

**TOWN OF RUTLAND
SELECT BOARD**

MINUTES: February 23, 2016

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

Meeting opened at 6:30 P.M. with the Pledge of Allegiance.

Mr. Chioffi read a letter from former Town Clerk/Treasurer Marie Hyjek in remembrance of Mr. Bart Reczek.

Mr. Chioffi presented a plaque to Mr. Diction in appreciation for his service on the Board. Ms. Ashcroft moved to adopt the plaque as an official recognition. Mr. Terenzini made a second to the motion. The motion passed unanimously. Mr. Diction thanked all members of the Town he had interaction with.

The Board reviewed the minutes of the February 9, 2016 Select Board meeting. Ms. Ashcroft moved to approve the February 9, 2016 meeting minutes. Mr. Terenzini made a second to the motion. The motion passed unanimously.

Questions from the floor and public comment:

Mr. Red Grover addressed the Board and gave an update regarding the status of his road's acceptance. Mr. Grover told the Board that his attorney, the Town Attorney and his engineer are close to finalizing the road acceptance. Ms. Ashcroft requested confirmation from Town's Attorney that Mr. Grover's letter of credit acceptable. Ms. Ashcroft will present the information at the next Highway Commission meeting.

Town resident Mr. Peter Yankowski addressed the Board regarding the planned March 8, 2016 Ecos Solar Project meeting.

- Mr. Yankowski encouraged the Board to challenge the Public Service Board's (PSB) position regarding the Town's Solar Sighting Standards.
- Mr. Yankowski expressed his opposition to the Cold River Road Solar Project.
- Mr. Yankowski feels there are no redeeming qualities with regard to proposed Ecos project.
- He said it will result in devaluation of neighboring property values.
- He said Ecos will only pay **\$21,000.00** in taxes to the Town
- There will be no jobs for residents.

- The Global Energy Credits will be sold out of state and are no benefit to the Town.
- Mr. Yankowski urged the Board to fight the Public Service Board on this project.
- Mr. Yankowski told the Board that the CEO of ALCO Renewable Energy, who also owns ECOS Solar, fought a \$15,000,000.00 proposed wind project near his Martha's Vineyard home.

Mr. Diction suggested Mr. Yankowski submit his comments in writing.

Town Planning Commission Chair Ms. Barbara Pulling reported:

- 1) Ms. Pulling told the Board that all of Mr. Yankowski's concerns will be worked into the Public Hearing on March 3, 2016.
- 2) Ms. Pulling reported the Planning Commission and Select Board public notices have been mailed to all property owners.
- 3) Ms. Pulling and the Board discussed the recent solar project denial in Bennington, VT.

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

Present nothing to report.

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

Not present.

Town Clerk & Treasurer Ms. Donna Zeller reported:

- 1) She told the Board that the last day to register to vote is Wednesday, February 24, 2016 and that the Town Clerk/Treasurer office will be open until 5:00 P.M.
- 2) Absentee ballots are available up until the day of the election.
- 3) The Board of Civil Authority will meet on Monday February 29, 2016 at 6:15 P.M. at the school.
- 4) The Polls on Tuesday, March 1, 2016 will be open 7:00 A.M. to 7:00 P.M.
- 5) Town reports were mailed.

- 6) Ms. Zellar has not received correct cash receipts or lists of delinquent tax payers from the Town Delinquent Tax Collector for the fiscal year of July 1, 2015. Mr. Diction asked Ms. Ashcroft to follow up with the Delinquent Tax Collector.
- 7) Ms. Zellar requested the Board grant CBS Cleaning Company access to the Town Hall after hours for cleaning with the exception of the Police Department. Mr. Chioffi made a motion to change the procedure to allow the cleaning company keys to the building to come in during evening hours with notification to all departments with exception to the Police Department. Ms. Ashcroft made a second to the motion. Motion passed unanimously.
- 8) Ms. Zellar presented the sick ballots to Ms. Ashcroft. Ms. Ashcroft and Mr. Lloyd will coordinate a date and time.
- 9) Mr. Diction expressed the need for clarification on the Budget Status Report to the Board. Ms. Zellar and the Board will discuss the Report at the next meeting, and review the Report once a month.

Rutland Town Road Commissioner Byron Hathaway reported:

- 1) Mr. Byron Hathaway requested the Board sign the Stantec Permit Amendment for the water line at the Town Garage. Ms. Ashcroft read the minutes from the February 9, 2016 meeting authorizing the Chair to sign the agreement.
- 2) Mr. Hathaway presented a **\$218,000.00** VTrans Grant Application for a Two Class Roadway project for Board consideration. He also submitted a Road and Bridge standards compliance certification for Board approval.

