

**TOWN OF RUTLAND SELECTBOARD OPEN MEETING
RUTLAND TOWN MUNICIPAL TOWN HALL
181 BUSINESS ROUTE 4, CENTER RUTLAND, VT 05736
JUNE 7th, 2022**

This meeting had a remote 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 Byron Hathaway, Keith Whitcomb, Ben Hogan, Dani Bradtmiller, Sawyer Hathaway, Shelley Dumas, Robyn Sweet, Rob Stubbins

Approval of Orders

The Board approved the orders.

Approval of Selectboard Minutes for May 24th:

Selectwoman Ashcroft moved to approve the minutes. Selectwoman Russell seconded the motion. Chairman Chioffi made some changes to the draft. The motion passed 4 – 0.

Announcements

Chairman Chioffi thanked the members of the Town Fire Department who attended the recent Memorial Day parades.

Chairman Chioffi thanked Mary and Marty Wasserman for their work to keep the garden out front of Town Hall looking good.

Chairman Chioffi introduced Dave Sears, who is the candidate for the Road Commissioner position. Mr. Sears comes to the Town after previously working at the Rutland City DPW. Chairman Chioffi read the letter given to Mr. Sears offering him the position. Selectwoman Ashcroft asked if a criminal background check was done. A check of his license has been done but a criminal; background check has not yet been completed. Mr. Sears read a statement formerly accepting the position. Selectwoman Russell, and other Board members, thanked Walt and Jason for stepping in and making sure the tasks were completed during this time without a Road Commissioner. Chairman Chioffi read the reference check summary Police Chief Dumas provided. All of the responses received were very positive. Mr. Sears will start working for the Town on June 20th, pending a clear background check.

Walter Tripp Acting Town Road Commissioner

1. Roadside mowing has started around town.

2. Paving is well underway. Most of what can be done has. There is some shoulder work still to be done, but this is done by the Highway Department, not the contractor. Town Line Road is the last big project, and this will be done after the culvert project is completed. Cheney Hill Lane needs to be done, but this will be discussed later in the meeting.

Jason Bathalon Acting Town Sewer Commissioner

1. There is a small water leak on Barrett Hill. It appears to be coming from the Fire District water system based on testing results. The Fire District will take care of any necessary repairs.

Mike Rowe Rutland Town Recreation Director:

1. The pool is open for the season. The first weekend went very well.
2. June 17th at noon is when the pool will be open for the full week and not just weekends.
3. T-Ball just ended, and the kids had a great time, regular baseball ends in a couple of weeks.
4. The new fencing at Dewey should be complete.
5. There was a recent clean up day at Northwood. The park is looking great.
6. Discussed the agreement presented at a previous meeting to acquire some used utility poles from VELCO. This will be discussed under New Business.
7. The completed ACT 250 permit amendment application was given to Board members. This will be added to the agenda for the next Board meeting. Once this is approved by Act 250, we will move onto the agreement with the company we have selected to build the mountain biking trails.
8. The lifeguards have all been hired for this season.
9. Some cracks have been seen in the sides of the pool. Sealant has been applied.
10. The regular rates for the pool will apply this year after being lowered for the last 2 years, about 60 season passes have already been sold.

Larry Dell Veneri Rutland Town Assistant Fire Chief:

1. The monthly business meeting was last night, Selectwoman Russell spoke to the members and thanked them for everything they do. Selectwoman Russell also participated in the by-law committee meeting that followed the business meeting.
2. There have been 2 calls for service in the last 2 weeks.
3. The changes needed for the new truck have been completed. It is now waiting to be transported to the dealer in Massachusetts where the tool mounting will take place. We hope to have the truck in our station in about a month. There will be multiple training sessions on the truck before it goes in service.
4. The floor plan for the Fire Department side of the new Public Safety Building is nearly complete.
5. Members were asked about attending the Town Wide Celebration. Several indicated they would be able to.

6. Chairman Chioffi commented on the strong leadership on Chief Clark, highlighting the truck purchase and inspection process as an example.

