

**TOWN OF RUTLAND SELECT BOARD OPEN MEETING  
RUTLAND TOWN MUNICIPAL TOWN HALL  
181 BUSINESS ROUTE 4, CENTER RUTLAND, VT 05736  
APRIL 11<sup>th</sup>, 2023**

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

- Board members present Mary Ashcroft, Sharon Russell, Kurt Hathaway, and Matt Getty.
- A Special Meeting opened at 5:00 PM. Town Lister Marcia Chioffi gave the Town Lister candidates an overview of the position. Selectman Hathaway moved to go into executive session for the purpose of interviewing candidates for the two vacant Town Lister positions. Selectwoman Russell seconded the motion. The motion passed 4 – 0. The Board entered executive session at 5:22 PM. The Board came out of executive session at 5:43 PM. Selectman Hathaway moved to go into deliberative session to discuss the candidates for Town Lister. Selectwoman Russell seconded the motion. The motion passed 4 – 0. The Board entered deliberative session at 5:46 PM. The Board came out of deliberative session at 6:00 PM and the regular meeting opened with the Pledge of Allegiance

Approval of Orders

The Board approved the orders.

Approval of Select Board Minutes for March 28<sup>th</sup>:

Selectman Hathaway moved to approve the minutes. Selectwoman Russell seconded the motion. A clerical change was made. The motion passed 4 – 0.

Question from the Floor / Public Comment

Howard Burgess was present representing Fire District #1. Discussed access changes to the building. The Fire District has voted to have the Town of West Rutland take over their infrastructure. Once that happens, the Fire District will not need office access. In the meantime, they still do.

Selectwoman Russell moved to approve access for Howard Burgess, Laurie McMahon, and the rest of the Prudential Committee members. Selectman Hathaway seconded the motion. The motion passed 3 – 0. There also is an issue of storm water being discharged into the sewer system in Flory Heights. This causes several issues, as well as being in violation of state law. Commissioner Sears was asked to investigate this and resolve the problem.

Christina Moore was present representing the West Rutland Legion. Ms. Moore organized a craft fair at the Fulsom Plaza last year. They are looking to make it a recurring event. The peddler /

vendor ordinance requires a permit for each vendor. Ms. Moore asked for consideration on the fees. This topic will be added to the Board agenda for the next meeting so the ordinance can be reviewed, and options discussed.

Jim Scholtz was present and provided a report of the current state of outstanding delinquent taxes. There are \$65,000 in delinquent taxes currently.

#### Board to meet with Ed Clark from NBF Architects for an update on the Public Safety Building

Language for the special town meeting on May 23<sup>rd</sup> needs to be crafted for the ballot warning.

The bids came in higher than expected. Some savings can be made by changing vendors for the steel building structure. Additional savings can be achieved by moving the cistern from outside the building to under it. The exact figures were not available. A contingency was not included, but Mr. Clark recommended including a 5% contingency. This would bring the cost to \$5,502,000. Some other changes can be made to save money, but no decisions were made. After some discussion, the cap on the project cost was set at \$5,500,000. Discussed setting a committee meeting to discuss the building and review the latest plans and drawings. A meeting will be warned for April 25<sup>th</sup> at 5PM.

#### Board to make appointments to fill the vacancies in the Listers Office

Two vacancies have been created in the Listers office due to retirements. One position is up for reelection in 2024 and the other in 2025. Any appointed candidate would need to run in the special election on May 23<sup>rd</sup>.

Selectwoman Russell moved to appoint Jack McCamley and Marie Fabian as Town Listers. Ms. Fabian would be appointed to the position up for reelection in 2025 and Mr. McCamley for the position up for reelection in 2024. Selectman Hathaway seconded the motion.

The motion passed 3 – 0.

#### Update from the Select Board Chair

Attended a meeting recently about funding for energy efficiency projects in Town.

There will be an open house at the McKinley Avenue Fire Station on Saturday April 29<sup>th</sup> from 10AM to 12PM so resident can see the current facility. Options for seeing the Police Department office are being finalized.

Mike Delehanty Town 1<sup>st</sup> Constable

1. The gate at Northwood is now being closed at night. There has been quite a few people using the park. Several people have been seen walking dogs, and all of them have been leashed. Everyone appreciated the effort going into fixing this issue.

Chris Clark Rutland Town Fire Chief:

1. There have been 5 calls for service in the past 2 weeks.
2. Members are looking forward to the open house on April 29<sup>th</sup> at McKinley Avenue.
3. May 13<sup>th</sup> is another open house. This one will be held at the Center Rutland Fire Station. This is part of a coordinated statewide event to help encourage people to join.
4. The department will be participating in the parade on May 7<sup>th</sup>.

Marcia Chioffi Town Lister

1. Thanked the Board for their help in getting the appointments done.
2. The town wide reappraisal may not need to be done until at least 2026.
3. Several webinars for new listers will be available in the coming weeks and months.

