

**TOWN OF RUTLAND
SELECT BOARD**

MINUTES: November 17, 2015

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

The meeting opened at 6:38 P.M. with the Pledge of Allegiance.

Ms. Ashcroft moved to approve the November 3, 2015 Board minutes as printed. Mr. Chioffi made a second to the motion. The motion passed unanimously. Ms. Ashcroft moved to approve the regular Board minutes of November 3, 2015 with corrections. Mr. Chioffi made a second to the motion. The motion passed unanimously.

The Board met with Mr. John Snee regarding his interest in being appointed as an alternate to the Planning Commission. Board members questioned Mr. Snee regarding his interested in serving on the Town Planning Commission.

Mr. Terenzini moved to appoint Mr. John Snee as an alternate to the Town Planning Commission. Mr. Chioffi made a second to the motion. The motion passed unanimously.

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

Town Planning Commission Chairman Andrew McKane reported:

1. He told the Board that the Commission will finalize the Future Land Use map at the next Commission meeting.
2. He told the Board the Commission is also working on a Viewshed amendment to the Town Plan. He said the amendment is to protect scenic views from town road ways and is based on the Quechee Lakes analysis. Ms. Ashcroft said the amendment will establish a clear community standard.
3. Mr. McKane told the Board that Mr. Dana Peterson has been elected Vice Chairman of the Town Planning Commission.

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

1. Mr. Lloyd told the Board that the compactor has been installed and is working fine.
2. He told the Board that as of January 1, 2016 the Transfer Station will accept batteries that weigh less than four pounds. Mr. Dicton said Mr. Lloyd is moving toward zero sort and hopes to fully zero-sort sometime in 2016. Mr. Chioffi cited the fact that Casella Waste Management scraped and painted the hopper at no charge to the Town. Mr. Chioffi told the Board that according to a Casella Solid Waste Vice President, the Town's transfer station is the finest looking transfer station in the state. Mr. Chioffi thanked Mr. Lloyd for doing a good job.

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

1. Mr. Wasserman told the Board he planned on ordering a laptop computer to keep information such as; the locations and medications used by various town residents who might need assistance in an emergency event.
2. He told the Board he was unable to attend a recent three day seminar regarding emergency services. He said he hoped to that the course in the future. He told the Board he has done some on-line State and Homeland Security training.

The Board told Mr. Wasserman that he should try to get the Transportation Council to support the Board's Farrell Road 'slip-lane" proposal.

Town Clerk & Treasurer Ms. Donna Zeller reported:

1. Ms. Zeller informed the Board that Hilda Fish had passed away. Mr. Chioffi asked Ms. Zeller if she planned on doing anything. Ms. Zeller said she does not know the Board's policy regarding such matters. Mr. Chioffi said the Board's policy is to always support the Clerk's decision. He said Ms. Hyjek always took care of such matters.

He said Ms. Hyjek would send flowers and a card from the Board and then inform the Board. Mr. Chioffi said it would also be appropriate to do the same for Mr. John Quirk. Ms. Ashcroft suggested Ms. Zeller get a stack of cards, which would be sent out after receiving word from a Board member of an individual's passing. Mr. Chioffi said the Town of Rutland should send an array of flowers for a wake. Mr. Terenzini agreed with Mr. Chioffi regarding sending flowers for a wake. Mr. Dicton suggested Ms. Zeller work with Mr. Zingale and send either a card or flowers for the Board.

2. Ms. Zeller informed the Board of a request from Ms. Nancy McGuire, of the County Conservation District, to hold a meeting on December 3, 2015 in the Town Hall basement. Ms. Ashcroft moved to approve the request. Mr. Terenzini made a second to the request. The motion passed unanimously.
3. Ms. Zeller cited expense overages in the General Budget such as; being over budget for the assistant Town Clerk & Treasurer salary and health insurance. Ms. Zeller said this occurred when her assistant went from part-time to full-time. She said the insurance budget was also over budget due to the Board adding the police insurance. Ms. Zeller said the attorney fees were way over budget.

Mr. Dicton read a letter to be sent to Mr. Don Quirk. Board members and Mr. Hathaway signed the letter.

Town Road Commissioner Mr. Byron Hathaway reported:

1. Mr. Hathaway submitted a set of architectural drawing for the new highway garage.

Ms. Ashcroft reported on the November 9, 2015 Highway Committee meeting. The report address:

- The proposed total cost for the highway garage.

Ms. Ashcroft moved to authorize the Chairman to sign the change order with Stantec to allow Stantec to do the sprinkler line and water supply permit engineering work in the amount of **\$10,200.00**. Mr. Terenzini made a second to the motion. The motion passed by a vote of 3 to 1. Mr. Chioffi voted in the negative.

- She told the Board that Mr. Hathaway will send letters to individuals with structures in the Town road r-o-w informing them that the Town will not be responsible for repairs to their fence.
- Ms. Ashcroft said the Committee referred the matter of Mr. BJ Hathaway doing winter plowing for the Town to the full Board for consideration. Mr. Diction cited the fact that the Town Employee manual prohibits close family members from working together. Ms. Ashcroft said she was unaware of the provision when the Committee decided to send the matter to the full Board.

Ms. Ashcroft said she respects the Town's policy; however, she said some of the people most likely to pick up contracts from the Board will be related to people because we are a small town. Ms. Ashcroft cited the fact that three individuals declined the opportunity to work for the Town.

