

**TOWN OF RUTLAND SELECTBOARD OPEN MEETING
RUTLAND TOWN MUNICIPAL TOWN HALL
181 BUSINESS ROUTE 4, CENTER RUTLAND, VT 05736
JUNE 2nd, 2026**

- The meeting opened at 6:00 P.M. with the pledge of allegiance.
- Board members present Mary Ashcroft, Joe Denardo, Sharon Russell, Kurt Hathaway, and Matt Getty
- Members of the public present Joe Anthony, Michael Miller, Rebekah Stephens, Justin Belden, David Grayck, Chris Howe

Approval of Selectboard Minutes for May 19th:

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

Approval of Orders

Selectman Hathaway moved to approve the orders. Selectman Getty seconded the motion. The motion carried unanimously.

Update from the Selectboard Chair

The last intermunicipal meeting with the City of Rutland to discuss plans for the 250th anniversary celebration will take place Thursday June 11th at City Hall.

Discussed the scholarship awards. There are 7 awards this year. 1 to West Rutland HS, 1 to MSJ HS and 5 to Rutland HS. Board Chair Ashcroft is planning to attend the respective award nights to present them unless another Board member is available.

Board meet with Rebekah Stephens re Habitat for Humanity Tax Exemption

1. The Executive Director of the Rutland Habitat for Humanity, Rebekah Stephens, was present to discuss their Rutland Town property being given a tax-exempt status. Ms. Stephens read a prepared statement regarding their request. The statement is included at the end of these minutes.
2. According to Ms. Stephens, the Listers office did not provide a reason for the denial.
3. The appeal instructions reviewed states the appeal goes to the Board of Civil Authority.
4. Discussed how that process should occur.

David Sears Rutland Town Road Commissioner:

1. Replaced some culverts and started removing asphalt at the Center Rutland Fire Station ahead of anticipated paving.
2. Roadside mowing has not yet started.
3. Reviewed the Michie quote for the Stratton Road culvert. After discussion, Selectman Denardo moved to authorize the Chair to sign the Michie quote on behalf of the Board for \$159,045.28 with the funds to come from the Highway department culvert line. Selectwoman Russell seconded the motion. The motion carried unanimously.

4. Discussed the award of the contract for the Stratton Road culvert installation.
 - a. Selectman Hathaway recused himself from the discussion of this topic.
 - b. During the review by Otter Creek Engineering of the bids submitted, irregularities were found in some of the bids submitted. The details of which had been provided to the Board.
 - c. The low bidder was KT Hathaway at \$183,000. During the review of this bid, calculation errors were found which when they were applied using the bid instructions, brought the bid up to \$399,500.
 - d. Additional information was provided regarding any missing paperwork from the bidders.
 - e. At the request of the Board from the last meeting, Board Chair Ashcroft discussed the issue with our Town Counsel who was also given the bid review documents.
 - f. Selectman Denardo moved to award the contract to Waters Excavation for \$255,000. Selectman Getty seconded the motion. There was extensive discussion after which Selectman Denardo withdrew his motion and Selectman Getty withdrew his second.
 - g. Selectman Denardo moved to reject all the bids received and request Otter Creek Engineering to rebid the project. Selectwoman Russell seconded the motion. Selectman Denardo asked for a 2-week turn-round if possible so the board could review it at the next meeting. The motion carried 4 – 0. Selectman Hathaway abstained.
 - h. Commissioner Sears will be in touch with Robert Clark in the morning.

Board to review for approval of the Walmart Act 250 Municipal Impact Questionnaire

1. Reviewed the departments listed on the impact questionnaire. The Town does not provide rescue services. The town will not be providing road maintenance service. The town will not provide waste disposal service for this project. Water supply and sewage disposal can be provided without any unreasonable burden.
2. Fire Chief Chris Clark met with the Fire Committee earlier and reviewed their discussion.
 - a. Chief Clark believes the department can provide fire services without an unreasonable burden.
 - b. Chief Clark has been contacted by the City of Rutland Fire asking about the possibility of the City contracting with Walmart for fire protection service.
 - c. Chief Clark did have a request for some items which would help the department. Standpipes in the building are needed. This allows high rise packs to be connected inside the building. Other items on the list was some additional hose, fittings, bigger positive pressure fans to assist with ventilation and some upgraded portable radios.
 - d. Joe Anthony, owner of the property, asked for the total of the equipment on the list. It is estimated to be \$30,000. Mr. Anthony agreed to provide all the requested items.
 - e. The property owner, in support of the application, has confirmed for the Selectboard the list of equipment identified by the Chief during the meeting on June 2nd is agreed upon as an obligation of the property owner in support of the Selectboards affirmative finding with respect to fire services in the Act 250 municipal impact questionnaire.
3. Discussed the question in regard to the Police protection services. This was reviewed at a recent police committee meeting.
 - a. There were 470 calls for service by the city police in 2025 to their address. There were 37 calls of which 17 were retail theft in April of 2026.
 - b. The committee agreed a patrol of the area was not an issue, but rather the direct calls for service would be. Based on this, the committee came up with an impact fee of \$125,000

