

**TOWN OF RUTLAND SELECTBOARD OPEN MEETING
RUTLAND TOWN MUNICIPAL TOWN HALL
181 BUSINESS ROUTE 4, CENTER RUTLAND, VT 05736
MARCH 15th, 2022**

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

- Town Clerk Kari Clark opened the meeting
- Meeting opened at 6:00 P.M. with the pledge of allegiance
- Board members present Mary Ashcroft, Joe Denardo, Sharon Russell, Don Chioffi, and Kurt Hathaway
- Members of the public present Jim Scholtz, Byron Hathaway, Ben Hogan, Chris Howland, Marcia Chioffi, Lydia Flynn, Danielle Bradtmiller, Howard Burgess, Sawyer Hathaway, David Hernandez, Robyn Sweet, Lyn Gallipo, Keith Whitcomb

Town Clerk Kari Clark asked for nominations for Selectboard Chair for the next year. Selectwoman Russell nominated Selectman Chioffi. Selectman Denardo seconded the nomination. Town Clerk Clark asked if there were any other nominations. Selectwoman Ashcroft nominated Selectman Denardo. Selectman Denardo respectfully declined citing personal reasons. The vote was taken and Selectman Denardo, Selectman Chioffi and Selectwoman Russell voted for Selectman Chioffi as Chair. Selectwoman Ashcroft and Selectmen Hathaway voted against Selectman Chioffi as chair.

Selectwoman Russell nominated Selectman Denardo for Clerk. Selectman Chioffi seconded the nomination. The nomination passed 5 – 0.

Selectman Chioffi thanked his fellow board members. Selectman Chioffi stated he intends to run the meetings using Roberts Rule of Order for small groups, and clarified he will not be making motions, or voting on motions, unless needed to break a tie.

Selectman Chioffi congratulated Selectman Hathaway on his election to the board, and thanked Selectwoman Ashcroft for her work as Board Chair over the last year.

Selectwoman Ashcroft thanked Selectman Chioffi and wished him the best in his new role.

Approval of Orders

The Board approved the orders.

Approval of Selectboard Minutes for February 28th:

Selectwoman Ashcroft moved to approve the minutes. Selectwoman Russell seconded the motion. The motion passed 4 – 0 with Selectman Hathaway abstaining.

New Business Board to Discuss Meeting Room Request

1. Bill Cotell discussed his application to use the downstairs meeting room at Town Hall in order to provide a Covid-19 testing and test distribution site. Dave Hernandez, of CIC Health who is a state contractor was present to discuss the plans.
2. They are asking to use the room on Tuesdays, Wednesday, and Sundays from 10AM to 4PM.
3. Since the building is not normally open Sundays, this would require a Town Employee be present to open the building and remain there for the duration of their event.
4. They would like to have a weekend day but understood the schedule restrictions.
5. After some discussion they would like to use the room Monday and Wednesday from 10AM to 4PM and Friday from 10AM to 130PM.
6. They would like to start next week and run through the month of May.
7. Selectwoman Ashcroft moved to approve the request. Selectwoman Russell seconded the motion. The motion passed 4 – 0.
8. There will be a variety of methods used to distribute the information for these dates.

New Business Board to Review Current Preferred Vendor List

1. Selectwoman Ashcroft moved to approve the list as presented. Selectwoman Russell seconded the motion.
2. Selectman Hathaway asked about 2 vendors on the list.
 - a. KSA Built. They are a vendor who specializes in custom trail design and is working with the Rec Department.
 - b. Sam Frank. This company was used as a food vendor for Rec but are no longer providing that service. They can be removed from the list.
3. Selectwoman Ashcroft moved to approve the list with Sam Frank being removed. Selectwoman Russell seconded the motion. The motion passed 4 – 0.

New Business Board to review Town Officials List and discuss filling any needed positions by appointment

1. Selectman Chioffi asked for anyone interested in an appointed position to reach out to him prior to the next meeting.
2. This will be moved to the agenda for the next meeting.

New Business Board to discuss next steps to fill the vacant Road Commissioner Position

1. Selectman Denardo said since Town Voters approved the change from an elected position to one that is appointed, a review of the job description needs to take place to ensure it matches what we are looking for.

2. Selectman Denardo also stressed that this position is not intended to be filled on a short-term or limited basis but rather the person chosen to fill this position should be for the long term.
3. Selectwoman Ashcroft moved to send the application process to the Highway Committee for further discussion. Selectman Hathaway seconded the motion. The motion passed 4 – 0.

