

**TOWN OF RUTLAND SELECTBOARD OPEN MEETING
RUTLAND TOWN MUNICIPAL TOWN HALL
181 BUSINESS ROUTE 4, CENTER RUTLAND, VT 05736
JULY 19th, 2022**

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

- Meeting opened at 6:04 P.M. with the pledge of allegiance
- Board members present Don Chioffi, Joe Denardo, Mary Ashcroft, Sharon Russell, and Kurt Hathaway
- Members of the public present Chris Howland, Jim Scholtz, Byron Hathaway, Keith Whitcomb, Marcia Chioffi, Larry Dell Veneri, Fred Nicholson, Robyn Sweet, Shelley Dumas

Approval of Orders

The Board approved the orders.

Approval of Selectboard Minutes for the two June 5th meetings:

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

Announcements

Chairman Chioffi said there will be a deliberative session at the end of this meeting, as well as additional topics to be discussed in executive session. The additional topics are to discuss privileged communication from the Town Counsel and a personnel matter.

Chris Clark Rutland Town Fire Chief:

1. There have been 7 calls for service in the last 2 weeks.
2. All the hose has been tested. 700' of 5" hose failed and will need to be replaced. Some 1 3/4" hose failed also.
3. There are 5 members who are signed up to take the Firefighter Level I class starting in September.
4. The new truck is in Massachusetts having the tools and equipment mounted.

Barbara Pulling Rutland Town Planning Commission Chair:

1. Correspondence was received from a group in Connecticut, who would like to establish a store to sell cannabis. They are looking at the Town since we have voted to allow the shops to come in.
2. They are looking to locate along Route 7 South or Route 4 East.

3. They are interested in coming to talk to the Board if the Board is interested.
4. Chairman Chioffi asked for the meeting to be setup.

Kari Clark Rutland Town Clerk and Treasurer:

1. Provided the Board with the warrants for unlicensed dogs in the Town. Once signed, this will be given to the Police Department. Selectman Hathaway moved to approve signing the dog warrants. Selectwoman Ashcroft seconded the motion. The motion passed 4 – 0.
2. A meeting needs to be warned to set the tax rate. Tax bills are being printed Friday July 29th. After some discussion, the meeting will be warned for Monday July 25th at 5PM.
3. Discussed abating property tax over-payment amounts, to which the amount of time to process the refund far exceeds the value of the refund. There are some cases where the over-payment is only pennies. Most of these checks are never cashed. Ms. Clark would like to set amounts under \$5 as the amount to abate going forward.
 - a. This was discussed at a recent BCA meeting. They felt it was the Selectboard who had the authority to approve this.
 - b. Selectwoman Ashcroft moved to approve the abatement of the over-payment of taxes which total less than \$5 if the Selectboard has the authority to approve this action. Selectman Hathaway seconded the motion. The motion passed 4 – 0.
4. At a recent BCA meeting, the decision was made to close the office early the day before the election. This is a common practice in several other towns. The office will close at 2PM.
 - a. Ballots will still be accepted until the end of normal business hours.
 - b. This would only affect people wanting to do early voting.
 - c. Closing early will allow the staff to complete all the pre-election tasks more effectively.
5. Post cards informing Town voters on the new voting districts are being sent to every household in Town with a registered voter. These are being mailed very soon. Polling places have not changed.

Mike Rowe Rutland Town Recreation Director:

1. There was a swim up movie at the pool recently.
2. Provided a contract with KSA Built for the construction of the mountain biking trails at Northwood Park.
 - a. This is a specialized service, and the vendor is on our preferred vendor list.
 - b. The contract is for \$4.50 per foot. The exact total footage is not available. There is a \$5500 retainer fee in the contract.
 - c. Selectwoman Russell moved to approve the contract for an amount not to exceed \$60,000 and to authorize the Chair to sign on behalf of the Board. Selectwoman

Ashcroft seconded the motion. The funds will come from the capital improvement fund, which was approved by vote at a previous meeting.

- d. The motion passed 4 – 0.
 - e. Tree Warden Fred Nicholson asked if he was going to be involved in the trail construction process. Mr. Rowe will show him the plans, and the proposed path will be flagged prior to any construction.
3. The Senior luncheon is next Tuesday, and all department heads are welcome to attend as well.
 4. The wood chips are being replaced with rubberized pellets at the Northwood Park playground. These will last longer than the wood ones do and will ultimately save money.

