

**TOWN OF RUTLAND SELECTBOARD OPEN MEETING
RUTLAND TOWN MUNICIPAL TOWN HALL
181 BUSINESS ROUTE 4, CENTER RUTLAND, VT 05736
APRIL 26th, 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 Jim Scholtz, Dani Bradtmiller, Marcia Chioffi, Robyn Sweet, Keith Whitcomb, Lydia Moriarity-Flynn, Howard Burgess, Shelley Dumas, Irene Hathaway

Approval of Orders

The Board approved the orders.

Approval of Selectboard Minutes for April 12th:

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

Announcements

Chairman Chioffi acknowledged a Thank You card sent to the Board from the former Town Road Commissioner Byron Hathaway.

Selectwoman Ashcroft gave a reminder about the upcoming deadline for scholarship applications.

Chairman Chioffi read the following statement:

“I ask your indulgence for a few moments here to address a problem that this board is having---for which I take full responsibility. For as long as I have been a resident of this town, 52 years, and associated with this board and its functioning, it has always been the responsibility and authority of the chair of this board, working with our administrator, to craft an agenda that allows the efficient and responsible functioning of this town while showing respect for the personal time of both the participants in this room and the general public that wishes to attend our meetings.

In that regard, I have tried to limit agenda items to achieve the goal of adjournment somewhere around 8 PM--or roughly a two-hour meeting. As everyone is well aware, we have not come anywhere near that goal---with meetings dragging on until nearly 10 PM.

There are many reasons why this is happening. Sometimes there are time sensitive items that simply have to be dealt with that make an agenda longer than usual. When that happens, it would behoove us to limit discussion to relevant items and clear the agenda with motions and action rather than extended discussion.

The main reason for the length of these meetings, however, is the insistence of one member of this board to continually engage in discussion of items that are not on the agenda---in fact insisting that she be allowed to control the agenda rather than the chairman, in fact, even extending a discussion with our attorney on a totally extraneous matter adding both time and needless cost to this board.

It should be readily apparent to this board and to the general public that our former chair is having great difficulty assuming the role of member rather than chair of this board. Upon my election as chair, I recall her admonition that it will be a challenging year and that we are a divided board. It should be very apparent that the only division that anyone can see is the fact that she did not get the three votes necessary to continue as chair. Calling democracy division is a great disservice to our form of government.

Let me bring you all back to a year ago when I took my seat on this board. It was very apparent to me at our first meeting that she had the votes to be elected chair, even though I would not have nominated her. In order to start my term off with unity and cohesion as a team player on this board I voted with the majority to make the vote unanimous, and also out of courtesy to her as chair. I believe it is the most striking contrast that I did not receive the same courtesy. And now she is on a personal mission to create a self-fulfilling prophesy of division and extending these meetings well beyond a reasonable time.

I have been generous in not limiting any board member's time but that is about to end. I spent a full year being cut off mid-sentence many times when the chair simply did not want to hear my thoughts----all with the admonition that ---we have an agenda to adhere to---let's move on. So, it should not surprise anyone if we hear those words again.

I have also had a polite conversation with our Planning Commission Chair as to limiting her reports to items that require board action, especially in regards to the Pocket Park. The Planning Commission minutes are available online on our website and need not be duplicated here at our meetings.

Thank you for listening, and I hope you understand that I respect freedom of speech---but 4-hour meetings are not acceptable to our department heads, our board members, or the general public."

Selectwoman Ashcroft stated that the characterizations were wrong.

Questions from the Floor / Public Comment

Lydia Moriarity-Flynn was present to follow up on her questions from the last meeting regarding the post cards mailed out regarding the Public Safety Building ballot item. She has asked how many postcards were purchased, how many were mailed, and how was it determined who they were mailed to. Assistant Fire Chief Larry Dell Veneri was present to discuss this topic. Chief Dell Veneri said he had spoken to Ms. Moriarity-Flynn at the transfer Station about this topic. Ms. Moriarity-Flynn said her question of the quantity purchased was answered but not the other 2. Chairman Chioffi asked Town Treasurer Kari Clark about the mailing list used. Clerk Clark said this is the voter mailing list and is the same one used to mail out The Circle. The first voter in each household would get the mailing, not every individual voter. Names are changing as often as weekly due to changes in the number of active voters. Selectman Denardo stated concerns about continuing with this conversation having the Board answer questions since this was a Fire Department member project and the Board did not participate in the project. Ms. Moriarity-Flynn expressed her concerns about transparency in this project, and future projects.

