

**TOWN OF RUTLAND
SELECT BOARD**

MINUTES:
May 31, 2016

Board members present: Mary Ashcroft, John Paul Faignant, Chris Kiefer-Cioffi, Joe Denardo

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

Errors and Omissions of Board Minutes-May 31, 2016

Mr. Faignant moved to approve the May 31, 2016 meeting minutes. Mr. Denardo made a second to the motion. Mr. Denardo proposed to the Board to strike pages seven and eight as they are duplicate text from the May 17, 2016 meeting. Motion passed unanimously.

Questions from the floor/public comment:

- Mr. Chioffi presented the Board with two petitions regarding the Syrian refugee resettlement and the reduction of traffic lanes on U.S. Business Route 4. Mr. Chioffi asked if the Board will be taking an official position on the refugee resettlement.

Mr. Terenzini said the Board has not discussed taking an official position nor will they be taking an official position. Mr. Chioffi cited a letter that Mr. Terenzini wrote, which Mr. Chioffi said give an unfavorable opinion of the work Mr. Chioffi has done to give the Town a voice in the matter.

Mr. Chioffi said Mr. Terenzini should not be writing letters on behalf of the Select Board unless the Board authorizes him to do so. Mr. Terenzini said he did not write the letter on behalf of the Select Board.

- Town resident Mr. Paul Clifford was present and expressed his support for Mr. Chioffi's petition on the refugee resettlement matter.

Old business:

Ms. Ashcroft made a motion to accept Grover Drive as a Town road subject to the following contingencies:

- 1) Mr. Grover's attorney Mr. Karl Anderson provide Town Attorney Mr. Kevin Brown a supplemental title certificate running from the time of the original search up to the date of recording.
- 2) The \$25,000.00 letter of credit securing the Town run three years from the date of June 1, 2016.
- 3) The Mylar be recorded and include today's revision made by Mr. Bronson Spencer.
- 4) Remaining amount for Town Attorney fees be paid.

Mr. Denardo made a second to the motion.

Mr. Faignant asked Mr. Red Grover and Mr. Anderson if the conditions were acceptable. Mr. Anderson said they accept the conditions. Ms. Ashcroft said there are a number of deeds that need to be recorded as the project affects neighbors, roads and vacant lots.

Mr. Faignant called the question. Motion passed unanimously.

Town Administrator Mr. Joseph Zingale, Jr. reported:

- 1) Mr. Zingale presented a quote from the Belden Company to replace a manhole cover on Windcrest Road. Mr. Zingale told the Board that the manager of the Clarendon Industrial Park (CIP) is refusing to pay for the cover.

Mr. Zingale said the CIP needs to inspect the manhole four times a year.

Mr. Zingale said the manhole cover is not standard sized and that is why it is covered with asphalt which will have to be removed and refilled four times a year. The Board took no action.

- 2) Mr. Zingale cited a request from Ms. Shirley and Mr. Joe Barnhart to sit down with the Board to discuss their property behind Aldi's, and the Town's proposed Storm Water Project on Randbury Road.

Mr. Zingale told the Board that the Barnhart's want to sell the property and the proposed storm water project has caused one deal to fall through, and other potential buyers are wary. Mr. Zingale suggested the Board invite someone from the Agency of Transportation (AOT) to the meeting. Mr. Faignant and Ms. Kiefer-Cioffi volunteered to meet with the Barnhart's. Mr. Denardo asked what can be done to start the project. Mr. Zingale said the State has said they would pay to build the project if the Town pays to design the project and then own the project after it is built.

- 3) Mr. Zingale cited a request from Mr. Lenny Montuori to put a child's swing on the property at Cheney Hill. The Board agreed to let Mr. Montuori put his swing on the Cheney Hill Community Center swing set. The Town Road Crew will install the swing.
- 4) Mr. Zingale showed the Board a document regarding proposed zoning in Pittsford. Mr. Zingale said he didn't see anything in the document that would affect the Town of Rutland.
- 5) Mr. Zingale asked the Board permission to purchase a phone Ms. Patty Carbine. Mr. Faignant made a motion to approve the purchase. Ms. Ashcroft made a second to the motion. Motion passed unanimously.

- 6) Mr. Zingale told the Board that he found the deeds to Town land located in the town of West Rutland. He told the Board that according to the deeds the lots are "School Lease" lots.
- 7) Mr. Zingale informed the Board that Smalley Construction is requesting their final payment for the renovation work at the Town Municipal Office. Mr. Zingale will contact the architect who designed the project to come to the offices and create a punch list. Mr. Denardo suggested the Board look into purchasing a generator rather than installing a batter back-up for the fire alarm. Mr. Terenzini referred the issue to the Building Committee.
- 8) Mr. Zingale thanked Mr. Walt Tripp and Mr. Tom Gallipo for their assistance moving into his new office. Mr. Zingale thanked the Board for making the renovations.

Town Planning Commission Chair Person Ms. Barbara Noyes Pulling reported:

- 1) Mr. Pulling updated the Board on two proposed subdivisions the Commission is currently working on.
- 2) Ms. Pulling asked the Board if they would like input on the proposed US Business Route 4 corridor project between the Town and West Rutland. Ms. Ashcroft said the study is informational and any further movement would come from West Rutland through a zoning change and in the Town through a Town Plan change. Ms. Ashcroft said as the project progresses her Committee will meet with the Commission.