David Sears Rutland Town Road Commissioner:

1. Discussed the status of the tree which needs to be trimmed on the corner of Town Line Road and Conner Drive. Selectwoman Ashcroft has not yet been able to get in touch with the owners. She will attempt to reach them and then follow up.
2. Joe Mondella, who owns a parcel adjacent to Dyer Road, called and discussed the issue of illegal dumping on Dyer Road. There is still a lot of trash there.
 - a. He has asked about the possibility of installing a gate to prevent access.
 - b. Discussed giving this road up as a Town road and turning in back to the landowner. This had been discussed previously but anticipated development prevented that from occurring.
 - c. There is no longer any development planned so this may be viable again.
 - d. Commissioner Sears will discuss options with Mr. Mondella and follow up.
 - e. If a gate were to be installed it would not be at the Towns expense.
3. Topsoil and seeding work on Gloria Avenue and Annette Terrace have been completed. There are some driveway aprons and sidewalks which still need to be completed by the paving contractor.
4. There are beavers causing some issues with drainage on Ox Yoke Drive. Discussed ways to mitigate the issue. Commissioner Sears will take care of it and report back.
5. Line striping work continues. It will be completed soon.
6. Discussed the intersection of Post Road and Post Road extension. The intersection is very large, and the stop bar is 36 feet long. The Highway crew is proposing to paint 2 turn lanes and a divider triangle in the middle. Any new markings will comply with traffic standards.
7. Discussed the signs at the entrance to Rutland Town on Routes 4 and 7. The signs are plywood they are delaminating. A local vendor will be contacted to help come up with a new sign.

8. Discussed the proposed heating system for the highway garage
 - a. The service manager from Johnson Energy came up to the garage and discussed the plan with Commissioner Sears. They reviewed the concerns about possible heat spikes if the Modine auxiliary heaters were installed. They proposed to set the auxiliary heaters to a temperature which would prevent that scenario.
 - b. They also discussed the suggestion of having the waste oil furnace plumbed together with the new boiler. This would have to be accomplished with a separate thermostat.
 - c. Selectwoman Russell moved to take the motion to approve the heating system off the table. Selectman Denardo seconded the motion. Discussed the option of keeping the waste oil furnace to supplement the new one. The original motion was for the purchase and installation of a new furnace and did not include the Modine heaters. The quote did not include trading in the waste oil burner. This would be ours to sell separately if desired. The motion passed 3 – 1. Selectman Denardo, Selectwoman Ashcroft and Selectwoman Russell voted in favor of the motion to approve the quote from Johnson Energy for the new boiler system. Selectman Hathaway voted against the motion.
 - d. Discussed the quote from Johnson Energy for the purchase and installation of 2 Modine heaters for a cost of \$16,000. Selectman Denardo moved to approve the quote. Selectwoman Russell seconded the motion. The quote for the Modine heaters was not originally requested as part of the bid process. After discussion, the vote was 2 – 2 with Selectwoman Russell and Selectman Denardo voting in favor of the motion. Selectwoman Ashcroft and Selectman Hathaway voted against the motion. With the vote tied, Chairman Chioffi broke the tie by voting for the motion. The motion passed 3 – 2.
 - e. Selectwoman Ashcroft moved the waste oil furnace not be sold, and it remain in place with the waste oil tank, and have it plumbed in with the new furnace so they work in tandem. Selectman Hathaway seconded the motion. Selectwoman Ashcroft stated there was opinion received that the 2 systems could be connected, and that it could be serviced and run correctly. Additionally, we have the benefit of the waste oil being turned in at our transfer station which provides us with a no cost heating fuel source. The quote received from Johnson Energy for the new system did not include any cost related to connecting the existing system to the new one. This would be an additional cost. After further discussion, the vote was 2 – 2 with Selectwoman Ashcroft and Selectman Hathaway voting in favor of the motion. Selectman Denardo and Selectwoman Russell voted against the motion. With the vote tied, Chairman Chioffi broke the tie by voting against the motion. The motion failed 2 – 3.

