

**TOWN OF RUTLAND SELECT BOARD OPEN MEETING
HELD VIA PUBLICALLY ACCESSABLE CONFERENCE CALL LINE
MARCH 16th, 2021**

Out of an abundance of caution around the covid-19 virus, this meeting was held via a conference call line which was made publicly available for anyone to call into.

- Meeting opened at 6:00 P.M.
- Board members present Mary Ashcroft, Sharon Russell, Joe Denardo, John Paul Faignant and Don Chioffi
- Members of the public present Howard Burgess, Mike Carlson, Chris Howland, Lydia Flynn, Joe Anthony, Michael Sternberg, Keith Whitcomb, Aaron Jones, Larry Dellveneri, Lynette Gallipo

Town Clerk Kari Clark opened the meeting and asked for nomination for Select Board Chair. Ms. Russell moved to appoint Mary Ashcroft. Mr. Denardo seconded the motion. With no other nominations, the motion passed unanimously. Ms. Ashcroft thanked the board, and welcomed newly elected board member, Don Chioffi.

Ms. Ashcroft asked for nominations for Board Clerk. Mr. Faignant nominated Mr. Denardo. Ms. Russell seconded the motion. With no other nominations, the motion passed unanimously.

Approval of Orders

The Board will approve the orders as they come into the office.

Approval of Select Board Minutes for March 1st:

1. Mr. Faignant moved to approve the minutes; Mr. Denardo seconded the motion. The motion passed 3-0 with Mr. Chioffi and Ms. Russell abstaining.

Bill Sweet Administrative Assistant to the Select Board:

1. Reviewed packet items.
 - a. Provided current list of scheduled meetings and committee agenda items.
 - b. Reviewed current purchasing policy and preferred vendor list.

- i. Mr. Faignant moved to approve the preferred vendor list and to readopt the purchasing policy for the next year. Mr. Denardo seconded the motion. Mr. Chioffi asked how a vendor would get onto this list. The purchasing policy outlines the process, and it was reviewed. The motion passed 5-0.
 - c. Town Lister Howard Burgess provided a certificate to be signed by the Board sealing the Grand List. It certifies there are no appeals pending. Mr. Burgess said there are no pending lawsuits.
 - i. Ms. Russell moved to approve signing the certificate. Mr. Denardo seconded the motion. The motion passed 5-0. All board members will need to sign.
 - d. Provided a copy of an Act 250 notice filed by the Rutland Regional Medical Center for a project they are planning. No action is needed at this time.
 - e. Discussed a summary of a conversation Mr. Sweet and Ms. Clark had recently with the City of Rutland treasurer.
 - i. Provided a written summary of the conversation, a list of the accounts which were previously billed out of this office, and the list of delinquent accounts sent to us from Rutland City.
 - ii. There are 2 accounts which represent a large portion of the past due balance.
 - iii. Mr. Denardo moved to send this topic, as a priority, to the water and sewer committee. Ms. Russell seconded the motion. The motion passed 5-0.
 - f. Provided a list of calls for service for the Town Police over the last 2 weeks.
 - g. Reviewed a letter from the Evergreen Cemetery regarding a funding request. They had initially thought a portion of the cemetery was within the Town of Rutland, but after reviewing the tax maps, no part of it is. The letter was revised asking the town to participate in discussions of the future of the cemetery. The board declined to take any action at this time.
2. The 2021 VLCT safety grant is open for applications. Information was provided to all department heads. Mr. Sweet recapped the process and would like to apply in the next 2 to 4 weeks. Departments heads should be in touch with him for their requests.
3. An attorney representing VELCO with their plans to improve the Rutland North substation reached out about ways the town would be willing to accept service on required documentation. After some discussion about the alternatives, Mr. Denardo moved to accept the 45-day notice electronically and ask for the section 248 filing

material to be done in hard copy. Mr. Faignant seconded the motion. The motion passed 5-0.