Walter Tripp Rutland Town Acting Road Commissioner

1. Discussed the paving bids which were received and reviewed.
 - a. Based on the review and comparison of the bids Fuller Sand and Gravel was the low bidder.
 - b. This includes the repaving of Town Line Road, and removing East Pittsford Road from the project list, due to some culverts which will need to be replaced.
 - c. Selectman Denardo moved to approve Fuller Sand and Gravel for this year's paving project. Selectman Hathaway seconded the motion. There is a \$200,000 grant award and \$300,000 in the budget to cover the costs. The motion passed 4 – 0.
2. All the winter maintenance equipment has been put away for the season.
3. The road-side mower is being prepared now.
4. Rick McKirryher, who has been a long-time winter road maintenance contractor, has notified us he will not be providing winter maintenance services next winter season. The board expressed their thanks to the McKirryher family for their efforts to help keep town roads clear.
5. The chipper has not yet been repaired. A new axle is still needed and is still on order.

Jason Bathalon Rutland Town Acting Water and Sewer Commissioner

1. A list was sent to us from Watershed Consulting for work needed in some of our MS4 stormwater areas. Pictures will be taken of the before and after so it can be included with our reporting.

Kari Clark Rutland Town Clerk and Treasurer:

1. The due date for the 3rd installment of taxes is coming up on May 10th. Encouraged anyone who is behind to get caught up due to the penalties and interest that would be added on.
2. Discussed some upcoming events which will affect the Clerk's office being open.
 - a. Friday May 29th, there is training on our new election tabulators. The office will be closed from 10AM to 12PM.
 - b. Thursday May 5th, there is additional training out of town. The office will close at 11AM for the rest of the day.
 - c. Notices for both days will be posted online and at the office.
 - d. The Clerk and the Assistant Clerk will be taking some time off in the coming weeks.
3. The checking account for the Rutland Town Seniors has been moved over to TD Bank.
4. The ARPA reporting has been completed for this year. Clerk Clark thanked our contacts at VLCT and the Regional Planning Commission for their help.
5. Discussed a request from the Greater Rutland County Supervisory Union Treasurer. They are asking for us to provide them with a partial payment now of what they would normally receive in anticipation of the next tax payment.
 - a. This request is being made for to cover expenses incurred directly by the Town School.
 - b. The Board discussed getting input from our auditor.

- c. Selectman Denardo moved to authorize Treasurer Clark to process the request, with the requirement our Town Auditor does not have an issue with it. Selectwoman Russell seconded the motion. The motion passed 4 – 0.
6. Discussed the application to the bond bank. There is a substantial amount of detailed information required to apply, and those details are not yet available. The application deadline is this Friday.
 - a. Several steps need to be completed to be ready to apply.
 - b. There are funds available to cover expenses from now until we can apply for funds next year.
 - c. The building committee will plan to meet to discuss the next steps.

Chris Clark Rutland Town Fire Chief:

1. Chief Clark reported there have been 12 calls for service in the last 2 weeks.
 - a. Some of those calls have been to the Cortina Inn. There are some concerns which Chief Clark is addressing with the Division of Fire Safety.
 - b. Discussed a barrier placed blocking the rear parking lot at the Cortina Inn. Chief Dumas said this barrier should not prevent emergency vehicles from accessing the rear parking lot.
2. Asked permission to have 2 trucks be able to participate in the Loyalty Day parade this coming Sunday. There was no objection to the request.
3. The new truck had to have a transmission part replaced. We are waiting to get confirmation from the vendor that it is complete. Once it is done, we can schedule the inspection trip.

Barbara Pulling Rutland Town Planning Commission Chair:

1. Chair Pulling reported on some topics from the recent Planning Commission meeting.
 - a. There is a proposed 5-lot sub-division application pending.
 - b. Dana Peterson, a member of the Planning Commission has discussed offering his services to help coordinate services at the Cortina Inn. Board members commented that between the company already providing services at the facility, at our Town Police Department that additional help was not necessary. Chief Dumas said he would be interested in speaking to Mr. Peterson.

Ed Dumas Rutland Town Police Chief:

1. Recent calls for service were provided and discussed.
2. Reported that there are 151 rooms rented at the Cortina Inn with 254 people being housed there. It is believed there are only 150 rooms available total.
3. There was a recent motor vehicle accident on US Route 7 South involving a pedestrian.

