

**TOWN OF RUTLAND SELECT BOARD OPEN MEETING
RUTLAND TOWN MUNICIPAL BUILDING
181 US BUSINESS ROUTE 4, CENTER RUTLAND, VT 05736
April 16th, 2019**

- Board members present: Josh Terenzini, Mary Ashcroft, Sharon Russell, JP Faignant
- Meeting opened at 6:00 P.M. with the Pledge of Allegiance

Approval of Orders

The Board approved the orders

Approval of Select Board Minutes for 4/2/2019

- Ms. Ashcroft moved to approve the minutes. Mr. Faignant seconded the motion. The motion passed 4-0.

New Business: Board to meet with Town of Mendon Select Board to award joint paving bid;

- Rutland Town Road Commissioner Byron Hathaway, Mendon Select Board member Scott Bradley and Mendon Road Commissioner Bill Ellis present to review the bids received for a joint paving contract with the 2 municipalities. The original bid documents received are on file in the Town of Rutland Clerks office
 - 1) Mr. Hathaway presented a spreadsheet to show the total costs for the 2 towns by contractor. For the Town of Rutland:
 - a) Fuller Paving bid was \$422,375.
 - b) Wilk Paving bid was \$392,632.
 - c) Pike Industries paving bid was \$455,125.
 - 2) For the Town of Mendon:
 - a) Fuller Paving bid was \$222,187
 - b) Wilk Paving bid was \$229,630
 - c) Pike Industries bid was \$227,268
 - 3) Rutland Town had an optional and separate project, Dewey Field tennis court, which could be removed from the list if the budget was exceeded. The Town of Mendon also had a basketball court project with the same stipulation. The total costs excluding the special projects are, for the Town of Rutland
 - a) Fuller Paving: \$361,375
 - b) Wilk Paving: \$370,632
 - c) Pike Industries: \$397,625
 - 4) For the Town of Mendon, excluding the special project
 - a) Fuller Paving: \$213,387
 - b) Wilk Paving: \$223,030

- c) Pike Industries: \$218,468
- 5) Mr. Hathaway brought up the possibility to split the bids awarded among different contractors. His recommendation, and the recommendation being brought to the board is to accept the Fuller Paving bid for the Town of Rutland, excluding the tennis court project and the Town of Mendon to accept the Fuller Paving bid, excluding the basketball court.
- 6) Mr. Hathaway detailed his proposal on how to pay for this project.
 - a) The total cost, excluding the tennis court is \$361,375.
 - b) Income from taxes is expected to be \$882,212
 - c) Income from state aid is \$111,032
 - d) Income from grants is \$87,000 and \$87,088
 - e) Carryover balance is \$193,482
 - f) The highway fund would stand at \$1,273,814
 - g) Current ledger expenses as of April 4th are \$1,005,851
 - h) The current orders and payroll signed tonight represent \$11,642
 - i) Projected expenses from now until June 30th are \$81,420
 - j) Total projected expenses of \$1,098,913
 - k) Total projected carryover is \$174,901. \$50,000 is committed for the shared use path at Northwood Park leaving a projected carryover balance of \$124,901.
 - l) If the carryover is used to pay the cost of the Fuller Paving bid, without the tennis court project, the projected carryover balance left at June 30th would be \$62,901
 - m) If the bid cost was split between Wilk Paving, who would complete the Dewey Field project, and Fuller Paving who would complete all the other projects, it would take \$93,000 of carryover leaving a projected carryover of \$31,901 as of June 30th
 - n) Mr. Hathaway stated he is not comfortable with using up this much of the carryover because we have used carryover in the past to help pay for an extra-long winter. Total winter costs exceeded expenses by approximately \$45,000. This does not include a pending bill to be sent to the Town of Mendon. If next winter is extra-long as well it may lead to deficit spending
 - o) Some of the carryover will need to be used because the total amount budgeted for paving is \$300,000 and the lowest bid is the Fuller Paving bid at \$361,375 so approximately \$62,000 of carryover would need to be used.
- 7) Fuller Paving is ready to begin as soon as we are ready. Others would not be able to start until later in the season which could lead to increased costs in liquid asphalt, leading to additional charges. Wilk Paving and Fuller Paving are

agreeable to splitting the bid. Wilk Paving gave a very good price for the tennis court of \$22,000.