4. Updated Highway Committee meeting minutes were sent out which included the path options for the Northwood Park shared use path. Path C1 was the intended option.
5. Northstar Fireworks called and wanted to know if we would like to have fireworks on the 4th of July. Since we are one of their oldest customers, we were given the option as a first choice.
 - a. Mr. Faignant moved to have the fireworks on July 4th. Ms. Russell seconded the motion. The motion passed 5-0.
6. The list of ordinances has been reviewed and updated and are ready for the committees to review. This will be added to the appropriate committee agendas.
7. Lyle Jepson, from the Chamber of Economic Development for the Rutland Region sent out information a short while ago on some federal funds which are going to be given to towns. While the exact uses are not outlined yet it is expected to include water, sewer, and broadband infrastructure projects as well as assist with response to the covid pandemic. The initial amount communicated to us was \$406,894. This is based on a per capita rate. We expect a follow up with more details from Lyle in the next few days.

New Business Board to meet with representatives from the Diamond Run Mall

1. Joe Anthony and Michael Sternberg were present to talk to the board.
2. Mr. Anthony addressed the past due water and sewer bill from the City of Rutland. The bills have been received in their accounting department and are being processed now.
3. Mr. Anthony discussed construction challenges faced during the pandemic. There are entities interested in redeveloping the property currently. It would be a mixed-use property for retail and hotels included. There are some letters of interest and pre-leasing discussions going on.
4. An announcement could be ready within the next 90 days, and Mr. Anthony would like to return to discuss with more information. He will be in touch with Mr. Sweet earlier if he has information to share with the board.

Kari Clark Rutland Town Clerk/Treasurer:

1. Discussed the current budget status report.

- a. The Highway budget had some lines in deficit but there were no large areas of concern.
2. Temporary office help is being looked at. Mary Dahlin will be coming in to help on an interim basis to help with land records.
3. A webinar on digitizing land records is being offered and information on this process should be available for the next meeting.
4. The recent election process went well, there were no major issues.
5. The cost for additional office help is coming from the current \$4000 budget and has enough left for the near future. Discussed the amount of work and timeline to be able to get caught up. There is not one clear strategy to be able to get caught up. Ms. Ashcroft commented that the records are being recorded in the daybook with is legal recognition for filing.
 - a. Discussed the options for other lines for staffing costs to be taken from. No decision was made and is not needed unless the current funds run out.

Barbara Noyes-Pulling Rutland Town Planning Commission Chair:

1. There are five members up for reappointment. Each of the members would like to be reappointed. They are Dana Peterson, Barbara Pulling, Norman Cohen, Jim Hall, and Mary Beth Poli
 - a. Mr. Denardo moved to reappoint all 5 members. Mr. Faignant asked if all members were Town residents. Ms. Pulling said all but one, Mr. Cohen who lives in the City of Rutland, but his participation is allowed by state statute. Mr. Faignant seconded the motion. The motion passed 5-0.
2. The Planning Commission would like to review 2 ordinances, the subdivision and flood hazard ordinances. There are some outdated references included in them and some other updates which should be done.
3. There is a subdivision pending currently from VELCO. A public hearing is planned for April 1st, 2021.
4. Progress on the Pocket Park is ongoing. A meeting with Green Mountain Power, the majority property owner, is needed.

5. The Addison County Regional Planning Commission is coordinating efforts to distribute money for clean water projects and will be sending out more information in the future on those projects.

Mike Rowe Rutland Town Recreation Director:

1. Thanked the volunteers who helped make the youth basketball program a success. They are Greg Fuller, Dennis Mosher, Alex Grimes, Tom Veldy, Pat Whalen and Nate Belomo. They did a great job running the program.
2. Baseball is ready to go, awaiting guidance. Sign-ups have started.
3. The chemical feed system at the pool needs to be upgraded. An automatic system should be put in place. It would replace a manual system. A quote was provided from Allen Pools, who is a preferred vendor, for the work. The cost would come from the depreciation account. Additional electrical work will also be required. The total cost for the automatic system would be \$6195. Ms. Russell moved to approve the quote. Mr. Denardo seconded the motion. The motion passed 5-0.