Mr. Terenzini said he sees a real conflict in hiring Mr. BJ Hathaway. He cited the fact that he discouraged a relative from applying for the Assistant Administrator position. Mr. Chioffi said the vacancy should be advertised in the local newspaper and that the Board would deal with whether to hire Mr. BJ Hathaway should he be the only applicant.

Mr. Hathaway told the Board that he was hired by then Road Commissioner Mr. Marshall Fish and not the Select Board. Mr. Chioffi said Mr. Hathaway's hiring was over 15 years ago. He also said the Board advertised for the position when Mr. Flory retired. Mr. Hathaway told the Board that the Board's Personnel Policy is a grey thing. He said it does not apply to him because he is an elected official. Mr. Hathaway said he wants to avoid any improprieties and that is why the matter is before the Board in the open.

Mr. Diction told Mr. BJ Hathaway that he can address the Board at the end of the meeting. Mr. Diction said the Board's new policy is to have questions from the floor at the beginning and at the end of the Board meeting.

The Board and Mr. Hathaway discussed advertising for a new winter contractor and Mr. Hathaway said he would advertise for the position.

Mr. Hathaway reported to the Board regarding the status of the highway garage construction. He told the Board that the detention ponds have been constructed.

Town Fire Chief Mr. Frank Cioffi reported:

1. The Chief informed the Board that he, Mr. Mike Carlson and Mr. Zingale met with a Stantec engineer at the Center Rutland Station in connection with HV/AC issues.

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

Not present.

Town Police Chief Mr. Ed Dumas Reported:

Rutland Town Police Department Report

181 Business Route 4
Center Rutland, Vermont 05736
Date Prepared: 11-4-15

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

Monthly Activity Report
For the Month of: October 2015

Activity Data

Assigned Calls:	153
Assisted Calls:	8
Criminal Arrests / Lodging	0
Criminal Arrests / Citations	1
Number of Traffic Stops:	46
Number of VCVCs Issued:	25
Total Waivers Fines:	<u>\$4,509.00</u>
Number of Warnings:	29

Time Data

Total Hours Spent on Call Assignments:	65.75
Total Hours Spent on Assigned Assists:	5.50
Total Hours Spent on Directed Patrol:	126.00
Total Hours Spent on Case Reports:	46.00
Total Hours Spent in Court:	2.50
Total Hours Spent on Administrative Duties:	64.75
Total Hours Spent in Training:	28.50
Total Hours Spent on Vehicle Maintenance:	12.00
Total Hours Spent on General Patrol / Other:	79.25

Totals

Total Duty Hours:	438.50
Total Patrol Miles:	3286.0
Total Gasoline Consumed (gallons)	191.461
Average Miles per Gallon:	17.16 MPG

Town Recreation Director Mr. Mike Rowe reported:

1. Mr. Rowe told the Board that basketball has begun.
2. He invited the Board and other Town officials to the next senior luncheon on December 15, 2015 at 11:30 AM at Swards Restaurant.

Mr. Terenzini Told the Board that the Recreation Committee plans to ask the full Board to increase the Recreation depreciation fund percentage, which is presently set at .25%. He said the request would be made after the Committee receives information from the Town Treasurer. Mr. Terenzini said presently there is about **\$100,000.00** in the Recreation Depreciation fund.

Mr. Terenzini said the Committee would like to avoid a situation like the City of Rutland is in, as a result of the closing of their pool.

3. Mr. Rowe told the Board that according to Mr. Hathaway it would cost about **\$15, 00.00** to add parking to Dewey Field.
4. Mr. Rowe told the Board that presently the Recreation Deprecation fund raises about **\$21,000.00** .
5. Mr. Rowe told the Board that he interviews lifeguards and presents their applications to the Board and that the Board approves new lifeguards. He said he does not have that power.

Town Administrator Mr. Joseph Zingale Jr. reported:

1. The Board authorized Mr. Zingale to place the Town Report bid notice in the newspaper.
2. He informed the Board that the Town's annual storm water fee has gone up to **\$1,125.00** per year. In a separate matter he said the State listed the Town as a storm water fee payer but failed to include in the list. He said he would report back to the Board on the matter. Ms. Ashcroft said the Town may want to recover some of the cost through development fees.
3. Mr. Zingale told the Board that he and Mr. Brown have produced a draft agreement with West Rutland for Sewer & Water services. He said a meeting would be scheduled with Fire District #1 and the Town of West Rutland after Messrs. Faignant and Terenzini have commented on the draft.
4. Mr. Zingale thanked Russell, Bonnie, Richard and Ann Goodrich for providing assistance to a fellow co-worker, who had sugar issues in the field while posting Town land.

The Board reviewed packet correspondence.

Ms. Ashcroft informed the Board that the Finance Committee is working on a policy for placing non-profit funding requests on the Town ballot.

Mr. BJ Hathaway addressed the Board. Mr. Hathaway made the following comments:

- He told the Board that membership in the Town Fire Department includes; fathers & sons and Fathers & daughters. He said that is in direct conflict with the Town's Personnel Policy
- He said a recent land sale in town was handled by a Board member and was never advertised. Ms. Ashcroft informed Mr. Hathaway that the land sale was advertised in the newspaper.
- He said the Board chair said he would not recognize anyone outside the rail to speak then promptly recognized someone outside the rail to speak.

Mr. Diction said it was a Town official who spoke and not a member of the public.

Mr. Terenzini made a motion to close the meeting at 8:41P.M. Mr. Chioffi made a second to the motion. The motion passed unanimously.