- per year. This is the approximate cost to hire and equip an additional officer to help with coverage in that area.
- c. Attorney David Grayck provided some feedback and comments based on this police committee discussion.
 - i. They would request the funds be earmarked for the police department.
 - ii. The money being paid would be for the benefit of the entire property owned by BAI Rutland LLC and not just for the Walmart portion.
 - iii. Discussed the committee's comments on the duration and if an escalator should be applied. Attorney Grayck said these conditions being included in the Act 250 permit become conditions of the permit and any change to them become a material change and could require a permit amendment.
 - iv. Attorney Grayck said he felt the agreement should not become final and binding until 6 months after the permit itself is final and binding. This is because of various appeals and other waiting periods. They would want to wait to commence payments until the expiration of all applicable appeal periods. Demolition and construction will not begin until a permit is issued. They anticipate it to be before fall this year.
 - v. The commitment to pay the \$125,000 is contingent upon the MIQ issue being resolved today with a favorable vote.
 - vi. Discussed the length of time the payments should be made. Attorney Grayck stated 3 years. At the end of 3 years, it would be up to the parties to discuss if any changes should be made.
 - vii. The committee had discussed 5 years for payments, based on the revenue projections provided to the Board as part of the application.
 - viii. Joe Anthony said he was in favor of making an agreement in an effort to finish this part of the process.
 - d. Attorney Grayck said they would like the Selectboards unanimous vote tonight, and the support of the application as proposed.
 - e. Selectman Getty moved to complete the municipal impact questionnaire with the conditions as discussed regarding the Fire and Police departments. Selectwoman Russell seconded the motion. The motion carried unanimously. A roll call was taken for the vote. All Selectboard members voted affirmative individually.

Chris Clark Rutland Town Fire Chief:

1. A riser will be put under the generator at the Center Rutland Fire Station while the highway department is working on the parking lot.
2. The water to the Center Rutland station was mistakenly turned off as part of the fire district water project going on. Service was restored after a call was made to the West Rutland water department.
3. The department air packs have been flow tested.
4. New tires were purchased for 2 trucks. They are close to their 10-year allowable lifetime. There are other trucks which will need tires in the next fiscal year. The purchase was made now to balance the expenses. The funds come from equipment maintenance.

Mike Rowe Rutland Town Recreation Director:

1. The July 3rd event planning is going well.
2. Work for the August 16th community day event is also moving forward. Flyers for the school and a new fence banner are being made now.
3. Some adjustments to lifeguard pay have been made to keep us competitive.
4. Pool pass signups started tonight and initial sales are ahead of past years.
5. The pool is scheduled to open this weekend.
6. Baseball is wrapping up.
7. Summer concerts are planned for the pool.
8. The next senior trip will be on the Ethan Allen boat on June 23rd.
9. A meeting with the vendor to discuss the new pool project will be on Thursday at the pool.

Ted Washburn Rutland Town Police Chief:

1. Discussed the uses of the Cortina settlement fund, and the need to vote to carryover the funds to the next fiscal year. A check with the auditor and treasurer needs to be done to ensure all needed votes are taken.
2. Our K9 Officer Jimmy Plakas was selected as the 2025 American Legion Officer of the Year. This was as a result of being nominated by Chief Washburn. There will be a ceremony later in June to present him with the award.
3. Selectman Denardo moved to congratulate and thank Officer Plakas for his excellent work. Selectwoman Russell seconded the motion. The motion carried unanimously.
4. Discussed the process to source, select, and train candidates. A candidate with no experience or training could take up to 1 year to be ready to be on patrol by themselves. There are several positives to joining the Town Police department. Competitive pay, insurance benefits, work / life balance and enhanced retirement benefits.
5. There is a patrol officer and now a school resource officer position open. Chief Washburn has interest in the SRO position despite not being posted yet. This is a good sign.
6. Recent calls for service were provided and reviewed. Calls for Hannaford are up to 2 to 3 times per day.
7. The Special Olympics Torch Run will be coming through Rutland tomorrow. The Town Police will be participating in it.

Barbara Pulling Rutland Town Planning Commission Chair:

1. The Planning Commission will take up their portion of the municipal impact questionnaire for Walmart.
2. Work on updating the town plan will begin soon.
3. A group working on the signage for pocket park will be meeting prior to the regular meeting this week.
4. Discussed the new subdivision bylaw. Our town attorney gave us an update to the definition of subdivision. There are some additional comments expected from the Listers office as well.

Joe Denardo Public Safety Building Clerk

1. The estimate to repair the public safety building was reviewed. Due to the cost, our insurance company sent their own appraiser out. Their cost estimate is not yet known. We are hoping to save some of the freight cost by having our panels shipped with another order

for a project going on locally right now. We need to hear from our insurance company before we can move forward.

2. The HVAC in the building is not working. The contractor was called. Hayden Plumbing and Heating is the vendor who installed the system. We have not heard back from them.

