

**TOWN OF RUTLAND  
SELECT BOARD MEETING  
RUTLAND TOWN SCHOOL**

MINUTES:  
TUESDAY, FEBRUARY 7, 2017

Board members present: Josh Terenzini, Mary Ashcroft, Chris Kiefer-Cioffi, Joe Denardo.

Meeting opened at 6:33 P.M. with the Pledge of Allegiance.

- Mr. Terenzini requested a moment of silence for Town resident, Rutland City firefighter, Vietnam Veteran, and Town of Rutland firefighter Mr. Wilbur Dubray.

Approval of Orders:

- The Board approved the orders.

Select Board Minutes-Monday, January 23, 2017:

- Ms. Ashcroft moved to approve the minutes. Ms. Kiefer-Cioffi made a second to the motion. Mr. Denardo requested a minor numerical correction. Motion passed unanimously.

Emergency Meeting, Friday January 27, 2017: Approval of Town Meeting Warning:

- Mr. Denardo made a motion to approve. Ms. Ashcroft made a second to the motion. Motion passed unanimously.

Meeting Thursday, January 26, 2017-Acceptance of Warning and Budgets/Town Report:

- Ms. Kiefer-Cioffi made a motion to approve. Ms. Ashcroft made a second to the motion. Motion passed unanimously.

Meeting Saturday, January 28, 2017-Approval of Town Warning:

- Ms. Ashcroft made a motion to approve the two sets of minutes. Ms. Kiefer-Cioffi Cioffi made a second to the motion. Motion passed unanimously.
- Mr. Terenzini presented the new Town Report and thanked all who participated in creating it.

### Questions from the floor/Public Comment:

- Mr. Howard Burgess from Fire District #1 and Chairman of the Prudential Committee was present and updated the Board on the condition of the flow meter at the sewage pump station. Mr. Burgess stated a new meter needs to be installed as the last reading in August of 2016 discovered a 7.1% error. Mr. Burgess stated the project will cost \$18,500. Mr. Burgess told the Board the Town of West Rutland will be putting \$10,000.00 towards the replacement and the Fire District will be putting \$4,250.00 towards the replacement. Mr. Burgess asked the Board if the Town could put \$4,250.00 towards the replacement. Ms. Ashcroft made a motion to approve \$4,250.00 from the water and sewer fund for the upgrade to the flow meter. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.
- Mr. Terenzini read a Certificate of No Appeal or Suit Pending and asked Mr. Burgess to explain what it meant. Mr. Burgess stated signing the document freezes the Grand List so no one can file a lawsuit. Ms. Ashcroft made a motion to approve and sign. Mr. Denardo made a second to the motion. Motion passed unanimously.
- Mr. Burgess expressed his concern regarding the parking at Dewey Field and suggested night games be suspended until the issue is resolved. Ms. Kiefer-Cioffi stated she is aware of the issue and is taking steps to resolve the situation. The Board considered possible ideas to remedy the situation.

### Rutland Town Administrator Mr. Joseph Zingale:

- 1) Mr. Zingale updated the Board on the status of the Ecos Solar payment of \$160,000.00 to the Town after they receive their Certificate of Public Good. Mr. Terenzini asked Mr. Zingale to follow up with Town Attorney Mr. Kevin Brown to set a time line as when the Town will receive the payment after Ecos Solar receives their permit.
- 2) Mr. Zingale informed the Board the maintenance payment for the storm water education website which is a condition of the Town's MS4 Permit is due in the amount of \$466.00. Mr. Zingale suggested putting the information on the Town's website as it would be easier for Town residents to find the information. After some discussion Mr. Zingale will check with the State of Vermont and put the information on the Town's website if it is allowable.
- 3) Mr. Zingale cited a letter in the Board's packet regarding the change of an E-911 address on Killington Avenue. After some discussion it was decided Mr. Zingale will send a certified warning letter with a deadline to change the address within a thirty day time frame or receive a fine.