Byron Hathaway Rutland Town Road Commissioner:

1. Reviewed the status of the shared use path.
 - a. Some test pits were drilled today and look to be good.
 - b. A committee meeting would be appropriate to review the final draft of the plans and will be needed in the next couple of weeks.
 - c. Requested permission to start cutting trees to prepare the site for construction. Ms. Ashcroft said we should have the approved permit amendment before work begins. Mr. Faignant agreed. This will be put on hold.
2. A manhole was located on Cold River Road after some special camera work.
3. The manhole under the railroad tracks was surveyed from inside the pipe with a special camera. It appears to be intact currently. Mr. Hathaway recommended having the line jetted.
4. The sewer inventory is nearly complete. There is one manhole left to be located, in Flory Heights.
5. A manhole off the end of Randbury Road was surveyed recently and leaks were found inside of it. The bricks are leaking, and a steady stream is running in.

- a. The frame, cover and bricks need to be removed. A concrete riser needs to be reinstalled to fix it. The state was contacted, and they gave approval with guidelines, and asked for the steps to correct it.
- b. Mr. Hathaway expects this to be done by a contractor.
6. Paving bids should be ready for the next meeting and the following meeting, bids for the Gleason Road culvert will be ready.
7. Discussed cutting the trees along the South side of the Center Rutland Cemetery. Several can be cleared easily. There is some work which requires a flagger from the railroad and an application was submitted.
 - a. In doing research, the railroad may have acquired some of the land from the town. Some research with the help of historians will be needed to determine the exact location of plots, and then meet with representatives from VTrans to find a path for the planned fence. Some easements may be required but it is not known yet.

Chris Clark Rutland Town Fire Chief:

1. The department has responded to 6 calls in the past 2 weeks, 4 of which were mutual aid.
2. Discussed the possibility of resuming meetings and trainings. Only 6 members have not gotten the covid-19 vaccination shot.
 - a. Mr. Faignant commented that if the mandates from the governor's office are followed, they should be able to resume.
 - b. The meetings will take place at Center Rutland for the time being to be able to have proper distancing.
 - c. The board members did not have an objection to the department resuming.

Ed Dumas Rutland Town Police Chief:

1. Recent calls for service were provided and discussed.
 - a. There is a sharp increase in calls, specifically thefts, in the Green Mountain Plaza.
2. Asked for an executive session to discuss a personnel matter.

John Paul Faignant Rutland Town Health Officer

1. Larger gatherings are being authorized by the Governor's orders and in the next few weeks in person meetings may be able to resume.

- a. Mr. Chioffi asked about being able to resume the meetings sooner.
- b. Mr. Faignant said there are a combination of factors that are preventing it currently and as the Governor authorizes the release of conditions, we will as well.

Committee meeting updates:

No committee meetings took place in the last 2 weeks.

New Business Board to assign Select Board members to committees.

Ms. Ashcroft completed a rough draft of assignments for all the committee assignments. Discussed adding the list to the next packet for the board to review. Copies will be sent out to all board members when the list is finalized. Each Select Board member is on 5 committees and will work with each colleague on at least one committee.

New Business Board to review town officials and fill positions by appointment.

1. Discussed the appointment for the Solid Waste Alliance Communities
 - a. A primary and alternate representative is needed. Both current appointees are willing to serve again. Larry Dellveneri is the primary and Bill Bauer is the alternate
 - b. Mr. Faignant moved to appointment them for the upcoming year. Mr. Denardo seconded the motion. The motion passed 5-0.
2. Discussed the appointment for the Regional Ambulance Board
 - a. Mr. Faignant nominated Sharon Russell. Mr. Denardo seconded the motion.
 - b. Mr. Chioffi commented that he was unhappy with not being renominated. There were no further comments. The motion passed 3-1 with Ms. Russell abstaining and Mr. Chioffi voting against the motion.
3. There are several traditional appointments to be done. They are:
 - a. Weigher of Coal, who is currently Israel Mac.
 - b. Tree Warden, who is currently Byron Hathaway.
 - c. Pound Keeper, who is currently Paul Williams.
 - d. Inspector of Wood, who is currently Byron Hathaway.
 - e. There are 3 fence viewers who are currently Steve Russell, Charles Hemenway and Howard Burgess.