He said that if the grant is the funds would go towards repair on the E. Pittsford Road from Route 7 to the East Creek Bridge. Ms. Ashcroft made a motion for the Board to adopt the certification. Mr. Terenzini made a second to the motion. Motion passed unanimously.

- 3) Mr. Hathaway told the Board that he received two Requests for Proposals (RFP) for Street signs. After some discussion regarding pricing it was decided that Mr. Hathaway will reject all bids and reduce the size of the order and start over.
- 4) Mr. Hathaway reported the Town garage construction is progressing.

Rutland Town Fire Chief Frank Cioffi reported:

- 1) Mr. Cioffi reported that bid request for a new Town Truck have been sent, both electronically and mailed.
- 2) Mr. Cioffi reported it was very busy the weekend of the February 12-14, 2016 as a result of freezing water lines and water issues.

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

- 1) Mr. Fred Nicholson reported regarding several recent solar development proposals before the Regional Issues Committee.
- 2) He informed the Board that the Vermont Bike/Walk Summit will be held in Rutland City on April 1-2, 2016.
- 3) He told the Board that Act 250 District Coordinator Mr. Bill Burke recently addressed the full RRPC regarding Act 250 issues. He said Mr. Burke explained the role of the Town Plan versus the Regional Plan in Act 250 proceedings.

He said Mr. Burke addressed the differences between a "Regulatory" Town Plan and a "Non Regulatory" Town Plan. Mr. Nicholson told the Board that he feels the current Town Plan format is the most desirable because it is "Non Regulatory".

- 4) Mr. Nicholson reported on the Clarendon Garvey dealership proposal. After some discussion, Mr. Nicholson pointed out that if there is a conflict between the Clarendon Town Plan and the Regional Plan, that the Regional Plan would trump the Town Plan.
- 5) Mr. Nicholson reported Mr. Lyle Jepson from Rutland Economic Development Corporation (REDC) is getting more involved with the Rutland Regional Planning Commission.
- 6) Rutland Regional Planning Commission Town alternate Jim Snead reported on the last Regional Commission meeting.

Town Police Chief Ed Dumas reported:

Rutland Town Police Chief Mr. Ed Dumas presented the Police report dated January 2016.

- 1) Mr. Chioffi expressed concern regarding putting off of an administrative assistant for the Police Department in this year's budget to cut down on officers spending time in the office rather than on patrol.

- 2) Mr. Dumas discussed the S221 (Fair and Impartial Policing) program being created in Montpelier by the Vermont Criminal Justice Training Council, Chiefs of Police Association, and the Human Rights Commission. He said the Council will be requiring information on crash data, motor vehicle stops, warnings and racial perception from the officer. He said at this time there is no discussion of the State funding Towns for the resources to gather this information.
- 3) Mr. Dumas discussed S174 regarding camera videos and cruisers. He told the Board that the State wants to implement a statewide policy for offices to have body cameras and cruiser videos. Mr. Dumas said it would cost \$40,000.00-\$50,000.00 to purchase and implement the equipment.
- 4) Mr. Dumas reported the Department has some old equipment they would like to sell and put toward their equipment budget. Mr. Dumas requested permission to send an email to neighboring Towns. Mr. Diction said the items should also be advertised.
- 5) Mr. Dumas questioned the Board regarding whether staff working on holidays will be allowed to bank their time. It was decided the Board will revisit the Town's Policies and Procedures at a future date and get more information from the Town Administrator.
- 6) Mr. Dumas told the Board that he had spoken with Sheriff Stephen Benard and was told his last day will be Wednesday, April 19, 2016. Mr. Dumas said the Sheriff's Office will no longer be providing security to the mall.

He said the mall owners want to cut their security budget from \$135,000.00 to \$75,000.00. The Board reviewed the Agreement with the Diamond Run Mall dated June of 1996. Mr. Dumas pointed out to the Board there will be no law enforcement at the mall. There will be security officers who do not have law enforcement capability, ticketing authority, nor towing cars away at the owner's expense. If a situation arises the Vermont State Police or the Rutland Town Police will be called. Mr. Diction requested Mr. Dumas get a letter from Sheriff Stephen Bernard to Mr. Joe Zingale, Jr. for the next Select Board Meeting. Mr. Diction said the mall is in violation of the agreement with the Town.

- 7) Mr. Dumas submitted liquor licenses from the following businesses: Midway Oil Corporation, 99 Restaurant, Martin's Food of South Burlington/Hannafords, Mac's Convenience Store, Sandri of South Main Street, Kmart Corporation. Ms. Ashcroft made a motion to accept all liquor licenses. Mr. Chioffi made a second to the motion. Motion passed unanimously.