- 4) Mr. Zingale cited a document from SWAC for the Board's signature. Ms. Ashcroft made a motion to sign. Mr. Denardo made a second to the motion. Motion passed unanimously.
- 5) Mr. Zingale stated he has not heard back from the attorney who is getting rid of the files regarding the Town bypass and how much information is there.
- 6) Mr. Zingale explained to the Board the Administrator's office has had trouble finding an appraiser for the Cheney Hill Community Center. Mr. Zingale said after multiple calls a suggestion of Mr. Ray Ault. Mr. Ault stated he would do the appraisal, said it would take between two and four hours and he charges \$185.00 per hour. Ms. Ashcroft made a motion to approve Mr. Ray Ault to perform the appraisal on the Cheney Hill Community Center with those limitations. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.
- 7) Mr. Zingale said the test pits at the Transfer Station need to be tested for the installation of the bathroom and the Town doesn't own a backhoe. Mr. Denardo offered his services and backhoe.
- 8) Mr. Zingale asked permission to hire surveyor Mr. Mark Courcelle at \$1,900.00 to do the survey work for the Cold River Road Sidewalk Project. Ms. Ashcroft made a motion to accept. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.
- 9) Mr. Zingale cited a letter from Green Mountain Power in which they are replacing eleven street lights which will save the Town \$1,485.00 per year.
- 10) Mr. Zingale asked permission for the Public Service Board to hold a meeting on Thursday, February 23, 2017 from 6:00 P.M. to 7:00 P.M. at the Town Hall.
- 11) Mr. Zingale presented a proposed Public Assembly permit for Theo Hubbard who wants to host an outdoor party he holds every year.
  - Mr. Terenzini reviewed the monthly expenses with the Board and Department Heads.

Rutland Town Planning Commission Chair (RRPC) Ms. Barbara Pulling reported:

- 1) Ms. Pulling stated the RRPC will be getting billed the \$466.00 for the MS4 website on February 23, 2017. Ms. Pulling said the protocol is the RRPC

receives the bill and sends it to the Town so a decision by the 23<sup>rd</sup> would be helpful.

- 2) Ms. Pulling updated the Board on the Planning Commission meeting on Thursday, February 9, 2017 at 7:00 P.M.
- 3) Ms. Pulling informed the Board there is a proposed bill in the House in the Natural resources Committee regarding 9L (H45) which would loosen up the restrictions for future developments.

#### New Business: Mr. Patrick Maher-General Electric (GE):

Mr. Maher addressed the Board regarding water pressure issues at GE. Mr. Maher said that about twice a year there are problems at the plant due to water pressure issues causing false fire alarms and evacuations of the plant. Mr. Denardo cited a letter from the City of Rutland Public Works Commissioner indicating that a loop made from Windcrest Road to Seward Road would alleviate the pressure issues and false alarms.

Mr. Denardo asked Mr. Maher what improvements GE has made. Mr. Maher said a wet tap was added in 2016 but nothing has changed to the main supply. Mr. Maher said there have been upgrades to the sprinkler system but nothing to the flow meter which trips the fire alarm when there is an increase or decrease in pressure.

Fire Chief Mr. Frank Cioffi stated he increased the delay switch on the main a few years ago which cured the problem. Mr. Cioffi suggested updating the delay switch up to one minute to alleviate the issue. Mr. Denardo asked if GE had changed from a flow indicator to a pressure indicator. Mr. Maher said not in the last four years.

Mr. Denardo suggested that looping a line to the Diamond Run Mall may not be as costly and would be a benefit to the Town. Mr. Zingale said he specked out a line from Route 7 South to Randbury Road which is **\$200,000.00**.

Mr. Maher asked Mr. Denardo when he went there for false alarms in the past what exactly was the false alarm. Mr. Denardo said he could not recall an exact memory of all the calls.

Mr. Maher said that the two most recent reasons for the false alarms were due to water main breaks in the City of Rutland-the Kia dealership on Route 7 South and the Red Cross building on Wales Street. Mr. Maher said if GE had a second feed the pressure would not have dropped as fast. Mr. Maher attributes the false alarms is due to the City of Rutland's infrastructure and not GE. Mr. Maher said they are exhausting all of their internal means to resolve the issue. Mr. Terenzini said the Board is here to help GE as when there are false alarms it affects production.

Mr. Maher stated the fire alarm systems were upgraded at plant one on Windcrest Road in 2014 and has worked with State of Vermont and fire inspectors. Mr. Maher said GE has a five year to upgrade Plant two in Rutland Town. Mr. Maher said the cheapest thing the City of Rutland can do is give GE a phone call before flushing any main. Ms. Kiefer-Cioffi asked who the Board can speak with regarding giving GE a heads up. Mr. Maher said he has spoken with multiple City employees and suggested asking Scott Taggart who runs the water treatment facility contact a

hydrologist to do a study of the water line. Mr. Maher said GE will provide any data they can to assist the Town.

