mr. Dicton said he agrees with fellow members regarding shorting the length of the Board's minutes, however, he requested the Board not vote until Mr. Chioffi is present. Ms. Ashcroft moved to table the motion. Mr. Faignant made a second to the motion. The motion passed unanimously.

Ms. Ashcroft said she and Mr. Terenzini will get copies of any contracts other Towns may have for the position of Assistant Administrator. Ms. Ashcroft cited the qualities the Committee would like the new assistant administrator to possess.

The Board reviewed packet correspondence.

Mr. Faignant moved to pay the city water bill and to take whatever action the Town needs to take to cover the bill. Ms. Ashcroft made a second to the motion. The motion passed unanimously.

Mr. Faignant said he is in favor of allowing town police to do outside work within Rutland Town. Mr. Faignant cited the fact that the Town attorney only has concerns when Town police are doing outside work outside of the Town of Rutland.

Ms. Ashcroft reported to the Board regarding the Smart Growth Connection planning being done with the Town of West Rutland. Ms. Ashcroft said a market analysis cites a need to serve people over the age of 65 and also the 25 to 34 year old age group.

Ms. Ashcroft said the analysis also found a need for; lawn and garden equipment suppliers, housing and a destination clothing store. Ms. Ashcroft said they are looking at the Center Rutland corridor and asking what could and should happen along the corridor. Ms. Ashcroft said the planning is being funded with a State grant.

Mr. Faignant moved to go into executive session regarding a personnel matter. Ms. Ashcroft made a second o the motion. The motion passed unanimously.