

**TOWN OF RUTLAND SELECTBOARD OPEN MEETING
RUTLAND TOWN MUNICIPAL TOWN HALL
181 BUSINESS ROUTE 4, CENTER RUTLAND, VT 05736
APRIL 12th, 2022**

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 Don Chioffi, Mary Ashcroft, Joe Denardo, Sharon Russell, and Kurt Hathaway
- Members of the public present Keith Whitcomb, Michael Robichaud, Marcia Chioffi, Toni Baitz, Lydia Flynn, Shelley Dumas, Irene Hathaway, Larry Dell Veneri, Howard Burgess, Jim Scholtz, Rob Stubbins, Robyn Sweet, Gil Robichaud

Approval of Orders

The Board approved the orders.

Approval of Selectboard Minutes for March 29th:

Selectman Denardo moved to approve the minutes. Selectwoman Ashcroft seconded the motion. The motion passed 4 – 0.

Announcements

Selectwoman Ashcroft gave a reminder that scholarship applications for Town Residents who are graduating high school are due by noon on April 29th.

Questions from the floor / public comment

Lydia Flynn discussed with the board an inaccuracy in the meeting minutes from March 15th. Ms. Flynn read from the minutes of that meeting the discussion on the postcards mailed out, specifically that people that are renters in town were left out. Ms. Flynn said this is not accurate, since she is a renter and she received one of the post cards. Ms. Flynn asked how many post cards were purchased; how many were mailed and to whom they were mailed to and how that was determined. Chairman Chioffi said a regular mailing list is usually used, and that we will get her answers to those questions. Ms. Flynn asked who would be following up and by when. After some discussion, this will be reported on at the next meeting.

Michael Robichaud discussed with the board the Post Road water line extension project. Mr. Robichaud said he felt his concerns would not be addressed by the new business agenda item later in the meeting, specifically the costs of hooking the water line to his house. Mr. Robichaud said unless there is a change or new information, he intends to file legal action against the town seeking reimbursement due to a water quality issue. Mr. Robichaud read a prepared statement.

Kari Clark Rutland Town Clerk and Treasurer:

1. Town Hall staff will be supporting Child Abuse Prevention Month with everyone wearing blue and having a group photo taken tomorrow near the pinwheel garden.
2. Bags for Green Up Day are available at Town Hall and the Transfer Station. Our Town School has plans for their students to participate.
3. Discussed some of the changes involved in the election process due to redistricting. Some work with the BCA will need to be done to ensure elections go smoothly.
4. Discussed the best way to designate the use of the ARPA funds. This will be discussed more later in the meeting.

Barbara Pulling Rutland Town Planning Commission Chair:

1. Updated information on Rights-of-Way was received from VTrans around the pocket park project. Their Right-of-Way runs near Business 4, and not down Simons Avenue as previously thought.
 - a. They are largely in favor of the project but asked for some changes to the plan.
 - b. There are no concerns with railroad rights-of-way, but expressed concern about people attempting to cross tracks, so additional fencing is in the plan.
2. A meeting of the Selectboard Energy Committee and the Planning Commission Energy Sub-Committee is planned for later this week.

Ed Dumas Rutland Town Police Chief:

1. Recent calls for service were provided and reviewed.
2. Met with DCF last week to discuss the Cortina Inn homeless shelter and its challenges.
3. Reviewed topics from the recent Police Committee meeting, specifically the admin salary line and the expected deficit at the end of the fiscal year. This is due to the increased workload.
4. Discussed the list of compiled statistics relating to calls at the Holiday Inn / Cortina Inn. Selectwoman Ashcroft suggested going back 1 additional year to be able to show the increase in calls since the facility was used to house homeless individuals.
5. The Police truck has some damage from a recent incident. It will be repaired soon.
6. Discussed the need to update our body camera systems. The total cost is approximately \$34,000 and we are applying for a grant which has a 50% match requirement. The plan would be to take the matching funds from the depreciation account, and the purchase would be made in the fall.

Chris Clark Rutland Town Fire Chief and Larry Dell Veneri Rutland Town Assistant Fire Chief

1. There have been 13 calls for service in the last 2 weeks.
2. One of those was to the Cortina Inn for an elevator alarm which was unfounded.
3. The new truck had a recall on the transmission and is being fixed now. The inspection trip will be rescheduled as soon as possible.

4. Discussed the topic of the post cards from earlier in the meeting with Assistant Chief Dell Veneri.
 - a. He stated the mailing labels came from the Town Office, the labels and stamps were applied and mailed. There were over 1000 mailed out.

Walter Tripp acting Town Road Commissioner and Jason Bathalon acting Town Water-Sewer Commissioner:

1. Clean up from winter road maintenance is being done.
2. Paving bids are due back this coming Friday and a recommendation should be ready for the next meeting.
3. 3 signs were found to have been stolen. They have all been replaced, but the cost of signs has gone up significantly.
4. Discussed who will be available to handle any emergency highway calls on weekends as both Walt and Jason are typically out of town. No decision was made.
5. Discussed some issues with the way roadsides were left after work was done by Consolidated Communications and their contractors. We will be contacting them to address it.
6. Meter readings were done recently around Flory Heights. There were no issues.

