

**DRAFT
TOWN OF RUTLAND
SELECT BOARD
RUTLAND TOWN MUNICIPAL OFFICE**

MINUTES:
TUESDAY, November 29, 2016

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

Meeting opened at 6:00 P.M. with the Pledge of Allegiance.

Ms. Ashcroft asked if the Board would be agreeable to Town Auditors Mr. Norm Ladabouche and Mr. Andrew Simonds from A & M Peisch to start first with an update on the Town Audit.

Mr. Simonds reported the Town Audit is substantially complete but will not be presenting the full report rather to discuss select financial statements in the audit with the Board.

Mr. Simonds cited page five of the audit which refers to Governmental Funds-General Fund, Fire Station Bond Fund, and Special Revenue Funds which include Fire, Recreation, and Highway Deprecation Fund. Mr. Simonds cited examples of where it looks like there are deficits but they are not as the Town is using up restricted fund balances from previous years.

Mr. Simonds cited the income statement on page six of the audit and explained the showing deficits are expenditures paid from restrictive funds for Town equipment.

Mr. Simonds cited the budget comparison statement on page seven of the audit. Mr. Simonds explained the Town budgets only for the General Fund, General Highway, General Recreation and General Police and General Fire. Mr. Simonds explained the reason it looks as a deficit is when the budget was set for fiscal year 2016 the Town utilized previous years fund balances as carry overs to reduce the tax rate.

Mr. Simonds cited the Fund Balances document on page three of the audit. Mr. Simonds explained that carryovers from Recreation and Fire with voter's approval would go into a Capital Improvement Fund.

Ms. Ashcroft asked about the general health of the finances for the Town. Mr. Simonds stated that as of June 30, 2016 there are no discrepancies.

Ms. Ashcroft asked Mr. Simonds a recommendation for a payroll account that has been dormant for several years. Mr. Simonds suggested closing the payroll account and place funds it into the General Fund. Mr. Faignant made a motion to close the account. Mr. Denardo made a second to the motion. Motion passed unanimously.

Mr. Ladabouche asked the Board to consider the Fire Station's Bond Fund **\$147,631** surplus and where it should go.

Mr. Ladabouche and the Board discussed the Town budgeting for grants and the reasons why.

Mr. Ladabouche asked the Board to consider the way the Town budgets for property taxes.

Mr. Ladabouche asked the Board to consider a financial five year plan. Ms. Ashcroft stated the department heads have been asked in addition to their annual budget to provide a five year plan.

Approval of Orders/Errors and Omissions of Meeting Minutes November 15, 2016

- Mr. Denardo made a motion to approve the minutes. Ms. Kiefer-Cioffi made a second to the motion. Upon discussion Mr. Denardo requested "Town resident" referring to Mr. Jim Manley be stricken in item #7 on page two. Ms. Ashcroft requested striking "motion passed unanimously" in item #6 on page two be stricken and "motion tabled" be replaced. Motion passed 3-1. Mr. Fagnant abstained from the vote.

Questions from the floor/public comment:

- There were no questions from the floor.

Town Administrator Mr. Joseph Zingale, Jr. reported:

- 1) Mr. Zingale presented a sample letter to the Board regarding the financial reimbursements of Town residents, Town businesses and Clarendon businesses.
- 2) Mr. Zingale informed the Board Garvey Nissan has reactivated their application to move their dealership to Clarendon. Mr. Zingale stated the State of Vermont is encouraging them to strike a deal with Formula Ford in the Town to come through their business in the Town rather than coming out to a State highway. Mr. Zingale said Formula Ford has refused.
- 3) Mr. Zingale said he received correspondence from Rutland City regarding a Waste Water Allocation Permit for the new State Police Barracks in Clarendon. Mr. Zingale cited a similar situation with the Clarendon Town Highway Garage in which a separate agreement was negotiated for them to use Town sewer lines to get to the City. Mr. Zingale will follow up the issue.
- 4) Mr. Zingale confirmed with the Board the budget meeting is going to be Monday, December 12, 2016 at 5:30 P.M. at the Town Hall.
- 5) Mr. Zingale requested a meeting with Town Clerk/Treasurer Ms. Kirsten Hathaway to discuss what she will need to provide to Mr. Zingale regarding the Town Report.
- 6) The Board discussed information presented by Mr. Zingale regarding E-911 changes to certain properties. After some discussion Mr. Zingale will contact the E-911 Board and suggest a different number for the Godnick Storage Center.

