

**TOWN OF RUTLAND  
SELECT BOARD**

MINUTES: Tuesday, May 3, 2016

Board members present: Josh Terenzini, Mary Ashcroft, John Paul Fignant, Chris Kiefer-Cioffi, Joe Denardo

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

Errors and Omissions of Board Minutes-April 19, 2016:

Ms. Ashcroft moved to accept the minutes as printed. Mr. Fignant made a second to the motion. Motion passed unanimously.

Questions from the Floor Public Comments:

Mr. Red Grover and his attorney Mr. Karl Anderson were present and addressed the Board. Mr. Anderson reported to the Board that almost all conditions have been met that are necessary for the Board to accept Grover Drive. He said the date on the line of credit needs to be updated and that Ms. Tammy Del Bianco needs to sign an agreement.

Ms. Ashcroft asked if the agreement includes language regarding ditches on both sides of the driveway. Mr. Anderson stated the language addresses ditches on both sides of the driveway as well as an interceding culvert. He said there are two described easement areas with color sketches.

Ms. Ashcroft asked if Mr. Anderson will have all of the paperwork for signature at the next meeting. Mr. Anderson said he cannot present the approval of the credit letter until after the road is accepted.

The Board considered the Cassarino liquor license request. Ms. Kiefer Cioffi moved to approve the liquor license for Mr. Cassarino. Mr. Fignant made a second to the motion. Ms. Ashcroft asked if the issue of security at the mall has been resolved. Mr. Fignant reported the mall has scaled back the security at the mall, but the Sheriff's department is on call 24/7.

Mr. Fignant said the Town has compromised the requirement for having law enforcement present all hours the mall is open. Mr. Fignant said if there is a problem the issue will be revisited. Mr. Terenzini called for the vote. Motion passed unanimously.

Mr. William Notte, City of Rutland President of the Board of Alderman, was present and spoke regarding the City's Syrian Refugee Relocation Project. Mr. Terenzini read a personal statement regarding his position on the Project.

Mr. Notte said he was not at the meeting to justify anything that has been said or typed by City Mayor Mr. Christopher Louras. He said he will share his opinion and be a temporary bridge. Mr. Notte informed Board members that Mr. Louras has scheduled a meeting on Thursday, May 12, 2016 at 6:30 P.M. at the Rutland Library Fox Room. Mr. Notte said he will be scheduling an open meeting with officials from the Refugee Resettlement Program and a senior member from

Senator Mr. Patrick Leahy's staff to discuss vetting. Mr. Notte will contact Mr. Terenzini and inform him of the meeting date.

Ms. Ashcroft informed the Board that a group called Rutland Welcomes, which is up to over 900 people, supports of the Refugee Relocation.

Mr. Nott made the following statements:

- Mr. Notte explained there is no specific time limit for the Refugees to remain in the City.
- Mr. Notte reported 20-30 families are coming from Syria.
- Mr. Notte said Rutland City School Superintendent Ms. Mary Moran stated Rutland City schools have the capacity to absorb these refugees and that there will be grants from the Federal Government for an English program called English Language Learning (ELL).
- Mr. Notte stated the City is working with the Refugee Relocation people, housing groups and local landlords to find housing.
- Mr. Notte said the Refugees are currently at a camp in Jordan going through an extensive three year vetting process, and once chosen they have all of the rights of a resident alien in the United States and can move wherever they want.
- Mr. Notte said the refugees will not have jobs when they arrive, and the federal grant money will allow assistance with them learning English and getting jobs.

Ms. Kiefer-Cioffi inquired regarding the cultural differences in law enforcement, and if there will be someone coaching the refugees about differences. Mr. Notte stated Refugees that are coming lived a lifestyle similar to the American middle class and that the Refugee Relocation people will be coaching them on all of the cultural norms and the law.

Ms. Kiefer-Cioffi asked about the health of the children, making sure they are vaccinated and up to standard to attend school. Mr. Notte said the three year vetting process includes a health component and all family members are examined and are kept up to our health standards

Mr. Terenzini asked if only Syrian Refugees are coming or will whether Iraqi Refugees are included. Mr. Notte stated most of the families are from Syria however there might be families from Iraq. Mr. Terenzini asked how the number of Refugees (100) was determined. Mr. Notte stated 100 Refugees is the least the Relocation Program will allow for a smooth transition.