Kari Clark Rutland Town Clerk and Treasurer:

1. Petitions are due by next Monday for the special election.
2. The last installment for this years taxes are due by May 10<sup>th</sup>.
3. Payments for this years baseball program are due for those who have not already sent it.
4. Provided Board members a copy of funds related to the Public Safety Building.
  - a. The accounts with the smaller balances available for expenses have largely been used.
  - b. The ARPA funds are being used currently to cover expenses.
  - c. Interest is being collected on the funds at a rate larger than expected.
  - d. This is updated on a regular basis.
5. Reviewed topics from the personnel and finance committee meeting.
  - a. Reviewed the recommendation to add language specific to the Police Department. The committee is recommending to add the following language to the employee discipline section. "To the extent that State Law governing Police disciplinary action conflicts with the policy, State Law will govern or preempt." Selectman Getty moved to amend the personnel policy with the language stated. Selectman Hathaway seconded the motion. The motion passed 3 – 0.
  - b. Discussed modifying the vacation accrual guidelines so they are consistent and fair. There are 3 employees who are affected by previous changes. Selectman Getty moved to

amend the policy to clarify that if the employee anniversary date falls in the middle of a fiscal year the number of vacation days will be prorated based on the elapsed time in the fiscal year. Selectman Hathaway seconded the motion. The motion passed 3 – 0.

- c. Regular reporting on budget statuses will be included for Board meetings.

Barbara Pulling Rutland Town Planning Commission Chair:

1. The sub-division ordinance is almost done. A summary of changes is being worked on. The Planning Commission will hold some public hearings once it is ready for readoption.
2. The draft Short-Term Rental Ordinance and registration form are ready. An informational meeting is planned for May 11<sup>th</sup>, as part of their regular meeting.

David Sears Rutland Town Road Commissioner:

1. The winter maintenance equipment has been treated with a salt neutralizer to help prolong its life.
2. The winter contractors have been fully paid. They were called out 42 of the 43 maximum numbers so no penalty rates were paid this year.
3. The Post Road sidewalk construction planning is underway. It is expected to start May 1<sup>st</sup>. Some easements are needed.
4. We have received 1 application for the new highway position. The job is still open.
5. Green up Day is May 6<sup>th</sup>. Please call the Highway garage and leave a message with where the green bags are so they can be picked up.

Ed Dumas Rutland Town Police Chief:

1. Recent calls for service were provided and reviewed.
2. Chief Dumas spoke with the owner of the Cortina Inn about rumors the facility may become a permanent homeless shelter. He was assured it would not be.

Selectman Hathaway moved to enter executive session with the Town Counsel for the purpose of receiving legal advice. Selectwoman Russell seconded the motion. The motion passed 3 – 0. The Board entered executive session at 7:36 PM.

The Board came out of executive session at 8:38 PM. Selectman Hathaway left the Board meeting during executive session.

A special Select Board meeting will be warned for April 17<sup>th</sup> at 5PM to finalize the language for the ballot warning.

Mike Rowe Rutland Town Recreation Director:

1. Mowing will be starting soon, and the cover will come off the pool this week.
2. The issue with dogs being off leash in the park is being addressed by adding additional signage, new dog waste disposal stations, and continued public education.
3. A special event for dogs on May 20<sup>th</sup> is being planned.
4. Swings are being installed soon at Northwood Park near the existing playground.
5. The tennis nets are being put up next week.
6. Fields are being evaluated for treating the grass surfaces.
7. Discussed allowing E-bikes on the trails at the park. The current policy does not allow motorized vehicles. After discussion Selectwoman Russell moved to not allow any motorized vehicles except for cars coming into Northwood Park. The motion failed due to lack of a second. The topic will be added to the next Board meeting agenda

Bill Sweet Town Administrator:

1. A request on behalf of The Crowley Brothers Memorial Road Race was made to allow the use of Town roads for their June 11<sup>th</sup> event. They have provided an insurance certificate for us. Selectman Getty moved to allow the use of Town roads. Selectwoman Russell seconded the motion. The motion passed 3 – 0.
2. Reviewed the list of upcoming special meetings in the next several weeks. A change to the May 23<sup>rd</sup> Select Board meeting needs to be made because of the special election.
  - a. There is a special Board meeting on April 17<sup>th</sup> at 5PM.
  - b. There is a Public Safety Building Committee meeting on April 25<sup>th</sup> at 5PM.
  - c. The May 23<sup>rd</sup> Board meeting will be moved to May 22<sup>nd</sup> at 5PM. It will be moved to the Town School. The special pre-vote meeting will take place at 6PM.
  - d. An additional Public Safety Building meeting will be planned for early May.
3. The alternate vendor we had asked to put on a July 4<sup>th</sup> display for the Town has not received the licenses he needs for the large-scale fireworks. Northstar Fireworks does still have July 2<sup>nd</sup> available for us, at a cost of \$12,500. The budget for this year was \$10,000. After discussion, Selectman Getty moved to approve Northstar Fireworks for \$12,500. Selectwoman Russell seconded the motion. The motion passed 3 – 0.

Selectman Getty moved to adjourn. Selectwoman Russell seconded the motion. The motion passed unanimously. The meeting adjourned at 9:04 PM.

Respectfully submitted, Mr. Bill Sweet.

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Mary Ashcroft, Chair

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Joseph Denardo, Clerk

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Sharon Russell

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Kurt Hathaway

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Matt Getty

Center Rutland, VT.