- 7) Mr. Zingale presented a bill from Smalley Construction regarding an electrical issue at the Town Hall when the general contractor plugged his vacuum into the Police Department outlet and it blew the power. Mr. Zingale explained to the Board Smalley feels it is not their issue as they believe the outage was due to the contractor's vacuum. No action was taken.

Rutland Town Planning Commission Chair Ms. Barbara Pulling reported:

- 1) Ms. Pulling submitted a letter to the Board regarding Town Administrative Assistant Ms. Patty Carbine and her performance as liaison to the Rutland Town Planning Commission.
- 2) Ms. Pulling updated the Board on the last Planning Commission meeting regarding the Municipal Renewable Energy Plan and some options of how to execute the plan.
- 3) Ms. Pulling informed the Board the Department of Public Service will be allowing for local constraints to be added to the Plan including View Sheds.

Public Hearing-Adoption of Town Plan

Ms. Ashcroft suspended the regular Select Board meeting and called the Public Hearing to order at 7:00 P.M.

Town resident Mr. Don Chioffi was present and asked for clarification regarding Clustered Development. Mr. Chioffi praised the Planning Commission for their hard work and urged the Board to adopt the Plan.

Mr. Denardo pointed out to the Board on page five of the Plan it stated that the Airport Industrial Park in Clarendon has water and sewer service provided by the City of Rutland and in fact it only has sewer.

Mr. Denardo questioned the language on page six regarding Land Use Districts not in compliance described in the Land Use Map will not be supported by the Town. After some discussion Mr. Denardo made a motion to strike the language. Mr. Faignant made a second to the motion. Motion passed unanimously.

Mr. Denardo made a motion to delete the words "by water and" on page five regarding the Airport Industrial Park. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.

Mr. Faignant made a motion to approve the Town Plan amendments. Ms. Kiefer-Cioffi made a second to the motion. Motion passed 3-1. Mr. Denardo voted in the negative.

Mr. Denardo made a motion to adjourn out of the Public Hearing and resume the regular Select Board meeting. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.

Town Clerk/Treasurer Ms. Kirsten Hathaway reported:

- 1) Ms. Hathaway stated the Rutland Town School Board is pressing for a Pre-Town Meeting date. Ms. Hathaway explained the warnings need to be signed and posted 30-40 days before the Town Meeting. Ms. Hathaway said the School Board has suggested meeting either the 23rd or the 30th of January, 2017. Mr. Denardo made a motion to set the Pre-Town Meeting for Monday, January 23, 2017 at 7:00 P.M. at the Town school. Mr. Faignant made a second to the motion. Motion passed unanimously.
- 2) Ms. Hathaway reported the Town passed the State's ballot audit. Ms. Hathaway thanked all of the election officials for their hard work and Dick Bailey and Dave Seward for taking the ballots to Montpelier.
- 3) Ms. Hathaway requested an executive session at the end of the meeting to discuss personnel needs in the office.

Rutland Town Highway Commissioner Mr. Byron Hathaway reported:

- 1) Mr. Hathaway updated the Board on the school grant project regarding parking at the Town school. Mr. Hathaway stated members of the Youth Conservation Corps will be assisting with the construction of the project.
- 2) Mr. Hathaway inquired about the easements for Cold River Road. Mr. Zingale stated U Haul has given verbal permission they will work with the Town. A Highway Committee meeting will be scheduled to discuss the details.
- 3) Mr. Denardo asked about refurbishing the historic covered bridge on East Pittsford Road. After some discussion the issue will be referred to the Highway Committee.

Town Fire Chief Mr. Frank Cioffi reported:

- 1) Mr. Cioffi told the Board the Fire Department has applied for the grant for replacing the self-contained breathing apparatus's.