- f. Mr. Faignant moved to reappoint all the existing people in these positions. Mr. Denardo seconded the motion. The motion passed 4-0 with Ms. Russell abstaining from the vote.
4. Discussed the appointment to the Regional Transportation Council. Currently Byron Hathaway is the primary appointee and James Hall is the alternate. Mr. Faignant moved to reappoint both members. Mr. Denardo seconded the motion. The motion passed 5-0. [This appointment was done in 2020 and is valid through June 30th of 2021.]
5. Discussed the appointment for the Regional Marketing Quality of Life. It is unknown if this is still necessary and will be investigated.
6. Discussed the appointment of the Transfer Station Supervisor, Larry Dellveneri, and Transfer Station Attendant Bill Bauer. Mr. Faignant moved to reappoint both. Mr. Denardo seconded the motion. The motion passed 5-0.
7. Discussed the appointment of the Emergency Management Director Marty Wasserman, Service Officer Edward Dumas, Administrative Assistant Bill Sweet, Regional Planning Commission Representative William Matteson. The exact expiration of a term, or if a term applies to these positions was not available at the time of the meeting. Mr. Denardo moved to reappoint these positions as currently filled. Mr. Faignant seconded the motion. The motion passed 5-0.
8. The terms of the other officials on the list are not up.
9. Mr. Faignant moved to provide the Town Emergency Management Director with documentation to show the Town Insurance is primary if they are responding in their capacity as a town official and an incident occurs. Mr. Denardo seconded the motion. The motion passed 5-0.
10. Discussed the open Grand Juror position. The list of write in votes from the recent election was included for the board members. Mr. Faignant commented that it is important to maintain the position. This topic will be added to the next Select Board agenda.

New Business Board to discuss Library Move Ad hoc committee members.

1. Since the committee was proposed 2 weeks ago, the developer has informed the library that they no longer wish to have the library be a part of their plans.

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2. Mr. Faignant moved to dissolve the committee. Ms. Russell seconded the motion. The motion passed 5-0.
3. Mr. Chioffi asked that representatives from the library be invited to a future meeting. They will be contacted to attend.

Reviewed the remaining old business. No action will be taken at this time.

Ms. Russell moved to enter executive session for a personnel matter with Police Chief Mr. Ed Dumas attending. Mr. Faignant seconded motion. The motion passed unanimously. The board entered executive session at 8:06 PM.

Upon leaving executive session at 8:29 PM, Mr. Faignant moved to approve the plan of reorganization as proposed by the Chiefs of Police and implement the following salary rates. Chief of Police, \$71,697, Deputy Chief of Police \$67,808, Patrol Officers and School Resource Officer \$52,000 each. Mr. Chioffi seconded the motion. The motion passed 5-0.

Two liquor license renewal applications were received. First, an outside consumption permit for 99 Restaurants of Vermont LLC. The Police have no issues. Ms. Russell moved to approve. Mr. Denardo seconded the motion. The motion passed 5-0.

The second is for Macs Convenience store, SV Allen Petroleum, in Center Rutland. The Police have no issues. Ms. Russell moved to approve. Mr. Denardo seconded the motion. The motion passed 5-0.

Mr. Denardo moved to adjourn. Mr. Russell seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:33 PM.

Respectfully submitted, Mr. Bill Sweet

Mary Ashcroft, Chair

Joseph Denardo, Clerk

John Paul Faignant

Sharon Russell

Don Chioffi

Center Rutland, VT.