

**TOWN OF RUTLAND SELECTBOARD OPEN MEETING
RUTLAND TOWN MUNICIPAL TOWN HALL
181 BUSINESS ROUTE 4, CENTER RUTLAND, VT 05736
SEPTEMBER 14th, 2021**

This meeting had a virtual attendance option available for anyone to join.

- 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 Gordon Dritschillo, Ed Carr, Joe Anthony, Michael Sternberg, Tyler Richardson, Howard Burgess, Lydia Flynn, Michael Moser, Larry Dellveneri, Theresa Kulig, Jim Scholtz, Chris Howland

Approval of Orders

The Board approved the orders.

Approval of Selectboard Minutes for August 31st:

- Selectwoman Russell moved to approve the minutes; Selectman Faignant seconded the motion. The motion passed 4-0.

Approval of Selectboard Minutes for September 8th:

- Selectwoman Russell moved to approve the minutes; Selectman Faignant seconded the motion. The motion passed 4-0.

Questions from the floor; public comment

- Theresa Kulig asked about the status of the work the Planning Commission has done to recommend new ordinances in place of zoning. Planning Commission Chair Barbara Pulling said the process is underway. The Commission needs to determine what ordinances are allowed by statute.
- Ms. Kulig asked about the differences in the fireworks permits from last year to this year. The permit this year is much longer. Selectwoman Ashcroft said the new permit is regulated by the state rules and the supreme court decision.

- Ms. Kulig asked about plans to cut back vegetation around the tennis court at Dewey Field. Rec Director Mike Rowe said his maintenance schedule coming up will address this, along with the baseball diamond. Ms. Kulig asked about the possibility of establishing walking trails. The parcel is not large enough to establish a loop of any good size.
- Town Lister Howard Burgess discussed the need for a name to be given to a road which now has 3 buildings on it. This was discussed at an earlier meeting. The proposed name was Thistle Hill Place. Mr. Burgess has spoken with the residents there who are in favor of this name and the state 911 board has given its approval. Selectman Faignant moved to approve the name. Mr. Chioffi seconded the motion. The motion passed 4-0.

Old Business: Board to meet with representatives of the Diamond Run Mall

1. Present representing the mall is Joe Anthony, Ed Carr, and Michael Sternberg.
2. Mr. Carr wanted to make sure the board was aware the invoice sent to them for police responses has been approved and a check has been mailed to the town.
3. A representative is on site 40 hours per week. There have been no intrusions into the building in the past 2 weeks, despite some attempts. Additional reinforcing is planned.
4. Surveillance options are being reviewed.
5. Roof access has been secured.
6. Joe Anthony discussed their plans for additional security. A contractor is expected to be selected by the next board meeting. Specifics can be made available to the board in an executive session if needed.
7. Selectman Chioffi asked if there were any updates on progress for tenants and redevelopment. Mr. Anthony said there are several interested parties but, due to confidentiality, cannot share more.
8. Selectwoman Ashcroft asked who would be responding for security, based on the requirement in the Act 250 permit. Mr. Anthony answered they would be initially, but depending on the circumstance, they made need to call the police. Selectwoman encouraged Mr. Anthony to review their Act 250 requirements.
9. Selectwoman Ashcroft invited them to return in 2 weeks to discuss their security progress, and to inform the board of their backup security plans.

10. The plan of installing barriers was discussed. There is not a final plan currently, but this will be discussed at the next meeting.

New Business Board to review maintenance request from CEDRR

1. Tyler Richardson from the Chamber of Economic Development for the Rutland Region was present to discuss their request.
2. CEDRR owns property at 112 Quality Lane. They would like to repave their parking lot.
3. During the engineering phase, they found the parking lot is a Town Right of Way.
4. Mr. Richardson said the condition of the parking lot is considered poor right now. If approved, the parking lot would be regraded to improve drainage.
5. Selectman Faignant asked for a survey showing the location of the project.
6. After some discussion, information was provided by Town Highway Commissioner Mr. Hathaway that this Right of Way is unlikely ever to be utilized. Additionally, permission was given to Coca-Cola years earlier to expand their parking lot onto the south side of the Right of Way. Selectman Faignant moved to approve the request. Selectman Chioffi seconded the motion. Selectman Chioffi asked for the information on their stormwater mitigation be provided to the board.
 - a. The motion was amended to include the requirement of the mitigation information be provided and any and all other permits that may be needed are obtained by CEDRR.
 - b. The motion was tabled and will be discussed again at the September 28th meeting.

Kari Clark Rutland Town Clerk and Treasurer:

1. Discussed the status of taxes collected.
 - a. 95.3% of payments were received on time.
 - b. There are several payments for the first installment still to be processed, but they are late.
 - c. \$1.4 million has already been received toward the next 2 installments.
2. The first local option tax payment was received recently. The budget includes an estimated \$1.1 million in local option tax revenue, which is \$275,000 per payment. The first payment received was \$362,303.

3. The first 2 installments of the ARPA funds have been received totaling \$614,890.
 - a. This includes the local and county money.
 - b. We expect approximately \$1.2 million in total, with the next installments due this time next year.
4. The next article of The Circle is being prepared for publication. Articles need to be submitted by October 1st.

Mike Rowe Rutland Town Recreation Director:

1. Winter maintenance on fields will be starting soon.
2. Some horses were seen recently being ridden in Northwood Park. The owner was located and asked not to ride them in the park. There are safety concerns with having them in the park or on the trails.
 - a. Selectwoman Russell moved that no horses or motorized [recreational] vehicles be allowed in the park or on the trail system. Selectman Faignant seconded the motion. The motion passed 4-0.
3. Soccer starts this weekend.