Mike Rowe Rutland Town Recreation Director:

1. Sign-ups for K to 2nd grade baseball are still on going. 3rd through 6th grade sign-ups have ended.
2. Park maintenance has started to prepare the park for the upcoming season.
3. Fencing at Northwood around the new pickle ball courts is nearly complete. Once that is done, the lines will be painted, and they will be ready to use.
4. Pool pass and swim lesson signups will be the first week of June.
5. Some of the water pipes in the building at Dewey Field need to be replaced due to their age. This will be done before the water is turned back on.

John Paul Faignant Town Health Officer & Public Safety Building Clerk

1. A comprehensive reinspection of the Cortina Inn is scheduled for this coming Wednesday. Frank Cioffi will be a part of this process since Mr. Faignant will not be available for at last half of the inspection window.
2. Presented a work authorization from Enman Kesselring, a local civil engineer, to assist our architect with engineering work for the Public Safety Building. Mr. Faignant said a recent study of the McKinley Avenue Fire Station showed no asbestos present.
3. The Board discussed the work authorization.
 - a. Selectwoman Russell moved to approve the authorization and to authorize the Chair to sign on behalf of the Board. Selectman Denardo seconded the motion.
 - b. Selectman Denardo expressed some concern about there not being a dollar amount listed on the work agreement for expected costs and that signing this agreement is not consistent with our purchasing policy. Mr. Faignant stated when this has come up in the past, the

vendor has been designated as a preferred vendor. This firm was chosen due to their previous public safety building experience.

- c. Selectman Hathaway stated he felt a cost estimate is needed.
- d. Chairman Chioffi asked Mr. Fagnant if he had received any sort of cost estimate from this firm. Mr. Fagnant answered that is what they will prepare once this is signed. There is a lot of work to be done to prepare the initial estimate.
- e. Selectwoman Ashcroft brought up that there are already 2 civil engineering firms on our preferred vendor list, who we have done several projects with, and suggested we reach out to those 2 firms to ask them about pricing for our project as well.
- f. Discussed reaching out to the 2 firms already on our list to get proposals from them.
- g. Selectwoman Russell withdrew her motion to approve the authorization. Selectman Denardo withdrew his second.
- h. We will solicit the other firms and ask if they would be interested in performing this work, their cost schedule and availability.
- i. Mr. Fagnant asked in the future, if the board has any concerns to discuss them with him as early as possible in order to keep the project moving forward as quickly as possible.
- j. Discussed when bid documents may be ready to be put out. Several dates have been talked about. The goal is to get it out early 4th quarter this year.
- k. Selectman Hathaway asked for a meeting to be planned with the Selectboard, the department Chiefs and the architect to discuss the project. Chairman Chioffi agreed.

Bill Sweet Administrative Assistant to the Selectboard:

1. Presented a draft letter to be sent to a local attorney who represents the Maniery's in a real estate transaction. They were asking for a sewer line maintenance agreement to be withdrawn. A response was drafted and approved by our Town Counsel. Selectwoman Ashcroft moved to approve the letter. Selectman Hathaway seconded the motion. The motion passed 4 – 0.
2. Presented a draft letter to be sent to Congressman Peter Welch asking for support in securing grant funding for the new Public Safety Building. This grant could help us fund a large portion of the new building. Discussed the designation of our current and future Emergency Operations Center and the accuracy of the wording in the letter.
 - a. Selectwoman Ashcroft moved to approve the amendments to the letter as discussed. Selectman Denardo seconded the motion. The motion passed with Selectwoman Ashcroft, Selectman Denardo and Selectman Hathaway voting for the motion. Selectwoman Russell abstained from the vote.
 - b. Selectwoman Ashcroft moved to approve the letter as amended. Selectman Denardo seconded the motion. The motion passed 4 – 0.

3. Updated the status of the Vehicles and Traffic Ordinance amendment and the Child Safety Ordinance repeal. Neither ordinance had a petition filed to oppose the changes so the amendment and the repeal will take effect on April 18th.
4. Provided the updated Town Purchasing Policy which includes the changes discussed at the last meeting. Selectman Denardo moved to approve the updated document. Selectman Hathaway seconded the motion. The motion passed 4 – 0.
5. Reviewed an excavation in the town right of way permit request. It was submitted by Casella Construction for work on behalf of VELCO on Post Road. They need to install a new sewer line.
 - a. They plan to do most of the work at night and will maintain at least 1 lane.
 - b. The sidewalk will need to be closed for approximately 1 week.
 - c. The project window is May 2nd to May 27th.
 - d. Discussed what conditions should be included. Maintaining 1 lane, providing traffic control, having sufficient barricades in place, and doing as much work at night as possible will be included.
 - e. We will ask them to put up a digital message board as soon as possible informing people of the anticipated work.
6. Paving bids are due Friday April 15th at 11AM. They will be opened shortly after that. A highway committee meeting should be scheduled early next week to review the bids. Selectman Denardo, who is the Highway Committee Chair, is not available for an in person meeting next week.
 - a. Discussed having Selectman Hathaway attend in his place. This should be the best alternative.
7. Additional newspapers have been sent the job posting for the Road Commissioner job. We have not received and applications yet.

