

**TOWN OF RUTLAND SELECTBOARD OPEN MEETING
RUTLAND TOWN MUNICIPAL TOWN HALL
181 BUSINESS ROUTE 4, CENTER RUTLAND, VT 05736
OCTOBER 26TH, 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, Joe Denardo, John Paul Faignant, Sharon Russell, and Don Chioffi
- Members of the public present Rob Stubbins, Chris Howland, Keith Whitcomb, Jim Scholtz, Larry Dellveneri, Andy McKane, Lydia Flynn, Howard Burgess

Approval of Orders

The Board approved the orders.

Approval of Selectboard Minutes of September 28th:

- Selectman Faignant moved to approve the minutes. Selectwoman Russell seconded the motion.
- Selectman Chioffi restated his objection from the meeting on October 12th to the approval of these minutes. Selectman Chioffi asked for some words to be removed from the minutes. No other Selectboard member supported the changes
- The motion passed 4 – 0 with Selectman Chioffi voting against the approval.

Approval of Selectboard Minutes of October 12th:

- Selectman Denardo moved to approve the minutes. Selectman Chioffi seconded the motion.
- a. The motion passed 3 – 0 with Selectman Faignant and Selectwoman Russell abstaining.

Approval of Selectboard Minutes of October 19th:

- Selectman Faignant moved to approve the minutes. Selectwoman Russell seconded the motion.
- b. The motion passed 5 – 0.

Questions from the Floor / Public Comment:

- c. Town resident Rob Stubbins was present to ask the board about a project under review to extend a municipal water line on Post Road to a property he owns. The well on the property is contaminated by road salt, determined by testing. Mr. Stubbins is concerned the water line may be delayed due to the possibility of a new sidewalk being constructed. Commissioner Hathaway said the testing of the existing line shows there should be sufficient water pressure to make additional connections. Selectwoman Ashcroft said we will keep him informed of upcoming meetings so he can participate. We will work to gather information and put together a meeting prior to the next board meeting.

Mike Rowe Rutland Town Recreation Director:

1. Mowing at the parks is complete.
2. Soccer was wrapped up for the season.
3. Basketball will begin soon; signup forms are available online.
4. The winterizing of the park will be done this week.
5. We hosted an event at the park for the Humane Society and it was a great fund raiser for them.
6. Discussed the zero-turn mower. This is the primary mower for the park. There are some mechanical issues with it now. Discussed a repair versus replacement option. Mr. Rowe will put together some information for a discussion at a future meeting.

Ed Dumas Rutland Town Police Chief:

1. Recent calls for service were provided.
2. Chief Dumas, who also has served as the First Constable, gave his resignation from the First Constable position. Chief Dumas said this will allow an additional person to be placed on the road. This will ultimately benefit the town.
 - a. Selectwoman Ashcroft thanked Chief Dumas for his work in this position.
 - b. Discussed options for appointing someone new.
 - c. Selectman Chioffi moved to accept the resignation of Ed Dumas as First Constable, gratefully, as he is looking at the best interest of the town. Selectman Faignant seconded the motion. The motion passed 5 – 0.

- d. Selectman Faignant moved to advertise the open position and request letters of interest and qualifications be sent to the Town Office no later than November 8th so they can be reviewed and discussed at our November 9th meeting. The candidate would be appointed until the next election time in March. Selectwoman Russell seconded the motion. Discussed if the candidate would need to be a Town resident. It was decided they would need to be a Town Resident. The motion passed 5 – 0.
- e. Discussed the current state of the Holiday Inn. It is not known if they are or will be housing homeless people. There are some known issues which are being investigated. A report should be available soon.
- f. Discussed writing a letter to state agencies regarding the housing of homeless at the Holiday Inn and the concerns of the town. The board had no objection to writing the letter.
- g. Our new Officer has been hired; he will be attending the next board meeting.

Chris Clark Rutland Town Fire Chief:

1. There have been 3 calls for service in the last 2 weeks, including a response to a structure fire in Rutland City.
2. The old Engine 3 has been sold and picked up.
3. Discussed the Public Safety Building Committee meeting.
 - a. Selectman Faignant moved to approve NBF Architects as a preferred vendor. Selectman Chioffi seconded the motion. The motion passed 5 – 0.
 - b. Selectman Faignant reviewed a proposal from NBF Architects to help draw plans for the new Public Safety Building. Selectman Faignant moved to approve the contract and to authorize the chair to sign on behalf of the board. Selectwoman Russell seconded the motion. The motion passed 5 – 0.
 - c. Discussed holding the next meeting on site with the architect and an adjacent property owner.