New Business Board to discuss the annual Halloween party format

1. The traditional party was not able to be held last year due to pandemic.
2. Discussed various options and alternatives.
3. It was decided a plan that would allow candy to be handed out, such as a drive up or thru option, would be best based on active cases in the school and in town.
4. Selectman Chioffi moved to approve the option of drive up or drive thru. Selectwoman Russell seconded the motion. The motion passed 4-0.

Ed Dumas Rutland Town Police Chief:

1. Recent calls for service were provided.
 - a. Calls similar to the issues previously experienced in the Green Mountain Plaza are greatly reduced.

Chris Clark Rutland Town Fire Chief:

1. There have been 3 calls for service in the last 2 weeks.
 - a. Most recently was a car fire in the parking lot of the mall. The car was a total loss.
2. All the engines had their pumps tested recently and all passed.

Selectwoman Russell moved to enter executive session for the purpose of potential litigation with Police Chief Ed Dumas attending. Selectman Chioffi seconded the motion. The motion passed 4-0. The board entered executive session at 7:01 PM.

The board came out of executive session at 7:07 PM. Selectwoman Russell moved to approve the public records video request by Attorney Susan Edwards. Selectman Faignant seconded the motion. The motion passed 4-0.

Byron Hathaway Rutland Town Road Commissioner:

1. The new truck has arrived and is at the garage. It will be going to the upfitter soon.
2. Discussed options for selling the old truck. The board asked for recommendations at the next meeting.
3. Provided a grant agreement totaling \$12,000 for the grants in aid program.
 - a. Selectman Faignant moved to approve the agreement and to authorize Selectwoman Ashcroft to sign on behalf of the board. Selectwoman Russell seconded the motion. The motion passed 4-0.
4. The Post Road sidewalk grant paperwork is complete, and we are waiting for a project manager to be assigned.
5. The shared use path permit has been received and construction can start any time.
 - a. A stormwater discharge permit was received and needs to be signed, then recorded. Selectwoman Russell moved to approve the permit and to authorize Selectwoman Ashcroft to sign on behalf of the board. Selectman Chioffi seconded the motion. The motion passed 4-0.
 - b. Discussed starting construction this fall or next spring and if it should be contracted out or done by the Highway Department.
 - c. Commissioner Hathaway said as of June 30th the Highway Carryover balance was at \$619,327. \$297,083 was used for paving projects. \$322,244 remains.

Commissioner Hathaway would like to use \$250,000 toward the cost of the Town Line Road culvert. This would leave \$72,244 which could be used to construct the shared use path.

- d. Commissioner Hathaway said if the board would like the Highway Department to do the work it would have to be next spring. The original budget for this project was \$50,000.
 - e. After some discussion, the Highway Department will do the work and it will be planned for spring of 2022.
6. A certificate of substantial completion for the Randbury Road water line was received. Commissioner Hathaway has not had the chance to review it yet, it will be included on the next agenda.

Barbara Pulling Rutland Town Planning Commission Chair:

1. A discussion is planned with the Thomas family regarding possible development of property they own along the western side of Route 7 North.
2. Discussed the Wynnemere stormwater project. There are some complications, and Watershed Consultants is working on it. There may be an Act 250 issue. More information will be shared as plans develop.
3. There is a meeting soon with historical stakeholders to discuss the planned Pocket Park.
 - a. Several groups are expected to be involved in the discussion.
 - b. This area has a significant historical value.

Bill Sweet Administrative Assistant to the Selectboard:

1. The GOP Caucus is asking permission to use the meeting room. Selectwoman Russell moved to approve the request. Selectman Chioffi seconded the motion. The motion passed 4-0.
2. There is a business relocating to Rutland Town, BMF Detailing. A welcome letter was drafted to be sent to them.
3. Provided information from VTrans on the process to ask for a speed limit change, based on a past Inter-municipal committee meeting.

4. Selectwoman Ashcroft had compiled a list of projects which were suggested to be funded using the ARPA funds. The list was provided to board members.
 - a. Selectman Faignant discussed the idea of using these funds to help construct the new fire station to replace the McKinley Avenue station. This suggestion is based on legislation being proposed which may negatively impact the school tax rate in the town.
 - b. Selectwoman Ashcroft suggested using a portion of the funds for the approved use of replacing lost town revenue. This would require using a calculation provided by the Federal Government. The board was in favor of investigating this.
5. The Draft License Application from Green Mountain Power for the Center Rutland dam has been received.
6. The Vermont Department of Health has sent back their acknowledgement of the appointment of John Paul for the Health Officer position.

Selectwoman Ashcroft asked all department heads to begin thinking about planning budget meetings.

Selectwoman Ashcroft said an executive session will be needed at the end of the meeting to discuss a personnel matter.

Selectman Chioffi provided board members with a list of questions pertaining to the Health Officer position. This will be put on the agenda for the next meeting.

Town Delinquent Tax Collector Jim Scholtz was present and discussed the option to use the ARPA funds to assist residents who have a delinquent tax balance with the town. There was discussion about the process for the proper allocation and use. More discussion is needed to determine eligibility and the process.

Selectwoman Russell moved to enter executive session for a personnel matter with Bill Sweet attending. The motion failed due to no second.

Selectman Faignant moved to adjourn. Selectwoman Russell seconded the motion. The motion passed and meeting was adjourned at 8:02 PM.

Respectfully submitted, Mr. Bill Sweet

Mary Ashcroft, Chair

ABSENT

Joseph Denardo, Clerk

John Paul Fagnant

Sharon Russell

Don Chioffi

Center Rutland, VT.