New Business Board to Review Proposed Paving Project Bid Details

1. The list was put together using a collaboration of several people. It is difficult to estimate how the costs will come in due to the uncertainty in the cost of oil.
2. The process is similar to what has been done in years past.
3. Selectman Hathaway expressed concern about the plan for East Pittsford Road, suggesting it should be a reclaim and pave project rather than paving a shim and overlay.
4. Selectman Denardo moved to approve the proposal as presented. Selectwoman Russell seconded the motion. After some discussion, the motion includes the bid request be updated to include reclaiming East Pittsford Road as an option to review once bids are received. The motion passed 4 – 0.

New Business Board to Review for Adoption 2022 Public Works Mutual Aid Agreement

1. Selectwoman Ashcroft moved to approve as presented. Selectwoman Russell seconded the motion.
2. There are some contact info sections which will need to be completed.
3. This is similar to the one we have done in the past and is renewed annually.
4. The contact information will be updated to have Walt be the primary contact and Bill being the alternate contact.
5. The motion passed 4 – 0.

Walter Tripp and Jason Bathalon Rutland Town Highway Crew:

1. The trailer mounted chipper, which was damaged in an accident recently, will be looked at by an insurance adjuster tomorrow. There is damage to the axle, and toolbox.
2. Reviewed a letter drafted to send to a property owner who owns a tree on the corner of Connor Drive and Town Line Road. The lower limbs of the tree need to be trimmed to improve sight lines. Some minor changes were proposed and will be included prior to sending it out.
 - a. Discussed sending it via certified and regular mail.
 - b. Selectwoman Ashcroft moved to send the letter with the modifications as discussed. Selectwoman Russell seconded the motion. The motion passed 4 – 0.
3. Discussed additional invoices received from Rutland City for sidewalk plowing services.
 - a. We have received \$1150 in charges so far.
 - b. Jason Bathalon discussed the service with Rutland City. The city currently plows both sides from the town Line on US Route 7 South down to the mall entrance.
 - c. Our highway crew has the equipment to do this.

- d. Discussed if the service was required as part of the Act 250 permit for the mall. Byron Hathaway provided information that there is a separate agreement between Zamias and the City of Rutland to plow the sidewalk, and that it was not a part of, nor included in, the Act 250 decision. We have not been able to get a copy of the agreement.
 - e. Selectman Hathaway moved to approve the invoices, and to notify them they will no longer be needed to plow the sidewalks. Selectwoman Russell seconded the motion. The motion passed 4 – 0.
4. Discussed approving driveway permit requests.
 - a. The Road Commissioner has historically done this, there are 2 pending applications.
 - b. Walt Tripp will handle them until a new Road Commissioner is in place.

New Business Board to Discuss Payments for Public Safety Building Postcards and Signs

1. A question came up on how the postcards and lawn signs in support of the new Public Safety Building were paid for.
2. The receipts show the funds were taken from the Sutton Fund.
3. Selectman Denardo spoke to the origin of the Sutton Account, which was established upon the execution of a will, and has specific uses and restrictions on it. Funds from a recent settlement were deposited into this account. Adjustments will likely need to be made.
4. Fire Chief Chris Clark was asked about the status of the Fred Gallipo Fund, which is a separate account for the use at the discretion of the Fire Department members. Chief Clark stated there are funds in that account. Additionally, he had received opinion from our Town Counsel that the method used to pay for them initially was allowable.
5. Selectwoman Ashcroft moved to have the Treasurer make the correction to have payments made to NBF Architects for their work on the new building come from the settlement and remaining bond funds, and not from the Sutton funds. The settlement funds and remaining bond funds should be in their own account. Selectman Denardo seconded the motion.
 - a. Selectman Denardo said the \$30,000 in funds received from the settlement and the \$54,000 in bond funds from the Center Rutland Fire Station cannot be included in the same account as the Sutton funds. Selectwoman Ashcroft agreed with this.
 - b. Treasurer Clark said moving the funds is not an issue. There will be no effect on the Sutton money.
 - c. The motion passed 4 – 0.
6. Selectwoman Ashcroft moved to allow the costs for the printing of the postcards and related postage expense, and the cost of the yard signs be paid for from town funds. Selectwoman Russell seconded the motion.
 - a. Chief Clark said he had received permission from board members prior to ordering the postcards and signs. The funds were not intended to come from the Sutton account, but from the funds designated for soft costs.

- b. Assistant Chief Dell Veneri said he was in charge of this project and had received approval from the Chief and Board members.
- c. Selectwoman Ashcroft stated the expenditures were previously approved by the board when they signed the bills and warrants.
- d. Selectman Hathaway said he had heard from several residents who did not receive them. Assistant Chief Dell Veneri said the list he requested was not complete and the error was on his end. It only included property owners and it inadvertently left out renters, etc.
- e. The motion passed 3 – 1 with Selectman Hathaway voting against the motion.