Town resident, Mr. Jim Hall, asked if there would be more Refugees settling in our community in the future. Mr. Notte said it is a possibility. Mr. Hall expressed his concern regarding inviting more Refugees to the community.

Mr. Hall said there are going to be some unintended consequences that will not be positive. Mr. Notte stated that since 911 the United States has taken in 780,000 Refugees. He said only three have been arrested for terrorist activity.

Town resident Mr. Frank Cioffi expressed his displeasure and said the processes was underhanded and that the people weren't allowed to speak on the issue. Mr. Cioffi asked why there was so much secrecy. Mr. Notte said he knew about the issue two months ago and now regrets not informing the full Board of Alderman.

Town Administrator Mr. Joseph Zingale, Jr reported:

- 1) Mr. Zingale reported that Mr. Andreas Torrizo will be at the Board's next meeting to discuss the areas of Town to be regulated under a new Storm Water Ordinance. He said Torrizo will also discuss the retro fit project on Randbury Road and Hitzel Terrace.
- 2) Mr. Zingale said work is ongoing regarding a Town request for a new slip-lane in an area of US Route 7, which is a limited access road. He said the Town is working with Mr. Bob Chamberlain with Resource Systems Group (RSG). Mr. Zingale said the State Transportation Board is considering the request and will report to the Agency of Transportation after holding a hearing. Mr. Zingale said the slip-lane request was put on hold when BJ's was proposed.
- 3) Mr. Zingale told the Board that the Town Hall renovations are almost complete and the next Select Board meeting should be at the Town Hall.

Town Planning Commission Clerk Ms. Barbara Noyes Pulling reported:

- 1) Ms. Pulling told the Board that members of the Planning Commission and Mr. Zingale will be attending the College of St. Joseph's Act 250 Public Hearing. She said the Commission has a concern regarding traffic flow at the intersection of Route 4 and Ripley Road.

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

- 1) Mr. Lloyd stated Saturday, May 7, 2016 is green up day. He said bags are available at the Transfer Station and the Town Hall. Ms. Ashcroft asked if the bags are taken to the transfer station. Mr. Lloyd replied yes and there is no charge, or the Highway Department will pick up bags on the side of the road.
- 2) Mr. Faignant reported there was a Transfer Station Committee meeting Wednesday, April 27, 2016 to look at the equipment at the station. Mr. Faignant said it was decided to not make any changes until the Committee gets a handle on what zero sort recycling will look like and what equipment it will require.
- 3) Mr. Denardo asked if Mr. Lloyd had talked with Hubbards regarding the cardboard box container. Mr. Lloyd said there will be no charge for another box.

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

Not present

Town Clerk & Treasurer Ms. Donna Zeller reported:

- 1) Ms. Zeller stated final tax payments are due on Tuesday, May 10, 2016. Payments may be mailed to 181 US Business Route 4, Center Rutland, VT 05736. A postmark dated on May 10, 2016 will be accepted as on time.
- 2) Ms. Zeller said Town Offices will be closed Monday, May 30, 2016 for Memorial Day.
- 3) Ms. Zeller asked the Board if there are any questions on the A&M Peisch engagement letter for the audit in September. Ms. Ashcroft made a motion to accept the letter. Mr. Denardo made a second to the motion. Ms. Ashcroft asked Ms. Zeller if she had reviewed the letter and compared it to last year's letter. Ms. Zeller stated most of the components are the same with minor changes. Ms. Zeller stated this year's audit will cost **\$13,550.00** as compared to last year's cost of **\$13,175.00**.

Ms. Kiefer-Cioffi asked if Ms. Zeller has worked with AM Peisch before. Ms. Zeller stated she has been through two audits with A&M Peisch and finds them very helpful. Mr. Terenzini called for the vote. Motion passed unanimously. Ms. Ashcroft made a motion for the Chair to sign the document. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.