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

- 1) Mr. Nicholson updated the Board on the last RRPC meeting.

Rutland Town Police Chief Ed Dumas reported:

- 1) Mr. Dumas asked the Board permission to purchase tires and rims for his police car. Mr. Faignant made a motion to authorize the expenditure for Mr. Dumas' tires not to exceed **\$1,800.00**. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.

Town Recreation Director Mr. Mike Rowe reported:

- 1) Mr. Rowe reminded the Board of the Senior Holiday Luncheon on Tuesday, December 20, 2016 at 11:30 A.M.
- 2) Mr. Rowe said he received an email from the institution that awarded the Town the playground grant. Mr. Rowe asked the Board if someone from the Board or a State representative could be in Montpelier Monday, December 12, 2016 at 2:00 P.M. in room #11 at the State House for the grant ceremony.

Committee Updates:

There were none.

Progress of Various Projects:

Stormwater Project:

Ms. Kiefer-Cioffi updated the Board of the Barnhart project. Ms. Kiefer-Cioffi cited a watershed concept map from Andreas Torrizo which shows a service road that would go across the Barnhart property and is an issue for potential developers.

Mr. Zingale explained the importance of the road as it would preserve capacity on Route 7 South and without it would impede development of existing and new projects.

Ms. Ashcroft said The Board is moving on the wetlands/road projects. Ms. Ashcroft said the road issue has been referred to the Highway Committee and progress will depend on the budget and the tax payers.

Mr. Faignant said the service road is critical in developing the tax base for the Town in that area and the Barnharts understood this.

Ms. Kiefer-Cioffi said the Barnharts are working with Mr. Torrizo to resolve the issue of the placement of retention ponds on the land.

Ms. Kiefer-Cioffi questioned why there is no land record map of the road yet it is on Mr. Torrizo's watershed map. Mr. Zingale stated the Board saw the opportunity to combine the storm water project with the development of the road and there are no easements in place that would be recorded in the land records.

Ms. Kiefer-Cioffi asked if the Board could make changes to the concept map to assist the Barnharts in selling their property. Mr. Fagnant stated it is not a governmental function to assist property owners with regulations and property development. Mr. Fagnant said the Barnharts agreed to all of this and knew it was going to take time.

Ms. Ashcroft said the Town is moving on the watershed project at present and will be discussing the service road in the next few weeks when the Board starts creating the budget.

Transfer Station Bathroom:

Mr. Fagnant made a motion to hire Mr. Mark Courcelle to give the Board preliminary plans and specification for a septic system at the transfer station. Mr. Denardo made a second to the motion. Motion passed unanimously.

New Business:

There was none.

Old Business:

Mr. Dumas inquired about the purchase of leased land in the Town. Mr. Fagnant told Mr. Dumas to get the letter from Town Attorney Mr. Kevin Brown with directions on how to proceed.

Emergency Management Director Mr. Marty Wasserman:

Mr. Wasserman informed the Board about a meeting with the Red Cross regarding being able to run a shelter in case of an emergency if the Red Cross isn't available. Mr. Wasserman asked the Board for an inquiry with the Town's insurance carrier that in case of an emergency we would be insured if the Red Cross is not able to assist us. Mr. Zingale will check with the Vermont League of Cities and Towns.

Town Cemetery:

Mr. Byron Hathaway updated the Board on information sent to him by Ms. Kiefer-Cioffi regarding the sale of un-needed cemetery property being sold. Mr. Hathaway cited 18 VSA 5315 stating the proceeds should be applied to the purchase of other lands or cemetery purposes. Mr. Hathaway stated since Town cemetery lands were sold did that money go towards the cemetery or purchase of other lands and what does "other lands" mean. Mr. Zingale will follow up with Town Attorney Mr. Kevin Brown.

Mr. Fagnant made a motion to move into executive session regarding personnel matters with the Town Clerk/Treasurer. Mr. Denardo made a second to the motion. The Board moved into executive session at 8:33 P.M.

The Board moved out of executive session at 8:40 P.M. Mr. Fagnant made a motion to adjourn. Mr. Denardo made a second to the motion. Motion passed unanimously.