- 8) Mr. Hathaway is recommending to accept the Fuller Paving bid and not to pave the tennis courts at Dewey Field.
 - a) Mr. Faignant commented paving the tennis court is important to be done and asked how it could be kept in. Mr. Hathaway said the additional cost would come from the carryover, reducing it to approximately \$30,000. If the shared use path does not get completed, an additional \$50,000 would become available
 - b) Mr. Terenzini commented on the intention to combine the paving projects from both towns together it was to secure better pricing for both towns. Mr. Terenzini asked representatives from Fuller Paving and Wilk Paving if they were awarded work independently for each town would that affect the pricing in the bids. They both indicated the pricing would be the same.
 - c) Mr. Faignant moved to approve the bid from Wilk Paving for the Town of Rutland in the amount of \$392,632 to include the list of streets previously submitted by Mr. Hathaway and the paving of the Dewey Field tennis courts. Ms. Russell seconded the motion. The motion passed 4-0.
 - d) Mr. Hathaway will have the formal contract paperwork to be signed available at the next board meeting.

Questions from the floor / Public Comment:

- 1) Mr. Karl Ronn of Carmel Place, part of the Wynnemere Development. He is asking, on behalf of the homeowners, to have the town takeover ownership of Carmel Place.
 - A. The associations met and are all in favor of this proposal
 - B. His next step is to obtain an acceptance document from the town highway department
 - C. Mr. Ronn stated he is having some trouble coming up with the needed documentation
 - D. The original attorney and engineering firm is unable to locate any documentation related to their project
 - E. Mr. Hathaway reviewed the document with him and identified the documents which would be required and identified sections which could possibly be waived
 - F. Mr. Ronn read the items included in the acceptance document
 - i. Certified as built design specifications
 - ii. Design specifications by a licensed Vermont engineer to which all improvements, facilities for conveyance were built including but not limited to road, sidewalks, water and sewer lines, associated culverts, slopes, ditches, water drainage facilities, traffic signals, road striping, turning lanes, sewer and water line connection T's and other associate improvement sand facilities.
 - iii. Specifications shall include cross section every 100'. A licensed Vermont engineer shall certify the design specifications are at a minimum consistent with

all applicable state and local regulations and the permits issued authorizing improvements and all the improvements as built have been installed in accordance with the design specifications and all applicable state and local permits and plans approved by such permits.

- iv. Mr. Hathaway stated he believed the requirements for cross sections was not part of the original requirements and was recommending that requirement be waived.
 - v. Mr. Terenzini asked if the Highway Committee has met on this yet. Ms. Ashcroft indicated they have not.
 - vi. Mr. Terenzini informed Mr. Ronn it would be appropriate for the committee to meet on this and report back to the board, and also a site visit would be appropriate.
 - vii. Mr. Fagnant advised Mr. Ronn to contact an attorney to represent them because of the deed that would need to be transferred to the town.
 - viii. The Highway Committee will meet once Mr. Denardo is back and available.
- 2) Town Lister Howard Burgess presented the board with a list of users connected to municipal water and/or sewer lines who are not currently being charged O&M fees, but which should be considered to start.
- A. This was last discussed at a board meeting ion 2017.
 - B. Mr. Burgess gave an overview of the users to be considered.
 - C. The first round of bill summaries was received from Rutland City with Fathom Water Management sending the bills and they have, without consultation from the town, added O&M charges to all users in the town.
 - D. The water and sewer committee will be meeting on the 23rd and this list of recommended users to be charged, the list from Rutland City of who is now being charged will be discussed. For users who will start to be charged a letter should be sent to them. This was drafted by the Town Attorney previously.
- 3) Phil Allen of Same Sun of Vermont asked the board if there was going to be a discussion about the proposed solar projects which have been presented to the board.
- A. Mr. Fagnant said the committee was ready to make a recommendation to the full board.
 - B. Mr. Fagnant reviewed the committee meeting from April 10th in which they met with different vendors and discussed their proposals. The committee deliberated for some time. Mr. Fagnant moved to accept the proposal from Green Lantern Solar for a 150KW array with a maintenance agreement and an option to purchase after 7 years. He stated this was the most conservative must most financially sound approach to a solar project. Ms. Ashcroft seconded the motion.
 - i. For discussion, this array would cover the municipal energy needs and would include land lease payments to the town. This would be built on the landfill site at Northwood Park which is not available for any other type of use.
 - ii. Ms. Ashcroft stated the actual terms of the contract would be discussed and reviewed by the energy committee. Mr. Scott Buckley was present from Green Lantern Solar.

