

**TOWN OF RUTLAND
SELECT BOARD**

MINUTES: October 20, 2015

Board members present: Don Chioffi, Mary Ashcroft, Joe Diction and Joshua Terenzini

The meeting opened at 6:35 P.M. with the Pledge of Allegiance.

Ms. Ashcroft moved to approve the 10-6-15 minutes as printed. Mr. Terenzini made a second to the motion. The motion passed unanimously, by a vote of 3 to 0.

The Board took questions from the floor. There were no questions from the floor.

Town Recreation Director Mr. Mike Rowe reported:

1. All maintenance to be complete this week.
2. The Halloween party will be on 10-30-15, for 6:00 PM to 8:00 PM

Mr. Diction asked Mr. Rowe to come up with some possible uses for the newly acquired land adjacent to Del Bianco Park at Dewey Field and to try to determine how much fill may be required.

Town SWAC & Transfer Station representative Mr. Richard Lloyd reported:

1. The new compactor will be installed on Monday the 26th.
2. He told the Board there will be a SWAC meeting on Thursday night.

Town Road Commissioner Mr. Byron Hathaway reported:

1. Mr. Hathaway and the Board discussed the proposed sprinkler system for Highway Garage. Mr. Hathaway said he needs Board approval to move ahead. Ms. Ashcroft read from the Town Garage account summary prepared by Mr. Hathaway. Ms. Ashcroft said the sprinkler system will cost **\$75,000.00** to install.

She said the retention ponds will cost **\$28,000.00** and that Stantec would be paid **\$30,000.00** for their involvement in the project. Ms. Ashcroft said the City of Rutland would be paid **\$1,500.00** for the water line tap. She said the total project cost would be **\$734,678.00**, plus **\$45,000.00** in paving and insurance expenses. Mr. Terenzini said the total project cost would be **\$779,678.00**

The Board and Mr. Hathaway discussed how the Board will come up with the additional funds required to construct the new Garage. The Board and Mr. Hathaway discussed using funds from the Town timber harvest account. Mr. Terenzini said the Board needs to inform the voters that the cost for the garage will be greater than what was approved by the voters. Ms. Ashcroft said she would write an article with Mr. Hathaway for the Circle. Mr. Zingale will discuss the Timber account with the Town Attorney and report back to the Board.

2. Mr. Hathaway told the Board that a four bay detention pond has been constructed. He said construction would begin soon on the second detention pond.

3. He told the Board that the new big Town truck should be delivered the following week.
4. Mr. Hathaway and the Board discussed the proposed fencing bid notice. Ms. Ashcroft moved to accept the proposed notice and to place the ad for the fencing around the two detention ponds. Mr. Terenzini made a second to the motion. The motion passed unanimously.

Town Planning Commission Chairman Andrew McKane reported:

1. He told the Board that the Planning Commission is still working on the Town map. He said the final draft is being prepared for the next meeting.
2. Mr. McKane said the Commission plans to address all various Town Plan land Use Districts.

Mr. Chioffi questioned Ms. Ashcroft and Mr. Hathaway regarding the various improvement alternatives discussed at a recent Smart Growth Committee meeting. Ms. Ashcroft said the work of the committee is non-regulatory and that the recommendation may or may not be implemented by Rutland Town or West Rutland.

The Board interviewed Mr. Jim Snee for the position of Alternate Town Representative to the Rutland Regional Planning Commission. Mr. Chioffi made a motion to appoint Mr. Jim Snee as the Town alternate to the Rutland Regional Planning Commission and Mr. John Snee to the position of alternate to the Town Planning Commission. Ms. Ashcroft made a second to the motion.

Mr. Terenzini said he could not vote for Mr. John Snee since he has never met or spoken to Mr. Snee. Mr. Chioffi amended his motion to include just Mr. Jim Snee. The motion passed by a vote of 4 to 0.

Town Emergency Management Director and Transportation Council representative Mr. Martin Wasserman reported:

Not present.

Town Clerk & Treasurer Ms. Donna Zeller reported:

Not present.

Town Fire Chief Mr. Frank Cioffi reported:

Mr. Diction asked if anyone knows the whereabouts of the section of pipe that was kept in the police safe. Ms. Ashcroft said she recalls saying that the pipe should be kept in the police evidence locker. Chief Ed Dumas said the pipe was in the Department's safe and he recalls that someone requested and took the pipe. Mr. Dumas said the Board should check with Mr. Steve Hawley to see if he knows the location of the pipe. Mr. Zingale will contact Mr. Hawley and report back to the Board.

Mr. Diction told Chief Dumas that the Department needs to establish a procedure to track items

placed in the safe. Chief Dumas said he has a procedure in place for criminal matters. He said the pipe is a civil matter and consequently was not logged in as criminal evidence.

1. Mr. Cioffi told the Board that the department recently did fire preventing training at the Town school.
2. He told the Board that Engine #1 recently failed an annual pump test. He said the pump will be repaired as soon as parts are located. Chief Cioffi said the plans for a new truck to replace Engine # 1 should be ready in a few weeks. He said the truck can be used for everything except drafting.
3. Mr. Cioffi told the Board that a meeting is scheduled to discuss problems with the HV/AC unit at the new station.
4. Mr. Chioffi made a motion to approve the computer software for the locks at the Fire Stations out of the bond. Mr. Terenzini made a second to the motion. The motion passed unanimously.

Town Representative to the Rutland Regional Planning Commission Mr. Frederick Nicholson reported:

No meeting, no report.

Town Police Chief Mr. Ed Dumas Reported:

1. Mr. Dumas told the Board that he electronically accepted the SRO Grant even though the Town School Board has not voted to accept the grant. He said he was told all members support the grant but have not got together to vote for the grant.