Mike Rowe Rutland Town Recreation Director:

1. Most all the sports seasons start next week.
2. Mowing at the parks starts this week, and the water will be turned on soon.
3. The cover for the pool is off and is in the process of being cleaned.
4. Discussed topics from a recent Rec Committee meeting.
 - a. Fencing sections totaling approximately 1000' at Dewey Field need to be replaced for approximately \$13,000. The funds can be used from depreciation. The committee is recommending approving this.
 - b. A roto-tiller attachment was offered to us for \$500 and the committee is recommending purchasing this. The funds would come from the current budget.
 - c. The tractor seat for the zero-turn mower needs to be replaced. The cost is approximately \$2000 with the funds to come from depreciation. The intent would be to remove the new seat when it is time to sell this mower and reinstall the old seat. The committee is recommending approving this.
 - d. Discussed adding the second set of 9 holes to the disc-golf course for a cost of approximately \$3500 using the funds remaining from the original \$80,000 approved for park improvements, and the pickle ball court. The committee is recommending approving this.
 - e. Selectwoman Russell moved to approve all the requests. Selectman Hathaway seconded the motion. Discussed if quotes were received for the fencing project. The committee said quotes were received and Pratico's was the best price. This motion was tabled to confirm the preferred vendor status for Pratico's Landscaping.
 - f. Selectwoman Russell moved to designate Pratico's Landscaping as a preferred vendor. Selectman Hathaway seconded the motion. Pratico's has done work for the Town in the past and we have always been satisfied. The motion passed 4 – 0.
 - g. The motion for approving the projects was taken back up. The motion passed 4 – 0.
 - h. Discussed the plans for a Town Wide Celebration this year.

John Paul Faignant Town Health Officer / Public Safety Building Clerk / 2nd Constable

1. Informed the board that the situation at the Cortina Inn is being monitored, in his capacity as the Health Officer.

New Business Board to review proposal for engineering services for the new Public Safety Building.

1. There are proposals provided to the Board from 2 additional engineering firms for services related to the new Public Safety Building.
2. Selectwoman Russell moved to designate Enman Kesselring Engineering as a preferred vendor. Selectman Denardo seconded the motion. The motion passed 3 – 1. Selectman Denardo, Selectwoman Russell and Selectwoman Ashcroft voted in favor of the motion. Selectman Hathaway voted against the motion.

3. Selectwoman Russell moved to approve the proposal from Enman Kesselring Engineering based on the recommendation from the Public Safety Building Clerk. Selectman Denardo seconded the motion.
 - a. Discussed the discrepancies noted in the 3 different proposals.
 - b. The differences seem to be because the 2 firms with the latest proposals are factoring in many more services than we would require.
 - c. Discussed if a comparison spreadsheet was done for these bids and if the committee met to review the proposals.
 - d. Discussed establishing a cost not to exceed for this work.
 - e. Selectwoman Ashcroft moved to amend the motion to establish a cap of \$5000 on the expenses as reflected in their email. Selectman Hathaway seconded the motion. The motion passed 4 – 0.
 - f. It is expected the architect firm will make future decision on future soft costs that may be necessary.
 - g. The motion to approve Enman Kesselring Engineering passed 4 – 0.

Bill Sweet Administrative Assistant to the Selectboard:

1. Provided the Work Authorization for Enman Kesselring to be signed.
2. The organization running the Covid-19 test distribution program utilizing our downstairs space has reached out and will likely be asking for an extension on their original anticipated end date at the end of May.
3. There are some sewer users who were exceeding their allocation for 2021 who were sent letters and did not respond. They have again been contacted and are working to bring their address into compliance.
4. Discussed the need to certify the newly amended Vehicle and Traffic Ordinance.
 - a. Selectwoman Ashcroft moved to certify the Ordinance. Selectwoman Russell seconded the motion. The motion passed 4 – 0.
5. Selectman Denardo moved to approve the engineering services proposal for the Post Road sidewalk at a cost of \$5000 from Otter Creek Engineering and to authorize the Chair to sign on behalf of the board. The motion passed 4 – 0.

Committee meeting updates:

1. Energy Committee meeting.
 - a. Reviewed the minutes from the recent meeting.
2. Town Wide Celebration Committee meeting.
 - a. Discussed establishing August 27th as the date for the event.
 - b. The committee felt there is enough time to get this event coordinated. Some of the key participants have been confirmed.

- c. Selectwoman Russell moved to set August 27th as the date for the Town Wide Celebration. Selectman Hathaway seconded the motion. The motion passed 4 – 0.

Selectwoman Russell moved to adjourn. Selectman Hathaway seconded the motion. The motion passed unanimously. The meeting was adjourned at 7:45 PM.

Respectfully submitted, Mr. Bill Sweet

Don Chioffi, Chair

Joseph Denardo, Clerk

Mary Ashcroft

Sharon Russell

Kurt Hathaway

Center Rutland, VT.