Byron Hathaway Rutland Town Road Commissioner:

1. The well sampling for the closed landfill at Northwood Park was done recently. The engineer, Oscar Garcia, asked if the town would be interested in removing the

administrative order. This would allow us to reduce sampling frequency and cost. It could also allow us to use the site for solar projects.

- a. We currently have testing done twice a year.
 - b. Selectman Faignant moved to asked Stantec to pursue removing the order.
Selectwoman Russell seconded the motion. The motion passed 5 – 0.
2. There is a culvert project on Town Line Road which should be done next year. We have secured a \$200,000 grant to help pay for it.
 - a. Commissioner Hathaway recommended putting it out to bid soon so costs can be included in the budgeting.
 - b. Otter Creek Engineering did the design work on it and he is recommending have Otter Creek Engineering handle the bid process.
 - c. Selectman Faignant moved to approve this request. Selectwoman Russell seconded the motion. The motion passed 5 – 0.
3. VLCT issued a report to us asking if the Town would like to have a designated provider to handle workers compensation injuries. Additionally, they asked if the town would like to develop a Temporary Return to Work policy.
 - a. The board declined to take any action on either recommendation.
4. The road erosion inventory is complete. There are some projects identified for next year, and grant funding has already been secured for it.
5. John Gorman, from Carmel Place, asked if the association would be the one to sign off on the deed to the town if the town were to accept the road. It is not known who owns the land the road is on. They would need to determine the owner.
6. VT DEC has equipment grants available which we have not been eligible for in the past. We were just notified there is an additional round of funding available which we can apply for. Asked if we could submit an application for a compactor, for asphalt. A larger unit would allow us to do more projects. The deadline is November 24th. The grant requires a 20% match. The board gave permission to proceed with the application.
7. Selectman Chioffi asked when they expect to finish the asphalt work on McKinley Avenue. The project is planned for this week.

Kari Clark Rutland Town Clerk and Treasurer:

1. There are 2 BCA meetings scheduled.
 - a. Tuesday November 2nd at 530PM to discuss reapportionment.
 - b. Tuesday November 16th at 9AM to discuss abatement requests.
 - c. Selectwoman Ashcroft encouraged all board members to attend. There were not enough BCA members in attendance at the last meeting and the meeting could not move forward.
2. Reported on some time recently spent in Mendon at their Town Office reviewing some of their processes and was able to look at their digital land record system.
3. Discussed the option to allow residents to pay for their taxes through direct debit. The functionality exists within our system now. We will discuss this with VLCT to ensure our liability and information security concerns are addressed.
4. Provided a contract from Cott Systems for digitizing land records, and information from a past group of Town Clerks who reviewed different systems.
 - a. Before a vendor could be selected, the service would need to be put out to bid.
 - b. There is language in the contract that is concerning and as it is presented would not be approved.

Bill Sweet Administrative Assistant to the Selectboard:

1. Reviewed the model policy from VLCT on Social media usage. Provided the summary of the policy and the model policy with Town specific references added.
2. Provided a copy of the Road Commissioner job posting. It has been published in the Rutland Herald for a week, it is available on the town website, a posting has been created on Facebook and it is listed in the VLCT classifieds. No applications have been received yet. The ad will be renewed through the next board meeting.
3. A sewer allocation request was received from VELCO for their Post Road substation. They are requesting an allocation of 60 GPD. Selectman Faignant moved to approve the request. Selectwoman Faignant seconded the motion. After some brief discussion the motion passed 5 – 0.
4. A meeting room request was received from John Gorman on behalf of the Wynnemere Homeowners Association. They would like to use our room for their annual meeting. The

requested time is during regular hours so there would be no fee. Selectman Chioffi moved to approve the request. Selectwoman Russell seconded the motion. It was clarified masks would be required by all in attendance. The motion passed 5 – 0.

5. A meeting room request was received from Frank Etori on behalf of Fire District #5. They are asking for an open-ended approval to use the meeting room on the third Monday of each month to hold their Fire District meetings.
 - a. An open-ended request is outside of the policy.
 - b. Their request is for after regular office hours.
 - c. After some discussion, Andy McKane, who is a Planning Commission member, also lives in the Fire District. Mr. McKane said he would be willing to take responsibility for the building during the meeting.
 - d. Discussed the ability to access the building. A one-time door code will be issued.
 - e. Selectman Chioffi moved to approve the request for November 15th only. Selectwoman Russell seconded the motion. The motion passed 5 – 0.
 - f. The fee for the room was discussed, Mr. McKane said he would be willing to waive receiving the fee, so one will not be charged.
6. Provided information found on a bill in Congress right now which is proposing to provide grants for fire station construction. It is in committee currently being discussed.