- 4) Ms. Zeller told the Board that Town Delinquent Tax Collector Mr. Chris Howland dropped off reports last week and this week. Ms. Zeller stated she is going through his reports line by line, and at this time there is **\$67,000.00** in delinquent taxes.
- 5) Mr. Howland was present and addressed the Board. Mr. Howland presented an accounting of what he has collected in delinquent taxes since he was elected in March of 2015. Mr. Howland stated he has collected **\$262,500.00** and **\$37,000.00** in abatements. Ms. Kiefer-Cioffi asked how much he has received in paid. Ms. Zeller stated Mr. Howland has been paid through the last fiscal year and was paid in December of 2015.

Mr. Howland said he will present a report to the Board in June.

Rutland Town Road Commissioner Byron Hathaway reported:

- 1) Mr. Hathaway gave the Board an update regarding the new Highway Garage.
- 2) Mr. Hathaway presented an agreement between the Town and the Tuttle for review. Mr. Hathaway said there may be a power line in front of the culvert on the property and Dig Safe needs to be called in to inspect. Ms. Ashcroft suggested a Highway Committee meeting to discuss the matter.
- 3) Mr. Hathaway asked the Board to discuss the email from Department of Public Works Commissioner Mr. Jeffrey Wennberg regarding the Town's participation in paving a section of the Campbell Road. Mr. Terenzini said the total paving cost is **\$107440.00**. He said the Town's share would be **\$53,720.00**. Mr. Hathaway said he is hesitant to

participate because the City originally owned all of Campbell Road. He said in 2002 the Legislature move the municipal line, which resulted in the Town getting ownership of a section of Campbell Road not maintained by the City of Rutland.

Mr. Hathaway said the Town has done enough and that the City should do their due diligence. Mr. Hathaway cited an example where he paved a section of City because it needed to be done.

Mr. Hathaway read the proposed agreement from the City and an agreement the Town has with the Town of Mendon. Mr. Fagnant made a motion to side with Mr. Hathaway's recommendation. Mr. Denardo made a second to the motion. After some discussion, motion passed unanimously.

- 4) Ms. Ashcroft said the matter of a line striper would be discussed at the next Highway Committee.

Town Fire Chief Mr. Francis Cioffi reported.

- 1) Mr. Fagnant told the Board that the Fire Committee had reviewed the contract and bond for the new Town fire truck. He said and there was a provision that any claim resolution would have to take place in the state it (the truck) was manufactured, which is Iowa. Mr. Fagnant said the owners of the company have agreed to have dispute resolution in Vermont. Mr. Cioffi said when he receives the final draft he will present to the Fire Committee for review.
- 2) Mr. Cioffi stated he attended the last Planning Commission meeting on April 21, 2016 and expressed his concerns regarding traffic issues for emergency vehicles at the Ripley Road/West Street intersection during certain events at the College of St. Joseph.
- 3) Chief Cioffi said he has been working with Mr. Denardo to get a Fire pond constructed on Grover Drive. Mr. Terenzini asked how the pond would be funded. Mr. Denardo said the Town can receive a grant after the pond is constructed.
- 4) Mr. Denardo inquired regarding the inclusion of fire hydrants on the south side of Business Route 4. Mr. Cioffi stated he and Mr. Zingale talked with the project engineer who said it would cost **\$50,000.00** to install a hydrant.
- 5) Mr. Terenzini questioned the status of getting an antenna at the Town Fire Station so phone calls can be received in the station. Mr. Cioffi said he may have a price for the next meeting.

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

Mr. Nicholson was not present. Town Alternate representative Mr. Jim Snee reported on the April 29, 2016 Rutland Regional Planning Commission meeting.