Chris Clark Rutland Town Fire Chief:

1. An application for a new member was presented. They would take one of the city resident slots.
 - a. Selectwoman Ashcroft moved to approve the application. Selectwoman Russell seconded the motion. The motion passed 4 – 0.

Kari Clark Rutland Town Clerk and Treasurer:

1. The recent election went very well. All the articles passed, and the results have been posted. For those who were successful in their race, if they have not done so, please come in to take your oath of office.
2. Dog licensing is due by April 1st.
3. The next deadline to have an article in The Circle is April 1st.
4. Two new tabulators for the elections are being sent to us. They will replace the ones we have had for a long time.
5. The Rutland Town Seniors have an account for their funds, in a bank other than the one all our municipal funds are in. Their funds are managed by their treasurer. Discussed moving those funds into an account at the same back all town funds are kept at. Ms. Clark will work with the treasurer for the seniors

New Business Board to Discuss Next Steps for the Public Safety Building

1. Discussed the process to apply for and receive the bond funds for the Public Safety Building. The process should be started soon, due to the length of the process. If we started the process now, we would see funds by August. A specific discussion around the timeline, use of funds and the source of those funds should be had to make sure everyone has an understanding.
2. Discussed the use of ARPA funds for the project. There are reporting periods for the use of these funds, and the first one is coming up in the next several weeks. There is also a deadline coming soon in order to be able to apply for bond funds if we want to get them this year.
3. Discussed how we will determine the amount of funds we would be asking for from the bond bank. After we have discussions with the architect, we will have a better idea of how much we need. Ms.

Clark also stated that based on conversations she has had with the representative from the bond bank, if we ask for money we end up not needing we do not have to accept it all.

4. Discussed the best way to use the ARPA funds in order to avoid any audit issues. It was suggested to establish an account specifically for the Public Safety Building funds in order to help their management. This discussion will be had with our auditor.
5. Discussed having a Clerk of the Works for the building project. Selectwoman Russell nominated John Paul Faignant since he has been involved right from the beginning and has a lot of knowledge on the project. Selectwoman Ashcroft seconded the motion.
 - a. The compensation rate for this position would be at the same rate as the 2nd Constable position, which is \$25.68 per hour.
 - b. Selectman Hathaway said he would be opposed to this appointment due to him not being a board member any longer.
 - c. Selectwoman Ashcroft said the architect could also serve as a construction manager but would likely be a much bigger expense.
 - d. John Paul Faignant is present for the meeting. Selectman Chioffi thanked Mr. Faignant for his many years of service to the town, and his work on this project.
 - e. Mr. Faignant said if appointed to work in that capacity, he would ensure the project would be kept moving along.
 - f. The motion passed 4 – 0.
 - g. This position will be effective immediately.

Mike Rowe Rutland Town Recreation Director:

1. Baseball signups are underway. Forms are available on the Rec page on the town website. They hope to begin the first week of April, depending on weather. T-Ball and Mighty Mites should start in May.
2. The Act 250 permit amendment application is still under way. Meetings are on going working towards completing the application.
3. Discussed the status of the shared use path for Northwood Park. The trail is marked out where it will go. The original plan was to have the Highway Department do the work but that is not the current plan so it should go out to bid. Director Rowe did not want the project to get stalled.
 - a. Byron Hathaway was largely involved in the development of this project. Mr. Hathaway said there is money included in the carryover funds which was originally allocated for this project.
 - b. Specifications will need to be created, based on plans from Otter Creek Engineering.
 - c. The structures needed for stormwater management have already been purchased and are at the highway garage.
 - d. A meeting will be planned soon between the Rec and Highway committees and other necessary parties to discuss this and keep it moving forward.

Ed Dumas Rutland Town Police Chief:

1. Recent calls for service were provided and discussed
2. Discussed the recent accident the Highway crew was involved in. The report is complete.
3. There was another meeting today regarding the dispatch plan. A letter of intent may be needed relating to grant funding, but it is not certain yet.
4. There was a recent issue at the Cortina Inn. Officer Plakas responded and needed assistance. First Constable Delehanty responded and was able to help locate the person. The offender was arrested and lodged.
5. Discussed the access control system for Town Hall, and the one planned for the new Public Safety Building. Currently, Bill is the only one who manages the system, and he agrees there should be someone else who is able to manage the system. Officer Plakas has agreed to help with this.
 - a. Selectwoman Ashcroft moved to approve the request. Selectwoman Russell seconded the motion. The motion passed 4 – 0.
6. Chief Dumas discussed the status of the Cortina Inn. There is a security issue with the back door of the facility. The door does not close and lock, and this has allowed people to come and go without restriction.
 - a. The staff that is providing services on behalf of the state have asked for this to be taken care as well as Chief Dumas.
 - b. Chief Dumas has spoken with the owner directly and he has not fixed the issue.
 - c. John Paul Faignant, working in his capacity as Health Officer, will assist with this.