Selectman Chioffi requested a recess. The meeting recessed at 7:33PM and resumed at 7:37PM.

Reappointment requests were received from the Regional Planning Commission for appointments to the Regional Board of Commissioners and to the Transportation Council.

- a. Currently Bill Matteson is the appointee to the Regional Board of Commissioners and Byron Hathaway is the alternate. Byron Hathaway is the appointee to the Transportation Council and Jim Hall is the alternate.
- b. Commissioner Hathaway is resigning from his positions at the end of the calendar year and did not request to be reappointed. We do not know if the other appointees would like to be reappointed. It was recommended the new Road Commissioner be appointed to the Transportation Council position.
- c. Selectman Chioffi moved to appoint Jim Hall as the primary appointee. The motion failed due to no second.

- d. There was no decision made. This will be added to the next agenda

John Paul Fagnant Town Health Officer

1. Updated the board on the Holiday Inn. A complaint was received from a guest who stayed there. As a result of this Frank Cioffi and some state investigators went and did an inspection which revealed some violations. A full report is not ready yet.

Committee meeting updates:

1. Selectman Chioffi followed up on questions he asked which were referred to the Personnel Committee.
 - a. Selectman Chioffi asked what the basis was for Selectman Fagnant, acting in the capacity as the Town Health Officer, to require masks at Town Hall.
 - b. Selectman Fagnant said he is following recommendations from the CDC and the VT Department of Health when making his recommendations.
 - c. Selectman Chioffi asked what information he is basing the order on. Selectman Fagnant clarified he makes recommendations to the Board of Health, and they make the order, and the data and recommendations are available online.

Selectwoman Ashcroft thanked the volunteers from RSVP with their help in getting The Circle sent out, and all the contributors who provided content.

Cheney Hill cemetery had some work done with the help of Boy Scout troops 112 and 120.

Tristan Stute was recognized for taking on a special project of lifting and setting fallen stones.

Discussed reporting Selectboard member time for reimbursement.

1. Selectwoman Ashcroft said there is not a consistent method being used. Different members use different timelines for submitting timesheets.
2. Town Treasurer Kari Clark said they track each person individually, but a formal policy does not exist. Selectman Fagnant stated the historical policy has been at the discretion of the individual person. The auditors have in the past recommend establishing a regular schedule.

3. Discussed requesting the stipend in advance and in arrears simultaneously. When the auditor was asked about this practice in the past they indicated a balanced request, 6 weeks prior and 6 weeks in advance for example, was an acceptable practice as they balanced each other out.
4. Discussed how to account for committee meeting and special board meeting time.
 - a. These could be above and beyond the stipend.
 - b. All board meetings, regular or special, would-be part of the stipend and committee meetings would be at the hourly rate.
5. Selectman Chioffi moved to have regular Selectboard meetings paid by the stipend and that special board meetings and committee meetings would be paid at the hourly rate. Selectwoman Russell seconded the motion. The motion passed 5 – 0.
6. Discussed what extra tasks should be covered, and minimum times.
 - a. Writing articles would be counted at the hourly rate.
 - b. When the BCA meets, they have 2 hours minimum as does the Planning Commission.
 - c. There is state law which addresses minimum times.
 - d. Discussed committee meeting times. Selectman Chioffi moved to account for committee meeting times as the actual time. Selectwoman Russell seconded the motion. Discussed recording time at the meeting on 30-minute increments for better record keeping. This was agreed upon and added to the motion. The motion passed 4 – 1 with Selectman Chioffi voting against the motion.

Selectman Faignant moved to adjourn. The motion failed due to no second.

Selectman Chioffi informed the board members that he intends to bring a proposal to change the way library services are paid for to a future meeting.

Selectwoman Russell moved to adjourn. Selectman Denardo seconded the motion. The motion passed unanimously. The meeting adjourned at 8:10 PM.

Respectfully submitted, Mr. Bill Sweet

Mary Ashcroft, Chair

Joseph Denardo, Clerk

John Paul Fagnant

Sharon Russell

Don Chioffi

Center Rutland, VT.