

**SPECIAL TOWN OF RUTLAND SELECT BOARD OPEN MEETING
RUTLAND TOWN MUNICIPAL TOWN HALL
181 BUSINESS ROUTE 4, CENTER RUTLAND, VT 05736
JUNE 15TH, 2021**

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

- Meeting opened at 6:00 P.M. with the pledge of allegiance.
- Board members present Mary Ashcroft, Sharon Russell, John Paul Faignant and Don Chioffi
- Members of the public present Chip Greeno, Chuck Greeno, Charles Romeo, Joe O'Rourke, Fire Chief Chris Clark, Assistant Fire Chief Larry Dellveneri, Police Chief Ed Dumas

New Business Board to Meet with Representative of C&C Fireworks

1. Attorney for C&C Fireworks, Charles Romeo, spoke and thanked the board for the opportunity to meet with them. He gave a summary of the events that lead to this meeting.
2. Attorney Romeo stated C&C Fireworks has 2 requests.
 - a. The board reconsider the revocation of the permit to operate or,
 - b. Have the board amend or add additional conditions to its existing permit.
3. They understand the only legal sale is to those who possess a permit for a supervised public display from the municipality where the display will take place. They would be agreeable to conditions that clarify this, as the Vermont Supreme Court stated.

4. Attorney Romeo reviewed parts of the Vermont Supreme Court ruling that apply to their business.
5. Ms. Russell asked about the legality of the town being able to issue permits for fireworks when the state says we can only under certain circumstance. Ms. Russell suggested the main issue lies with the legislature.
6. Town Attorney Kevin Brown reviewed the regulations as it applies to the town. Discussed what defines a public display and the requirements of the display. The criteria listed on the state sample permit form were discussed.
7. Mr. Chioffi asked how long C&C Fireworks has had a legal permit in the Town of Rutland. Mr. Greeno stated it has been 6 years. Mr. Chioffi asked how many legal violations they have had in the period. Mr. Greeno said they have had none, and that they have only had the list of requirements from the town which they have met.
8. Mr. Greeno commented on his history with the town and his feelings on the circumstances of the permit being pulled.
9. Mr. Chioffi asked Chief Dumas if he was aware of any individuals cited for purchasing fireworks illegally from this establishment. Chief Dumas said he is not aware of any.
10. Mr. Chioffi stated he felt the operating permit approval should be kept simple and they should be allowed to sell to those who are legally able to purchase. Mr. Chioffi added he has had a previous business relationship with the Greeno's but does not have a current financial relationship with them.
11. Attorney Brown had previously provided the board members with a proposed amended operating permit. The board member discussed it and are in favor of issuing it.
12. Attorney Romeo asked for a recess to be able to review the proposed operating permit.

13. Mr. Chioffi moved to recess to allow them to review the draft. Ms. Ashcroft seconded the motion. The board recessed at 6:22 PM.
14. The meeting resumed at 6:39 PM. Mr. Faignant had stepped away from the meeting.
15. Attorney Romeo asked for a few changes.
 - a. Adding “permitted” before supervised public display.
 - b. Adding effective immediately prior to a statement of rescinding the revocation.
 - c. Discussed removing part 4, regarding denying sales to City of Rutland residents as this is covered by a different section. Attorney Brown agreed it could be removed if the board agreed.
 - d. The board agreed to these proposed changes.
16. Discussed the term of the permit. It is set to expire April 14th, 2022. It is hoped there will be legislative action before then which will clear up some of the confusion. The Greeno’s could return then to discuss permit renewal.
 - a. Discussed revising the permit expiration to June 15th, 2022.
 - b. The permit expiration date was updated to this date.
17. The changes were reviewed to ensure all parties were in agreement.
18. Mr. Chioffi moved to authorize the issuance of the revised permit, with the changes included and authorizing Ms. Ashcroft to sign on behalf of the board. Ms. Russell seconded the motion. The motion passed 3-0.
19. Mr. Chioffi thanked the Greeno’s for their patience and understanding.
20. Discussed the benefit to town residents of being able to post the approved list of permits on the town website once they were issued.

6/15/2021

Mr. Chioffi moved to adjourn. Ms. Russell seconded the motion. The motion passed unanimously. The meeting was adjourned at 6:57 PM.

Respectfully submitted, Mr. Bill Sweet

Mary Ashcroft, Chair

ABSENT

Joseph Denardo, Clerk

John Paul Faignant

Sharon Russell

Don Chioffi

Center Rutland, VT.