- f. Selectman Denardo moved to authorize the Chair to sign the agreements on behalf of the Town as necessary. Selectwoman Russell seconded the motion. The motion passed 4 – 0.
9. Selectman Denardo reviewed the Highway Committee meeting held earlier in the day.
 - a. A draft contract document for our winter plow contractors was reviewed and discussed at length. A fuel adjustment calculation was discussed. A final decision was not made. A pay schedule increase was discussed. It is not included in the new budget but should be included in future budget planning.
 - b. We have been notified one of our plow contractors will not be plowing going forward. Options for route assignments was discussed. No decision was made. This will be discussed at a future meeting.
 - c. The Town Line Road culvert is still waiting to begin due to the delay in the culvert structure being delivered. This will delay the paving project as well.
 - d. Discussed the tree on the corner of Conner Drive and Town Line Road. Discussed sending a letter to them if they cannot be reached by phone telling the owner the tree will be trimmed, due to safety reasons. Selectman Denardo moved to send the letter to the property owners, giving them 10 days to respond from the date the letter was received, to have input into the tree trimming. Selectwoman Russell seconded the motion. After discussion, the motion passed 3 – 1 with Selectwoman Ashcroft voting against the motion.
 - e. After some discussion, we will wait a week before sending out the letter to see if the efforts by Selectwoman Ashcroft are successful.

Ed Dumas Rutland Town Police Chief & Ted Washburn Rutland Town Deputy Police Chief

1. Recent calls for service were provided and reviewed. After some discussion, this report will be shared with our Town Counsel as well going forward.
2. A joint training session for an active shooter scenario with area Police Departments has been in planning. Deputy Chief Washburn has been coordinating the effort.
 - a. The cost of the training will be shared among the departments attending. Deputy Chief Washburn is working with VLCT to see if grant funding may be available as well. If we are not able to get grant funding our portion of the cost would be \$6800 and would come from the training budget.
 - b. The training would take place at our Town School which would be a benefit to us as responding departments would be familiar with our facility if there was an incident.
 - c. A training like this has not been in the region for several years.

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

1. A contract with the engineers for the Public Safety Building was provided. This is for them to continue their work. Selectman Denardo 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 4 – 0.
2. Discussed the extreme heat we have been experiencing. Reminded residents that elderly and young children can easily become dehydrated in a short period of time without realizing it. Being aware of heat exhaustion and heat exhaustion symptoms is very important. The Health Department website has some very good resources about this as well.

Bill Sweet Town Administrator:

1. Provided an updated quote from Ellis Construction for the concrete work at Town Hall. They agreed to remove the clause about not being responsible for damage to asphalt.
 - a. Selectman Denardo moved to remove the motion to approve the quote from its tabled status. Selectman Hathaway seconded the motion. The motion passed 4 – 0.
 - b. After some discussion, the motion to approve the work for \$7600 passed 4 – 0.
 - c. Work will be coordinated as to not interfere with the election timing.
 - d. Selectwoman Ashcroft moved to authorize the Chair to sign the agreement on behalf of the Board. Selectman Hathaway seconded the motion. The motion passed 4 – 0.
2. Jim Hall provided a written report to the board from his recent meeting as the Regional Board of Commissioner appointee.
3. Provided the annual heating oil purchase proposal from Johnson Energy.
 - a. The contract price offered from September 1st, 2022, through May 31st, 2023, was \$0.35 per gallon over their price on the day of delivery with a maximum rate of \$4.999 per gallon.
 - b. Discussed if this should be put out for bid this year. After some discussion Selectman Denardo moved to approve the contract. Selectwoman Russell seconded the motion. After discussion, the motion passed 4 – 0.
 - c. Selectwoman Ashcroft moved to authorize the Chair to sign on behalf of the Board. Selectman Denardo seconded the motion. The motion passed 4 – 0.
4. Selectwoman Russell moved to table the discussion of the personnel policy to the next meeting. Selectman Hathaway seconded the motion. The motion passed 4 – 0.

7/19/2022

Chairman Chioffi read a message he received from CoPart, which is a company that recently purchased the Rosen and Berger lot in Town. The property manager for this area, Lisa Doherty, expressed her thanks for the help they received from Bill when they reached out regarding their permitting, noting they rarely find towns as helpful as our Town was.

Jack Bowen from Bowen Excavating was present to ask the status of Rutland City giving permission to shut the water line down on Post Road to be able to connect the new section. The valve has been marked but permission has not been granted yet. The engineer will be contacted in the morning to check on a status.

Selectman Hathaway moved to enter executive session to hold a deliberative session, to discuss advice of counsel and for a personnel matter. Selectwoman Ashcroft seconded the motion. The motion passed 4 – 0. The board entered executive session at 8:20 PM.

Upon leaving executive session, with no action being taken, Selectman Hathaway moved to adjourn. Selectman Ashcroft seconded the motion. The motion passed 4 – 0.

The meeting adjourned at 9:12 PM.

Respectfully submitted, Mr. Bill Sweet

Don Chioffi, Chair

Joseph Denardo, Clerk

Mary Ashcroft

Sharon Russell

Kurt Hathaway

Center Rutland, VT.