The board recessed at 8:05PM and resumed at 8:12PM.

Committee meeting updates:

1. Selectman Denardo reported on the recent Building and Technology Committee meeting.
 - a. We are adding some services to Town Hall cleaning. There will be a slight cost increase due to the increased services.
 - b. Selectman Denardo moved to approve renewing our agreement with BK Services for Town lawn maintenance. Selectman Hathaway seconded the motion. The motion passed 4 – 0.
 - c. Discussed the bids for electrical work. The committee is recommending splitting the jobs up with Voity Electric doing some and Christian electric doing another. Selectman Denardo moved to approve the work as designated by the committee. Selectman Hathaway seconded the motion. The motion passed 4 – 0.

New Business Board to vote on the use of ARPA funds as lost revenue

1. Selectwoman Russell moved to designate the ARPA funds as lost revenue. Selectman Denardo seconded the motion.
2. Selectwoman Ashcroft suggested amending the motion to have a portion of the funds appropriated to the new building prior to June 30th, 2022, and the balance to be appropriated after January 1st, 2023. This should prevent the town being subject to a single audit.
3. Selectman Denardo accepted the suggested amendment. Selectwoman Russell seconded the amended motion. The motion passed 4 – 0.

New Business Board to review for approval the Local Emergency Management Plan

1. Selectman Denardo moved to approve the LEMP and to authorize the Chair to sign on behalf of the Board and to authorize Selectman Hathaway to sign as having Incident Command training. Selectwoman Ashcroft seconded the motion. The motion passed 4 – 0.

New Business Board to review the Municipal impact Questionnaire from KAS Engineering regarding the Eco Car Wash

1. Toni Baitz from KAS Engineering was present to discuss it with the board.
2. The Board discussed the form with input from Ms. Baitz.
3. Concern was expressed regarding the past maintenance, or lack of maintenance, of the sewer line.
4. Police Chief Ed Dumas said he had a concern about cars in the winter possibly causing icing on the road after leaving the car wash.
5. There was lengthy discussion about the intent of the survey and the implications of approving it tonight or not.
6. Selectman Hathaway moved to authorize Chairman Chioffi to sign the form, and to have each department head answer if they can provide the service. Once complete, it will be forwarded to KAS Engineering. Selectman Denardo seconded the motion. The motion passed 3 – 2 with Selectman Hathaway and Selectman Denardo voting for the motion. Selectwoman Ashcroft and Selectwoman Russell voted against the motion. Since there was a tie, Chairman Chioffi voted in favor of the motion.

New Business Board to review Bid Recommendation packet from Otter Creek Engineering for the Post Road Water Line.

1. Selectman Hathaway reviewed the bids submitted and agrees with the recommendation from Otter Creek Engineering. Jack Bowen Excavating is the recommended bidder for the entire project.
2. The first part of the project is \$18,374.50. The second part is \$50,145.25.
3. Selectman Hathaway moved to accept the recommendation. Selectman Denardo seconded the motion. The more costly part of the project, which is extending the line Southeast along Post Road

includes 3 residents. Selectwoman Ashcroft said there may be a small grant opportunity to cover the connection from the street to the house, but it is not known.

4. Selectwoman Ashcroft and Selectman Denardo both agreed the Town should not be covering the cost of the residential connection.
5. The motion passed 4 – 0.

Discussed a letter drafted for an Eagle Scout. Selectwoman Russell moved to approve signing the letter. Selectman Hathaway seconded the motion. The motion passed 4 – 0.

Discussed inviting Anil Sachdev, owner of the Cortina Inn, to a future meeting to discuss his plans for this facility. The board plans to meet with the Town Counsel about this property before a decision on that is made.

Selectman Russell moved to enter executive session for possible litigation with Town Attorney Kevin Brown attending. Selectman Denardo seconded motion. The motion passed unanimously. The board entered executive session at 8:58 PM. The executive session ended at 9:43 PM.

Michael Robichaud addressed the concerns expressed earlier in the Board meeting. Mr. Robichaud said he was not trying to be offensive; he is just trying to get a resolution to his water supply issues. After a brief discussion, no further action was taken.

Selectman Hathaway moved to adjourn. Selectwoman Russell seconded the motion. The motion passed unanimously. The meeting was adjourned at 9:48 PM.

Respectfully submitted, Mr. Bill Sweet

Don Chioffi, Chair

Joseph Denardo, Clerk

Mary Ashcroft

Sharon Russell

Kurt Hathaway

Center Rutland, VT.