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

Not present

Town Clerk & Treasurer Ms. Donna Zeller reported:

- 1) Ms. Zeller requested the Department Heads have all outstanding invoices to the Treasurer's office by Friday, June 24, 2016.
- 2) Ms. Zeller stated the deadline for articles for The Circle is Thursday, June 2, 2016.
- 3) Ms. Zeller said that Town Offices will be closed on Monday, July 4, 2016. She said fireworks will start at dusk at Northwood Park and that the rain date is Tuesday July 5, 2016.
- 4) Ms. Zeller told the Board there will be countywide tabulator training by LHS on Wednesday July 6, 2016 from 10:00 A.M.-12:00 P.M. and 1:00 P.M. to 3:00 P.M. After a

brief discussion it was decided the training will be held at the Town Municipal offices. Ms. Kiefer-Cioffi asked who is presenting the training. Ms. Zeller stated the training is in conjunction with the LHS Associates who makes the machines and the Secretary of State's Office Elections Division. Ms. Zeller said it is very informative for members of the Board of Civil Authority and Justices of the Peace.

- 5) Ms. Zeller said the Secretary of State's Election Division requires clerks and assistant clerks to go through formal training every two years, and requested the use of the Town Hall on Wednesday, July 27, 2016 from 6:00 P.M. to 8:00 P.M.
- 6) Ms. Zeller said Tuesday, August 9, 2016 is the state primary election.
- 7) Ms. Zeller presented the Board with two petitions filed with the Town Clerk/Treasurer's office, regarding opposition of the refugee resettlement program in the City of Rutland, and the opposition of the traffic changes proposed for Business Rout 4 corridor.

Ms. Zeller gave the Board copies of the Vermont statutes language regarding special meetings, and cited the language. Mr. Faignant made a motion to refer the issue to Town Attorney Mr. Kevin Brown. Ms. Ashcroft made a second to the motion. Ms. Ashcroft asked if there was enough time to get an opinion from Mr. Brown and be able to schedule a special meeting.

Ms. Zeller stated she needs an answer as to whether or not these questions will go on the ballot by July 9, 2016. After some discussion the Board decided to take up the issue as to whether or not these questions are appropriate to go on the ballot at the Tuesday, June 14, 2016, after Mr. Brown gives his opinion. Ms. Kiefer-Cioffi said she has information from the Freedom Information Act regarding refugee resettlement and the contract signed by the City of Rutland. Ms. Kiefer-Cioffi will get that information to Mr. Brown. Mr. Terenzini called for the vote. Motion passed unanimously.

- 8) Mr. Denardo pointed out the language on the petition says the US Business Route 4 project was proposed by AOT and not the Smart Growth Committee. Mr. Faignant said that Mr. Brown will address those issues.
- 9) Ms. Kiefer-Cioffi asked Ms. Zeller about the recent webinar training which Ms. Zeller and Ms. Magee attended via the internet, which caused the Town Clerk/Treasurer's office to be closed for approximately an hour and a half.

Ms. Kiefer-Cioffi asked if that training could have been taken at different times so the office could remain open. Ms. Zeller said that training was offered at only that time.

- 10) Ms. Kiefer-Cioffi asked Ms. Zeller if she recently told a Town resident interested in appealing their taxes not to bother to do so because the Board of Civil Authority won't reduce her property value. Ms. Zeller said she did not make the statement to a Town resident.

Rutland Town Road Commissioner Byron Hathaway reported:

Mr. Hathaway was not present.

Town Fire Chief Frank Cioffi:

Mr. Cioffi was not present.

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

Mr. Nicholson was present and had no report.

Rutland Town Police Chief Ed Dumas reported:

- 1) Mr. Dumas explained the "WatchGuard" audio and video system that is used in police cruisers and on the officer when out of the vehicle patrolling. Ms. Ashcroft asked about protocol. Mr. Dumas stated there is a protocol in place on usage in their department, however the State is working on language to be used State wide regarding using the camera system in homes.

Ms. Ashcroft asked if the Town has lost any cases because of the lack of cameras in the cruiser or on the officer. Mr. Dumas said the Town has not lost any cases at this time. Ms. Kiefer-Cioffi stated she has seen cases tossed out in federal court where there is no video back up. Ms. Ashcroft asked if there was money in the budget for the purchase of the cameras.

Mr. Dumas said there is currently \$12,000.00 in the contingency fund and \$14,000.00 in communication fund. Ms. Zeller said The Town Police Department has about \$100,861.32. Mr. Dumas stated the Police Department also needs a new stand-alone desktop for downloading information. Mr. Faignant made a motion to approve. Ms. Kiefer-Cioffi made a second to the motion. Mr. Faignant stated the Board will be approving the purchase of three WatchGuard systems with bodycams, two dual band radios and a stand- alone computer totaling \$17,205.00. After some discussion, motion passed unanimously.

Rutland Town Recreation Director Mike Rowe reported:

- 1) Mr. Rowe told the Board that Northwood Pool will be open this weekend June 4-5. He said the pool will open for the season on Saturday, June 11, 2016 until August 28, 2016.
- 2) Mr. Rowe thanked the Board for allowing the Recreation Department to purchase the new pool vacuum.

New Business:

The Board considered the Key Collision of Rutland public sewer allocation request. Mr. Zingale explained the location of the allocation. Mr. Faignant made a motion to approve. Ms. Ashcroft made a second to the motion. After some discussion, motion passed unanimously.

Ms. Ashcroft made a motion to approve being a co-applicant with Shearer Honda and for the Chair to sign. Mr. Denardo made a second to the motion. Motion passed unanimously.

The Board received a Thank You from Mr. Stanley Rhodes, Jr. and family.

The Board reviewed a letter from Treasurer of the Cheney Hill Seniors Mr. Jim Hall informing the Board they will need **\$1,500.00** for their 2016-2017 maintenance budgets.

Mr. Faignant made a motion to adjourn. Ms. Ashcroft made a second to the motion. The motion passed unanimously. Meeting adjourned at 8:55 P.M.