Barbara Pulling Rutland Town Planning Commission Chair:

1. Discussed the energy survey which is planned to be sent to Town residents.
 - a. Selectwoman Ashcroft moved to approve the adoption and dissemination of the survey to homeowners. Selectwoman Russell seconded the motion.
 - b. Discussed what the anticipated response rate would be. No exact number or target was discussed. Several methods to advertise the survey were discussed, including our social media and website with hard copies at Town Hall and the pool.
 - c. An article talking about the survey is included in the coming edition of The Circle.
 - d. Discussed adding some validation questions to the survey to establish resident vs non-residents, and business versus non-business answers.
 - e. Discussed launching the survey at the Town Wide Celebration.
 - f. The motion passed 4 – 0.
2. The Planning Commission is almost ready to reach out to the Town Attorney for his review of the ordinance amendment suggestions.
 - a. Adding additional questions and modifying the fine schedule for the Permit Tracking Ordinance are among the things being suggested for changes.
 - b. Discussed the challenges in enforcing the rules currently in place, whether local or state.

Ted Washburn Rutland Town Deputy Police Chief:

1. Recent calls for service were provided and reviewed.
 - a. Discussed what if any are calls to the mall property. Our department has not responded to calls there in a while, however the State Police have.
2. Deputy Chief Washburn asked for an executive session at the end of the meeting to discuss with the Board some investigative techniques being used.

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

1. The Vermont Department of Health conducted an unannounced visit at the Cortina Inn to document if the previous issue have been resolved. Once the report is received it will be forwarded to the Board.
2. The Architect for the Public Safety Building is still moving forward. A Geotechnical firm will be hired soon in order to conduct site testing. A drill rig will be brought to the site to do core samples.
3. The issue on Perkins Road is still on going. After some review, Mr. Faignant is recommending changing direction and have him, as the 2nd Constable, do an investigation, and bring the report to the Board. This will allow more action to be taken than the Health Officer position can do. The 2nd Constable report will include action item recommendations.

Bill Sweet Town Administrative Assistant:

1. There is a meeting room request under New Business, a person has not been selected to be responsible for the building so this can be put off until the next meeting.
2. The Post Road water line extension project is under way. There will be 4 total connections, and there has been less ledge encountered than anticipated so the final bill is expected to be under budget.
3. The schedule for Town Line Road has not been made available to us by the contractor yet. Robert Clark was going to see if he could find out about it.
4. The parking lot at Town hall has been sealed and the lines will be painted tomorrow.
5. The final draft for the Route 7 North sidewalk study is on the desks and our consultant is on the call ready to make her presentation. This is what is needed to apply for the grant.
6. There are 2 sewer connection users in town who exceeded their allocation for last year. Letters have been sent to the local store, and the corporate office twice with no follow up. Both stores were called and the store managers have said they have done everything they can do and have given no other options.
 - a. The last letter went out at the end of March. Both stores have been called twice, and we do not have a supplemental application from either.
 - b. Selectwoman Ashcroft moved to forward the issue to the Town Attorney. Selectman Hathaway seconded the motion. Chairman Chioffi questioned why we would involve our attorney and not just send the notice of fine. After some discussion, having the request come from our attorney may get a result. The motion passed 4 – 0.

Committee meeting updates:

1. The Personnel Committee met recently and reviewed the current Personnel Policy. Several changes are being proposed. Copies with all the changes were provided to Board members.
 - a. Selectwoman Ashcroft said there are 2 items which should be included. Both items come from VLCT, who made the original template this policy is based on available to us. Suggested, based on a new state statute, adding a section to address employees who are victims of a crime. Also suggested updating the section on drug and alcohol use based on updated language.
 - b. Discussed the sick leave section.
 - i. One of the suggested changes is to keep the word “will” to “may” in the first sentence where it talks about receiving sick time. After some discussion, a majority of the Board members would like it to remain “will”.
 - c. The language for unpaid leave for victims of crime will be added to the unpaid leave section.
 - d. The updated language from VLCT on drug and alcohol use is not immediately available. Discussed where it could be added. It was agreed it should be added, a section will be determined.