- 1) Mr. Snee informed the Board that the City of Rutland is in communication with Federal authorities regarding the possibility of de-listings some of the Federal roads in the City. Mr. Snee said that; Strongs Avenue, part of Merchants Row, West Street, State Street and a small piece of Route 100 and Route 4 are Federal roads. He said the City is concerned with the loss of federal funds for the roads.
- 2) Mr. Snee cited a discussion on the fee structure for the Rutland Regional Planning Commission. Mr. Snee stated all towns that currently participate pay \$950.00 per year no matter their size. Mr. Snee the question was asked by Rutland Regional Planning Commission Mr. Ed Bove if changing the fee schedule would be related to activities or equity. Mr. Bove said it would be perceived as equity. Mr. Snee said if the Town wanted to propose something other than the \$950.00 per year the Commission would consider it.
- 3) Mr. Snee presented House bill H249, regarding Inter-Municipal Service Agreements, to the Board.

Rutland Town Police Chief Ed Dumas reported:

- 1) Mr. Dumas said the separate line item for the School Resource Officer (SRO) position, will be available in May.
- 2) Mr. Dumas read the stats from the Town Police Report:

# Rutland Town Police Department

**Monthly Activity Report**

**For the Month of:** April 2016

<b>Activity Data</b>	Assigned Calls:	71
	Assigned Assists:	6
	Criminal Arrests / Lodging	0
	Criminal Arrests / Citation:	2
	Number of Traffic Stops:	21
	Number of VCVCs Issued:	8
	Total Waiver Fines:	\$1,312.00
	Number of Warnings:	18

<b>Time Data</b>	Total Hours Spent on Call Assignments:	53.50
	Total Hours Spent on Assigned Assists:	4.50
	Total Hours Spent on Directed Patrol: (S.R.O. Assignment / Speed Enforcement / General Traffic Offenses)	115.25
	Total Hours Spent on Case Reports: (Report Preparation / Not Investigation)	39.00
	Total Hours Spent in Court: (Traffic Court / Criminal Trial / Deposition)	0.50
	Total Hours Spent on Administrative Duties:	62.75
	Total Hours Spent in Training:	45.00
	Total Hours Spent on Vehicle Maintenance: (Routine Service / Repairs / Maintenance / Cleaning)	13.00
	Total Hours Spent on General Patrol / Other:	92.75

Rutland Town Recreation Director Mike Rowe reported:

Not present

Committee Meeting Updates:

Scholarship:

Ms. Ashcroft reported the Scholarship Committee recently met in executive session to consider applications. Ms. Ashcroft requested an executive session later in the meeting so she can report to the Board.

#### New Business:

Mr. Dave McKinnon was not present to discuss the fire service inspection at the Town Municipal Building.

#### Complete Streets:

Town Road Commissioner Mr. Byron Hathaway reported to the Board regarding activities of the Town's Complete Streets Committee. He told the Board that Ms. Mary Ashcroft, himself, Ms. Susan Schriebman, Mr. Ted Shattuck, Ms. Pat Hunter, Mr. Steve Hawley, Mr. Dana Peterson and Ms. Barbara Noyes Pulling are on the Town's committee.

Mr. Hathaway presented the Board with a list of streets which may possible receive improvements. He said VTRANS design manual was used as guideline. He said he would create a report to present to the Select Board.

Mr. Hathaway said the Committee selected the East Pittsford Road, Stratton Road and the West Proctor Road for striped along with a fog line for use by pedestrians and bicyclists.

Mr. Hathaway told the Board that the Committee has placed traffic counters on the Post Road, East Pittsford Road and Stratton Road. Mr. Hathaway said the counters also record vehicle speed.

Mr. Hathaway presented the results of an on line survey the Complete Streets Committee produced. He said the survey was also passed out at the Rutland Town School. Mr. Hathaway said he will attend the next Planning Commission meeting on Thursday, May 19, 2016 and present the Complete Streets information. Mr. Hathaway said he would get copies of a VTRANS manual for the Board.

#### Old Business:

Ms. Ashcroft reported she recently spoke with Mr. Tom Giffin the president of the Vermont Old Cemeteries Association. Ms. Ashcroft said he is familiar with the cemetery and is willing to walk it, and indicate what needs to happen to refurbish and protect the cemetery.