Chief Dumas said he thinks the Town can be reimbursed for monies paid by the Town School since September, for the service of Deputy Chief John Sly. Mr. Dumas requested that Mr. Sly begin working 40 hour weeks at the Town school. Ms. Ashcroft said the Board should not be spending the money until the School Board votes to approve the grant.

Rutland Town Police Department Report

181 Business Route 4
Center Rutland, Vermont 05736
Date Prepared: 10-1-15

Major John R. Sly # 140
Deputy Chief of Police
Rutland Town Police Department

Monthly Activity Report
For the Month of: September 2015

Activity Data

Assigned Calls:	107
Assisted Calls:	6
Criminal Arrests / Lodging	0
Criminal Arrests / Citations	3
Number of Traffic Stops:	10
Number of VCVCs Issued:	5
Total Waivers Fines:	\$797.00
Number of Warnings:	5

Time Data

Total Hours Spent on Call Assignments:	110
Total Hours Spent on Assigned Assists:	1.50
Total Hours Spent on Directed Patrol:	12.00
Total Hours Spent on Case Reports:	47.75
Total Hours Spent in Court:	0.00
Total Hours Spent on Administrative Duties:	80.50
Total Hours Spent in Training:	77.25
Total Hours Spent on Vehicle Maintenance:	12.25
Total Hours Spent on General Patrol / Other:	75.00

Totals

Total Duty Hours:	418.00
Total Patrol Miles:	2910.0
Total Gasoline Consumed (gallons)	144.219
Average Miles per Gallon:	20.18 MPG

Mr. Chioffi said he is concerned that the Police Department is spending almost half their time doing administrative work.

Ms. Ashcroft gave a report regarding municipal compliance with Act 46. Ms. Ashcroft informed Board members that she was invited by the Chair of the School Board to participate on behalf of the Select Board in the process.

Mr. Chioffi said as the Town representative to the School Board he should participate in the matter. He said Ms. Lynette Gallipo should have offered him the opportunity to represent the Select Board. Mr. Chioffi said the action is an insult to the Select Board.

Ms. Ashcroft informed the Board that the Search Committee received 10 applications for the Assistant Administrator position. Ms. Ashcroft cited the fact that one application was received late.

Ms. Ashcroft said that she and Mr. Terenzini have selected five applicants that they would like to interview. Ms. Ashcroft said she could give Board members more information in executive session.

Mr. Terenzini said he did not feel comfortable voting on the renovation work, since the Board did not open the bids and cannot be sure the bids submitted are accurate. Mr. Zingale told Mr. Terenzini that Mr. John Berryhill read the amounts to him and that the bids in front of the Board are accurate. Mr. Zingale will get the bids for the next meeting.

The Board discussed the School speed zone limit. Chief Dumas said the School speed zone limit should be 25 M.P.H. at all times due to all the functions at the school. Chief Dumas cited the fact that the ordinance has the School speed zone limit at 25 M.P.H. all the time.

Mr. Zingale said at some point the Board voted to make the speed limit 25 M.P.H. when flashing but that the ordinance was never amended. Chief Dumas said if the zone is not signed correctly no judge would enforce a ticket issued for exceeding 25 M.P.H.

Ms. Ashcroft said if the Board decides to keep the speed limit at 25 M.P.H. then the signs would need to be changed. Mr. Dumas said a sign would also be required to warn motorist that the School zone is ahead.

Mr. Chioffi said he is opposed to leaving the speed limit at 25 M.P.H. at all times. He stated the following as his reasons:

- The Town does speed control in order to protect lives. The Town does reduced speed control, out of the ordinary, for good reasons like school zones.
- Apparently the Board has not operated the ordinance correctly.
- Our enforcement against people has been in violation of our own ordinance because it says 25 M.P.H.
- We have been operating under 25 M.P.H. when the lights are flashing.
- A request was made to increase the flashing time on the sign because there are more school hours than when the lights flashing.
- Only one or two individuals requested that the Board change, from just the school zone when the lights are flashing, to 24/ 7, 365, without doing any studies.
- Mr. Chioffi made additional comments.

Mr. Diction asked Mr. Chioffi to meet with the Town School Board and see how they feel regarding the matter. Ms. Ashcroft said the Board has a problem in that the ordinance says the speed limit is 25 M.P.H. 24 hours a day. Ms. Ashcroft said there is inconsistent signage which would make enforcement questionable if brought before a judge.

Mr. Terenzini said he is ready to vote to make the School zone speed limit 25 M.P.H. at all times.

Town Administrator Mr. Joseph Zingale Jr. reported:

1. He told the Board they should vote to post Northwood Park for “no hunting, no trapping and no shooting” because he plans to post the land in the near future.
2. Mr. Zingale told the Board that Attorney Mr. Kevin Brown will represent the Board before the State Supreme Court on October 27, 2015 in Middlebury, Vermont, in regards to the groSolar permit appeal.

3. He informed the Board that the Town of Craftsbury has signed the Town's Solar Resolution. He said 48 towns have signed the resolution and 2 towns adopted resolutions that went beyond what the Town proposed.
4. Mr. Zingale told the Board that the Town's Transportation Enhancement storm water grant had been received by the State of Vermont. He said the Town would receive news in March as to whether the grant is approved.

The Board reviewed packed correspondence.

Mr. Chioffi made a motion to go into executive session for purposes of discussing personnel issues related to the Administrative Assistant. Ms. Ashcroft made a second to the motion. The motion passed unanimously.

Mr. Dicton declared the executive session closed at ??:?? P.M.

?? moved to close the meeting at ??:?? PM. ?? made a second to the motion. The motion passed unanimously.