- e. VLCT has an option to have our policy reviewed by them to see if they have any suggestions on it. After some discussion, the new draft policy will be sent to them for their review.
 - f. Discussed performance evaluations. Some changes to clarify the language proposed were made and accepted. A sentence about appealing evaluations was added.
 - g. Clarified language in the new security training section.
 - h. The hours to classify a part time employee were changed to 30.
 - i. Discussed the revisions to the paid holiday section.
 - i. Birthdays were added as a paid day off.
 - ii. Discussed Juneteenth and Bennington Battle Day.
 - iii. The day after Thanksgiving is given in lieu of Bennington Battle Day. The day after Christmas is given as a benefit when Lincolns Birthday was no longer recognized as a federal holiday.
 - iv. After some discussion on Juneteenth, Employees will be given the option to take their birthday OR Juneteenth off.
 - j. Discussed the carryover of sick days.
 - i. The current policy should allow up to a total of 30 sick days, with no more than 20 being able to be carried over from year to year.
 - ii. Employees are able to transfer sick days to another employee within their department. This was added to the new draft and the language was clarified.
 - iii. There was a board meeting in 2013 where those items were added, but not included in the latest version of the policy.
 - k. Made a small change to some suggested language in the employee discipline section.
2. The Town Wide Celebration committee met to continue planning the event.
- a. Event flyers were finalized and when ready they will be brought to the school for students and copies will be available at Town Hall and the pool.
 - b. Several things are confirmed with more underway.
 - c. An event will be added to our Facebook page about it.
3. The Highway Committee met recently to look at a drainage issue on Cheney Hill Lane.
- a. The consensus of everyone involved was that the best way to fix the issue would be to reclaim the existing surface starting just south of the cull de sac, regrade the base, and repave.
 - b. The committee also started the discussion on taking steps to replace a winter maintenance contractor who gave notice they will not be able to provide services this winter. This conversation will be brought up and the next meeting, after our new Road Commissioner starts.

Old Business Board to meet with Christina Haskins to discuss the Route 7 North sidewalk study

- 1. The final draft report was provided to board members.

2. Christina Haskins, from the Dufresne Group, presented the Board with the final report review.
3. VTrans did not have any major issues and provided some minor comments.
4. Reviewed all of the final suggestions and features in the plan.
5. Discussed the opportunity to add street trees, or shorter landscaping in the buffer area. This was a suggestion from VTrans.
6. The budget projections were made using recommendations from VTrans. The total project cost is projected to be \$675,000 accounting for future inflation rates.
7. The process to go through using VTrans funding would project construction in 2026.
8. The draft does not need to be accepted as the final to be used for the grant application. It can be used as it is now.
9. Selectwoman Ashcroft moved to approve the draft report. Selectman Hathaway seconded the motion. The motion passed 4 – 0.
10. Selectwoman Ashcroft moved to authorize Bill, on behalf of the Town to apply for the Bike Pedestrian Grant, with no cap and a 20% match, to fund this project. Selectman Hathaway seconded the motion. The motion passed 4 – 0.
11. Discussed if trees should be included.
 - a. It will be our responsibility to maintain the sidewalk.
 - b. After some discussion, trees are not preferred at this time.

New Business Board to discuss signing agreement with VELCO to acquire used utility poles

1. The Town Attorney provided feedback on signing the agreement.
2. Selectman Hathaway moved to approve signing the agreement as it is, and to authorize the Chair to sign on behalf of the Board. Selectwoman Ashcroft seconded the motion. The motion passed 4 – 0.

Selectman Hathaway moved to enter executive session for a police matter with Deputy Chief Washburn attending and an additional executive session to discuss legal advice from our Town Attorney. Selectman Denardo seconded motion. The motion passed unanimously. The board entered executive session at 8:57 PM.

Upon leaving executive session, with no action being taken, Selectwoman Ashcroft moved to adjourn. Selectwoman Russell seconded the motion. The motion passed unanimously. The meeting adjourned at 9:18 PM.

Respectfully submitted, Mr. Bill Sweet

6/7/2022

Don Chioffi, Chair

Joseph Denardo, Clerk

Mary Ashcroft

Sharon Russell

Kurt Hathaway

Center Rutland, VT.