- iii. Mr. Terenzini stated he was not prepared to discuss moving forward tonight. He agreed there is an opportunity.
- iv. There are no serious financial ramifications if this is not decided tonight.
- v. Mr. Fagnant agreed to table the motion until the next board meeting on April 30th.

New Business: Board to meet with Town Emergency Management Director, Marty Wasserman;

- 1) Mr. Wasserman discussed with the board a new local emergency management plan
 - a) It is different than from years past. Completing the new document requires input from various committees.
 - b) New items are required now as part of the plan that has not been before, the list was discussed.
 - c) This form is due to the state by May 1st. Not having it submitted puts the town at risk to not receive federal assistance in the event of a major disaster.
 - d) This is different from the Local Hazard Mitigation Plan.
 - e) Mr. Terenzini proposed holding a joint meeting of the Police and Fire Committees to review and complete this document. Mr. Fagnant suggested the development of an active shooter plan can be done as part of this meeting.
 - f) A working session will be scheduled for 10:30 AM on Tuesday April, 23rd to work on both projects.

Mr. Terenzini announced that the Town Fire Department Frank Cioffi has recently retired from the Fire Department. He was our Fire Chief for 5 and ½ years and a member for a total of 8 years, also serving the City of Rutland in their Fire Department for over 40 years. He remains an active member of the State Haz Mat team.

Bill Sweet Administrative Assistant to the Select Board:

- 1) Provided an updated list of the 2019 committees
- 2) Provided quotes from 2 companies for electric vehicle charging stations. Discussed the differences in them, and what will be submitted as part of the grant application.
- 3) The safety grant application has been submitted to VLCT
- 4) The household hazardous waste disposal day was last Saturday and about 40 people brought items.
- 5) Presented a quote from Rob Stubbins Electrical for work at town hall.
 - a) There are 3 projects included, and listed separately. New hallway lights, cameras (if the grant is awarded) and technology upgrades.
 - b) Mr. Fagnant moved to approve the work. Ms. Ashcroft seconded the motion. There was discussion about where the money will come from. This was included as part of the budget for the next fiscal year. The motion passed 4-0.
- 6) The new chairs for the board room were less expensive than anticipated.
 - a) The old chairs are downstairs, some will be kept for election officials and the rest will be offered for free.

- 7) Scholarship window has closed. We have received 8 applications. A meeting will be scheduled next week to review the submissions.

Kirsten Hathaway Rutland Town Clerk/Treasurer:

- 1) Current budget status sheets have been provided
- 2) We are more than 75% of the way through the year. No major spending issues are seen.
 - o We will have a better idea once the local 1% option tax money is received.
- 3) The next tax due date in May 10th
- 4) The balance of reimbursement for School Resource officer John Sly should be received by next week.
- 5) Requested permission to send out the payment to the school district for their portion of the proceeds from the timber sale. The check will be sent out this week.
- 6) The office will be closed for lunch from 1PM to 2PM on the 24th, 25th and 26th.