Ms. Ashcroft said Mr. Giffin would like the Town join the Vermont Old Cemeteries Association for a \$10.00 yearly fee. Ms. Kiefer Cioffi made a motion for the Town to join the Vermont Old Cemeteries Association. Mr. Fagnant made a second to the motion. Motion passed unanimously.

Ms. Ashcroft reported to the Board regarding a recent REDC Airport meeting called by Mr. Lyle Jepson, the head of REDC. Ms. Ashcroft presented a map showing the empty spaces at the Rutland Airport designated for development. Ms. Ashcroft stated the purpose of the group is to come up with a long range plan to enhance the airport so more people will use it and potentially



bring jobs to the area. Ms. Ashcroft asked Mr. Zingale to attend the next meeting. Ms. Ashcroft stated that once the airport surpasses 10,000 passengers there is grant money available.

Mr. Faignant told Board members that when Vermont was being formed, the Town received land grants from New Hampshire. Mr. Faignant said the grants are commonly known as “school lands”, and believes there is about 106 acres in the Town.

He cited the fact that Town residents in the past have approached the Board asking why they are paying both taxes and a lease payment for their lands. He said Mr. Kevin Brown wrote an opinion letter saying the lands can't just be turned over to the current titled owner due to the fact the Town receives lease payments.

Mr. Faignant said the residents have trouble with the school lands when sub-dividing or having family members build on the land. Mr. Faignant said the Town could deed the land to the residents if they pay \$1,000.00 to the Town for their land and also pay for the legal work to transfer the land to the residents. Mr. Faignant made a motion for the Board to pursue the issue and ask Mr. Brown to draw up the appropriate paperwork. Mr. Denardo made a second to the motion.

Mr. Hathaway asked what would become of the existing leases. Mr. Faignant said they would be extinguished by virtue of the transfer of the total title of the property to the individual owners. Ms. Kiefer-Cioffi asked how many properties are affected. Mr. Zingale stated there are 10-12 properties affected.

Mr. Faignant said that according to attorney Brown there has to be some consideration to the Town, as nominal as possible yet have some relationship to the lease, and the offer would be only for the residents are affected. Mr. Terenzini called for the vote. Motion passed unanimously.

#### Correspondance:

Ms. Ashcroft reported the Finance Committee met with Mr. Washburn who brought information regarding step pay increases for the Vermont State Police and the City of Rutland. The Committee asked Mr. Washburn to look at other smaller municipalities step pay increases that were more comparable.

Mr. Washburn's letter also addressed Vermont State Police coverage. Mr. Terenzini commented on the thoroughness of the information regarding what the Vermont State Police will and will not respond to. Mr. Terenzini suggested the Board invite Vermont State Police Officer Mr. Chuck Caccatore to discuss the level of coverage that will be available in Town, after the summer study is complete.

The Board reviewed the Vermont League of Cities and Towns legislative action alert S-114, regarding changes to the open meeting law.

Mr. Terenzini presented an updated welcome letter to be sent to the owners of Ashley Furniture. Mr. Terenzini asked Mr. Zingale to prepare a letter for Mr. Jeff Cassarino when his business opens. Ms. Kiefer-Cioffi made a motion to sign the letter. Mr. Faignant made a second to the motion. Motion passed unanimously.

The Board received and ratified contract from Smalley.

Ms. Ashcroft made a motion to go into executive session to review scholarship and sensitive financial information that should not be disclosed to the public. Mr. Denardo made a second to the motion. Motion passed unanimously.

The Select Board came out of executive session at 9:13 P.M. Upon motion made, seconded and unanimously voted, the following Rutland Town graduating seniors were awarded the following scholarships:

\$1,500.00 Grace Schillinger

\$1,500.00 Nathan Cozzens

\$1,500.00 Jarrod Lee

\$900.00 Matthew Burd

\$900.00 Jordan DelBianco

\$625.00 Trajan McGee

\$625.00 Lucas Heald

\$625.00 Kallie Matteson

\$625.00 Melissa Garrow

\$625.00 Karine Bombardier

\$625.00 Chloe Levins

There being no further business to discuss, upon motion made, seconded and unanimously approved, meeting was adjourned at 9:15 P.M.