Rutland Town Police Department Report

181 Business Route 4
Center Rutland, Vermont 05736
Date Prepared: February 4, 2016
Department

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

Monthly Activity Report
For the Month of: January 2016

Activity Data

Assigned Calls:	102
Assisted Calls:	5
Criminal Arrests / Lodging	0
Criminal Arrests / Citations	2
Number of Traffic Stops:	24
Number of VCVCs Issued:	12
Total Waivers Fines:	<u>\$1,842.00</u>
Number of Warnings:	18

Time Data

Total Hours Spent on Call Assignments:	54.25
Total Hours Spent on Assigned Assists:	2.50
Total Hours Spent on Directed Patrol:	178.75
Total Hours Spent on Case Reports:	38.25
Total Hours Spent in Court:	3.00
Total Hours Spent on Administrative Duties:	95.00
Total Hours Spent in Training:	7.50
Total Hours Spent on Vehicle Maintenance:	11.75
Total Hours Spent on General Patrol / Other:	76.00

Totals

Total Duty Hours:	467.00
Total Patrol Miles:	2385.00
Total Gasoline Consumed (gallons)	161.614
Average Miles per Gallon:	14.76 MPG

Rutland Town Recreation Director Mike Rowe reported:

- 1) Basketball is winding down.
- 2) The boys and girls grades 3-6 teams in are in the City in the Glodzick Tournament.
- 3) Baseball and softball signups are underway, and information can be found on the website, Town Hall, through Mr. Rowe or the school email. The spring season will start the first week in April.

Town Administrator Mr. Joseph Zingale Jr. reported:

Mr. Zingale was not present. Ms. Patricia Carbine reported on behalf of Mr. Zingale.

- 1) Ms. Carbine reported the Town has received all State approvals for the land transaction with William and Joyce Cunningham. She said that the Town's Attorney will be drawing up the deeds to make the land exchange. She said the Town can now move forward with the Storm Water Project once the Town receives funding.
- 2) Ms. Carbine reported that VTrans will be installing the pedestrian activated road crossing at the intersection of Cold River Road and US Route 7. She told the Board that Mr. Zingale, Jr. asked VTrans consider another pedestrian activated road crossing at the Diamond Run Mall and Holiday Drive intersection.
- 3) Ms. Carbine presented an annual notice for Road Salt Reduction within Fire District # 5 on Hitzel Terrace.
- 4) The Town's cleaning company (CBS Cleaning) is certified for hazardous materials and can clean the downstairs room in the Town Hall for **\$725.00**. Mr. Terenzini made a motion for CBS Cleaning to clean the downstairs room in Town Hall for **\$725.00**. Mr. Chioffi made a second to the motion. The motion passed unanimously.
- 5) Ms. Carbine requested a short Executive Session to discuss the Randbury Road Storm Water Project.

Mr. Chioffi read an email from Liz Ryder, the Executive Assistant to the Secretary of State regarding the use of the Town Fire Station conference room for Municipal Public Service Awards. Ms. Ashcroft made a motion to allow the use of the conference room for the award ceremony. Mr. Chioffi made a second to the motion. Motion passed unanimously.

Mr. Diction asked if there were any questions from the floor or public comment. There were none.

Mr. Diction requested the Board consider the Stantec landfill monitoring agreement. Ms. Ashcroft made a motion to authorize the Chairman to sign. Mr. Chioffi made a second to the motion. Motion passed unanimously.

Mr. Diction requested the Board to consider the appointments of SWAC representative, Mr. Richard Lloyd, and the Town Fire Warden, Mr. Joe Denardo. Mr. Terenzini made a motion to accept both appointments. Mr. Chioffi made a second to the motion. Motion passed unanimously.

Mr. Diction requested the Board to consider the AIA Document A-101, 2007 for insurance and Bonds. Mr. Chioffi made a motion for the Chairman to sign on behalf of the Board. Ms. Ashcroft made a second to the motion. Motion passed unanimously.

The Board reviewed packet correspondence.

Mr. Terenzini made a motion to go into Executive Session to discuss the Randbury Road Storm Water Project. Ms. Ashcroft made a second to the motion. The motion passed unanimously.

Mr. Chioffi made a motion to close the executive session and the meeting. Ms. Ashcroft made a second to the motion. The motion passed unanimously.

Mr. Diction thanked everyone for their support during his time on the Select Board. Meeting adjourned at 8:55 P.M.