Barbara Pulling Rutland Town Planning Commission Chair:

1. Discussed the Wynnmore stormwater issue.
 - a. The HOA plans to sign off of the project.
 - b. The original plan was to use a grant for a full 100% design but due to delays it has had to be cut back to a 30% design.
 - c. A signed letter from the HOA was brought to Town Hall today.
 - d. With the signed letter, this will allow for a new grant application to be submitted which could cover the costs for 100% design.
 - e. The current phase of the project needs to be wrapped up by the end of the month.
 - f. Selectwoman Ashcroft moved to approve signing the letter and to authorize the Chair to sign on behalf of the Board. Selectwoman Russell seconded the motion. The motion passed 4 – 0.
2. The public meeting for the proposed Center Rutland Pocket Park was held recently. Many good ideas were received from those attending. The ideas were brought to the Town Planning Commission and were discussed at a recent meeting. The new suggestions should easily be able to be combined with the original list.
 - a. There are some grant funds still being used for this project and the end of that is coming soon.

- b. Discussed creating a new map based on the new suggestions.
- c. Selectwoman Ashcroft asked when the Board will see the final recommendations from the Planning Commission. The Board would like to see the list of recommendations and what requests will be needed, such as someone to create a design to review.
- d. A new map will be designed by the Regional Planning Commission based on the recommendations and will be presented at the board within the next 2 meetings.

Larry Dell Veneri Rutland Town Transfer Station Manager

1. Mr. Dell Veneri reported that the second trash dumpster at the transfer station is damaged and needs some repair work. There are 2 quotes provided to the board. One is for repair and the other is replacement.
 - a. It needs new rails and some repairs to the floor.
 - b. A new unit would cost approximately \$9000, the repair is estimated at \$3000.
 - c. Selectwoman moved to authorize the repair of the container for an amount not to exceed \$3000. Selectman Hathaway seconded the motion.
 - d. The repair quote came from Hubbard Brothers. Selectman Denardo suggested contacting Earles Truck Repair to get an additional quote for repair.
2. Joe Diction has been advising the Fire Department on the benefits of using a repeater for the radio system. A temporary unit was brought up to the transfer station recently and some testing around town was done. It worked very well.
 - a. An antenna will need to be mounted to the building permanently once all of the equipment has been acquired.
 - b. Selectwoman Russell moved to approve the request to install the system at the transfer station. Selectwoman Ashcroft seconded the motion.
 - c. Selectwoman Ashcroft asked what the anticipated costs are. Mr. Dell Veneri said there will be no cost for the installation. The cost of the balance of the equipment is not yet known.
 - d. There will need to be some radio equipment installed, and the current fire radios will need to have updated programming.
 - e. The motion passed 4 – 0.

Marty Wasserman Town Emergency Management Director

1. Provided the Local Emergency Management Plan which needs to be updated. Once all the changes are made it will be brought back to the Board for approval.
 - a. Included Walt Tripp as acting Road Commissioner.
 - b. Two signatures are required. One is the Selectboard Chair. The other is from a Board member who is certified in the incident Command System.
 - c. Selectman Hathaway is qualified to sign for the ICS requirement.