Selectwoman Russell reported on some items for the Transfer Station on behalf of the station manager. In a typical month, they sell 60 punch cards. Last month they sold 154. This was the biggest month in the past several years. Reported on results from Green Up Day.

Kari Clark Rutland Town Clerk and Treasurer:

1. Presented the annual dog warrant. It goes to the Police Department after approval. Selectman Denardo moved to approve the warrant. Selectman Getty seconded the motion. The motion passed 4 – 1. Selectman Hathaway voted against the motion.
2. The delinquent tax warrant was turned over to our delinquent tax collector recently. The total of delinquent taxes owed is approximately \$399,000. We collected 95% of taxes. This is lower than the typical 98% we collect.
3. Reviewed the recent Board of Abatement meeting.
4. There are 2 more Board meetings before the end of the fiscal year. Any expenses which need to be charged to the current fiscal year need to be in the orders for the meeting on the 16th. The June 30th meeting will be the 1st for the new fiscal year.
5. The representative for our deferred compensation benefit was in last week and talked with town staff. This is a benefit approved by the board but not funded by the town.
6. Reviewed the recent finance committee. The Town Auditor met with the Treasurer office staff and reviewed some of the recent concerns, such as the cash to open. The cash to open balance was reviewed is not a concern. Discussed how accounts should be managed.
7. The office is getting calls already asking about taxes for the next fiscal year. There are figures needed from the State and other sources which we do not have. Once everything is received calculations can be made.
8. Reviewed the budget status reports. Discussed how it could be presented to show numbers more clearly, especially for the general budget to make it easier to understand.

Selectwoman Russell left the meeting at 8:43 PM.

Bill Sweet Town Administrator:

1. Provided a salvage yard certificate for approval from Mac Steel on US 7 North. The application is for a 5-year certificate. Selectman Hathaway moved to approve the certificate request. Selectman Denardo seconded the motion. The motion carried unanimously.
2. The VT 250th anniversary committee is making available flags for the town. Board Chair Ashcroft will stop and get one.
3. The followup information from GE for their sewer allocation was received on time. A representative plans to attend the next meeting.
4. Robert Clark is finishing up his review of the shared use path project and will have the report available for the next meeting.
5. The work on the cameras from our VLCT grant wrapped up. Reimbursement will be requested after our last invoice is paid.

6. The new camera system at the transfer station helped us identify someone who dropped off a large amount of items at the transfer station while it was closed. They were identified and contacted by the Town Police. They returned to pay the cost.
7. Emailed the Chamber of Economic Development for the Rutland Region after another social media post that did not include the Town, but should have. Representatives from CEDRR will be at Town hall next week and will talk about highlighting some things in town.

Selectman Denardo discussed an issue at the Town school. Parents are using our new sidewalk for parking and staging along the side of Post Road. SRO Perkins had given some suggestions to the school on how to fix it but no action has been taken. This will require further discussion and collaboration with the school.

Selectman Hathaway moved to adjourn. Selectman Denardo seconded the motion. The motion passed unanimously. The meeting adjourned at 9:20 PM.

Respectfully submitted, Bill Sweet, Town Administrator.

Mary Ashcroft, Chair

Joseph Denardo, Clerk

Sharon Russell

Kurt Hathaway

Matt Getty

Center Rutland, VT.

6/2/2026

Statement from Rebekah Stephens

Good Evening, I am Rebekah Stephens, the executive director of Habitat for Humanity of Rutland County VT located at 3092 Cold River Road Rutland VT. Habitat purchased this building on January 2, 2026. This building houses our home panel workshop, ReStore and Corporate Offices.

A PVR-317 was filed with Rutland Town Lister's office on November 18, 2025.

On or around April 22nd I visited the Town Lister's office and learned that on March 11, 2026, PVR 317 exemption was denied by Lister.

We are here today to ask you to reverse Lister's denial and confirm Habitat's property tax exempt status.

As you will see from the documents submitted, Habitat for Humanity of Rutland County is a Vermont nonprofit corporation recognized as tax-exempt by the IRS under section 501 (c)(3). Our charitable purpose is building affordable housing in Rutland County VT. Our ReStore is not a separate organization. It is an on-going fundraiser for our organization. Much like the sale of raffle tickets or a gala event.

The VT Statute is clear:

32 VSA S 3800 says

(b) The statutory purpose of the exemption for charitable property in subdivision 3802(4) of this [the statute] is to allow organizations (like Habitat) to dedicate more of their financial resources to furthering their public-service missions.

Under S 3802(4) Real and personal estate granted, sequestered, or used for charitable uses SHALL be exempt from taxation.

In short, the statute clearly requires tax exemption for property used by charitable organizations for charitable purposes. The ReStore is property used by a charitable organization, Habitat, for charitable purposes.

Accordingly, we respectfully submit that under the law, the Board has no choice but to reverse the Lister's unsupported determination and declare the property at 3092 Cold River Road Rutland VT to be exempt from all property taxes.

Thank you for your time and consideration.