Mike Rowe Rutland Town Recreation Director:

- 2) The baseballs are starting to come together and being prepared for the season.
- 3) Recently took a walk around the park to view the results of the timber sale. He is developing the plans to get the walking loop back as soon as possible.
 - a) Trail work will start on 4/27 and 5/4 at 8AM.
- 4) Ms. Ashcroft asked a section of the park be designated to allow it to remain untouched so people can observe natural changes.
- 5) Our park could see a lot of activity with the inter-connect trail when it becomes a reality.
- 6) Ms. Russell asked to review the previous decision from the April 2nd meeting to provide pool passes to all town employees. Her concern of giving these away could jeopardize his future budgets.
 - a) Mr. Faignant moved to reconsider his motion to provide pool passes to all town employees and have the matter referred to the recreation committee to discuss any possible financial impacts. Ms. Ashcroft seconded the motion. After discussion the motion passed 3-1 with Mr. Terenzini voting against the motion.

Byron Hathaway Rutland Town Road Commissioner:

- 1) Reviewed damage from the recent rain storm
 - a) Damage to a portion of Quarterline Road
 - b) Damage to both sides of McKinley Avenue west of the Grove Street intersection
 - c) If a FEMA declaration is made we may be eligible for reimbursement. Our purchasing policy would need to be followed in order to qualify.
 - d) Some measures will be taken to stabilize the road in the meantime, costs of which will be covered.

- e) The damaged section of Quarterline Road is class 4 and not a priority for repair. Recommended looking into changing the classification to Class 3 in the future.
- 2) The generator donated from VELCO many years ago has been rewired and repaired. A connection has been installed at the transfer station in order to be able to run it off the generator. It will be tested on 4/17.
- 3) Fire districts without their own generator would be able to request it as long as they have the correct plug installed.
- 4) The deadline for applications to apply for the upcoming Full Time Highway worker position is soon.
- 5) Green up day is May 4th. Bags will be available at Town Hall and the transfer station.
 - a) Please contact him if you would like to work on a specific section of road.
 - b) Filled green bags can be taken to the transfer station and dropped off for no charge. If you are unable to, call the highway department at 802-773-8128 and leave a message saying where the bags are and they will get picked up.

Barbara Noyes-Pulling Rutland Town Planning Commission Chair:

- 1) Requested a member of the Select Board attend their upcoming meeting on the 18th to discuss with the Commission the recently approved storm water ordinance. Ms. Ashcroft said she would attend the meeting
- 2) Requested notice of when the hearing will be on the updated Town Plan so they can attend.
 - a) The meeting will be warned for May 14th at 7PM, during the Select Board Meeting

Ed Dumas Rutland Town Police Chief:

- 1) Recent calls for service were provided.
- 2) Interviews are being held next week for the new officer position.
- 3) The NCIC inspection was today and we had no major issues
- 4) Requested permission to purchase a new radio in anticipation of the new cruiser. Mr. Faignant moved to approve the purchase. Ms. Russell seconded the motion. The motion passed 4-0.
- 5) This week they will place the order for the new cruiser. The dealer will install some parts before taking delivery.

Health Officer John Paul Faignant

- 1) There will be a board of health meeting on May 14th for additional properties.

Committee meeting updates:

- 1) Updates on the Town Wide celebration. A meeting will be scheduled in the next couple weeks to keep the planning going.

Mr. Faignant moved to enter executive session for a personnel matter and a health officer matter for prior disclosure. Ms. Ashcroft seconded the motion. The motion passed unanimously. The board entered executive session at 7:50 PM.

Upon leaving executive session, with no action being taken, Ms. Ashcroft moved to adjourn. Mrs. Russell seconded the motion. The motion passed unanimously. The meeting was adjourned at 7:55 PM.

Respectfully submitted, Mr. Bill Sweet

Joshua C. Terenzini, Chairman

Mary Ashcroft, Clerk

John Paul Faignant

Joseph Denardo

Sharon Russell

Center Rutland, VT.