- d. Discussed the newly created Rutland Regional Emergency Management Committee. This is a new group formed by the state, overseen by the Regional Planning Commission.
 - i. Each town is to have 2 voting members, and other non-voting members which include the Fire and Police Chief.
 - ii. The Emergency Management Director is automatically one of the voting members. The other needs to be assigned by the Selectboard.
 - iii. This is a new committee and has not had members appointed in the past.
 - iv. Bill Sweet is currently the Emergency Management Coordinator in the Town and Mr. Wasserman recommends he be appointed as the second voting member.
 - e. Selectwoman Ashcroft moved to authorize the Chair to sign, Selectman Hathaway to sign as the board member with ICS certification, and to designate Bill Sweet as the second voting member of the Rutland Regional Emergency Management Committee. Selectwoman Russell seconded the motion. The motion passed 4 – 0.
2. Discussed establishing Town Hall as the Emergency Operation Center for the Town of Rutland. It is currently the Center Rutland Fire Station. This could be updated as part of the new Local Emergency Management Plan.
- a. Discussed the types of situations where having the location designated as Town Hall would be beneficial. In that scenario, the Board would be at the office, along with other Town Officials and all the Town Officials have their resources at the office.
 - b. All of the individuals involved in a large-scale incident should be accessible but not necessarily always in the same room, as they would be at the Fire Station.
 - c. One item which could added, at the suggestion of Mr. Wasserman, is a 2-way radio system capable of communicating with all town resources.
 - d. The location of the EOC needs to be listed on the LEMP. The final LEMP needs to be submitted by May 1st.
 - e. Discussed if designating Town Hall as the EOC, obligates us to the purchase and installation of a radio system. Mr. Wasserman said it does not. A bid was received from Central Vermont Communications for the purchase and installation of radios, which included licensing, if that was needed. A new bid would be needed if we were interested because of the lapse in time.
 - f. Selectwoman Ashcroft moved to approve designating Town Hall as the EOC. Selectwoman Russell seconded the motion. After some discussion, the motion passed 4 – 0.

The meeting recessed at 21:04 and resumed at 21:07.

3. The planting of flowers out front of Town Hall is done by Mr. Wasserman and his wife. He asked if it was ok to continue. The board had no objection. Mr. Wasserman stated Home Depot has generously donated all of the supplies used at the Center Rutland Fire Station for the gardens there. Selectman Chioffi thanked Home Depot for their generous donations.

Bill Sweet Administrative Assistant to the Selectboard:

1. Discussed the scholarship application for this year. Last year they were due on April 23rd, which would be equivalent to April 22nd this year.
 - a. Selectwoman Ashcroft and Selectwoman Russell agreed to be members of the Scholarship Committee.
 - b. Discussed if the April 22nd date was during school vacation. If it is during school vacation week, the due date will be April 29th.
2. Provided the grant agreement for the Post Road sidewalk.
 - a. The grant award is for \$48,250 with a 50% match including in kind work.
 - b. This is for a sidewalk segment to go from the Town School to Chasanna Drive.
 - c. Selectwoman Ashcroft moved to approve the grant agreement and to authorize the Chair to sign on behalf of the Board. Selectman Denardo seconded the motion.
 - d. The motion passed 4 – 0.
 - e. Grant funds must be used before January 31st, 2024.
3. Wulnick Properties sent a reply to our request to increase their sewer discharge allocation based on actual usage from 2021. They stated they must let their water run to prevent their sewer drain from freezing. They did not send a check for the difference needed in the allocation.
 - a. There are no provisions in the ordinance to exempt an increase request based on this scenario.
 - b. A follow up letter will be sent to the property owner requesting the additional allocation be applied for.
4. The vendor we had selected and approved to replace a water line at Town Hall has not been able to complete the repair. A second vendor was contacted, and the quote was provided.
 - a. Selectman Denardo moved to approve the \$1387 quote from Mclaughlin Plumbing to have the water line replaced. Selectwoman Ashcroft seconded the motion. The motion passed 4 – 0.
5. Robert Clark from Otter Creek Engineering and Ron Fabian from Fabian Excavating will be coming tomorrow to finish signing the contract documents for the Town Line Road culvert.
6. Robert Clark sent us a contract document for services to help with the entire Post Road Water Line extension.
 - a. The funds would come from the Town Water account.
 - b. Selectwoman Ashcroft moved to approve the contract for engineering services from Otter Creek Engineering for the Post Road water line extension, and to authorize the Chair to sign on behalf of the Board. Selectman Denardo seconded the motion.
 - c. The motion passed 4 – 0.

John Paul Faignant Town Health Officer

1. Discussed the possible future of pandemic issues, and the request made to use the downstairs meeting room. Mr. Faignant expressed concern over the people coming to the office looking for the tests, and the possible exposure to staff in the office and care should be taken.

Committee meeting updates:

1. Discussed the winter contractor call out status topic from at the recent Highway Committee meeting. We have used the typical number of call outs for all of the contractors so additional requests will be billed at a per mile rate.

Selectman Denardo moved to adjourn. Selectwoman Ashcroft seconded the motion. The motion passed unanimously. The meeting was adjourned at 9:33 PM.

Respectfully submitted, Mr. Bill Sweet

3/15/2022

Don Chioffi, Chair

Joseph Denardo, Clerk

Mary Ashcroft

Sharon Russell

Kurt Hathaway

Center Rutland, VT.