Town Clerk and Treasurer Ms. Kirsten Hathaway reported:

- 1) Ms. Ashcroft reported she and Mr. Terenzini had a meeting with Ms. Hathaway and there are four candidates to be interviewed to take Ms. Hathaway's place when she is on maternity leave. Ms. Hathaway stated that depending on experience and responsibilities an hourly wage of \$15.00-\$18.00 is fair.
- 2) Ms. Hathaway stated absentee ballots are available for Town Meeting Day and poll workers are in place.
- 3) Ms. Hahaway presented liquor license renewals for the Board's signature. Police Chief Mr. Ed Dumas stated there are no issues with the applicants. Mr. Terenzini read the applicants-99 Restaurants, LLC, Martin's Foods of South Burlington DBA Hannaford's, The Sandri Sunoco Station on Route 7 South, Jolley Associates Route 4 East, Johnny Boy's Pancake on Route 4, and East Restaurant, LLC on Route 4 East. Ms. Ashcroft moved to approve the liquor licenses presented. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.
- 4) Ms. Hathaway reported there are no contested races for Town Meeting Day and no one is running for Grand Juror.

Rutland Town road Commissioner Mr. Byron Hathaway reported:

- Mr. Hathaway was not present.

Rutland Town Fire Chief Mr. Frank Cioffi reported:

- 1) Mr. Cioffi requested an executive session regarding the HVAC System.
- 2) Mr. Cioffi updated the Board on the upgrades to the McKinley Avenue station.
- 3) Mr. Cioffi asked the Board permission to use the remaining money from the upgrades to apply for a permit for a well at McKinley Avenue. Ms. Ashcroft made a motion to approve the use of the remaining funds for upgrades for the Chief to proceed with applying for a well permit at the McKinley Avenue station. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.
- 4) Ms. Ashcroft thanked the three fire crews that responded on Creek Road when a car went off the road on her property.

- 5) Mr. Terenzini thanked the Rutland Town Fire Department for their participation at the funeral of Mr. Wilbur Dubray.

Rutland Town RRPC Representative Mr. Fred Nicholson reported:

- 1) Ms. Ashcroft asked Mr. Nicholson if The Town Plan was approved. Mr. Nicholson said the meeting was postponed due to weather and it will be on the agenda for the next meeting.

Rutland Town Police Chief Mr. Ed Dumas reported:

- 1) Mr. Dumas stated the Department has responded to 126 calls as of February 2017.
- 2) Ms. Kiefer-Cioffi informed the Board the Department will no longer have monthly reports and will submit a report once a year for the Town Report.
- 3) Mr. Terenzini explained the concept of “safe space” the idea of having it be at the Town Municipal Building
- 4) Ms. Kiefer-Cioffi said the Department will be starting to charge for police reports.
- 5) Ms. Ashcroft asked Mr. Dumas why the State Police responded to the car that went off Creek Road (mentioned above) and not the Rutland Town Police. Mr. Dumas stated the Town Police shifts end at 4:00 P.M.
- 6) Ms. Kiefer-Cioffi stated the Department will be looking into installing cameras at the Town Municipal Building, particularly in the land record vault and hallway.

Rutland Town Recreation Director Mr. Mike Rowe reported:

- 1) Mr. Rowe was not present. Ms. Ashcroft informed the Board Mr. Rowe spoke at the Rutland South Rotary Club and presented the plans for the new playground at Northwood Park on Saturday, April 22, 2017 with the help of Rotarians.

Committee Meeting Updates:

- Ms. Kiefer-Cioffi reported she had spoken with Keith Bowker of Bower Memorials regarding the restoring of the monument in front of the Town Municipal Building. Mr. Bowker has a process he would like to test on the marble on a small section of the monument.

- Ms. Kiefer-Cioffi stated The Town will be receiving fifty tax return forms from the State of Vermont.

#### Progress of Various Projects:

- Mr. Terenzini went through the project list and updated the Board on progress and time lines.

#### New Business:

#### Movies at Northwood Pool:

- Mr. Zingale informed the Board of the opinion of the Vermont League of Cities and Towns regarding showing movies at a municipality (Northwood Pool) which is against the law because the material is copyrighted. Mr. Zingale suggested writing to the company and get permission in writing. Ms. Kiefer-Cioffi will follow up with the issue.

#### Local Option Tax Collection from Amazon.com:

- Ms. Kiefer-Cioffi reported that Amazon.com is considered an out of state business and does not pay a sales tax rather a use tax and are not required to collect the local option tax. Ms. Kiefer-Cioffi stated any tax goes directly to the State of Vermont.

#### Procedure for Non-Profits to Place Money Request items on the Ballot:

- After some discussion it was decided the Administration's Office will review previous minutes and find Policies and Procedures to keep in one place.

#### Board to Form A Town Celebration Committee:

Mr. Terenzini cited the Town Highway Garage opening last fall and suggested Townspeople become involved in planning Town celebrations. After some discussion it was decided information for becoming involved will be placed on the Town website and in The Circle.

After some discussion the Board will move their pre Town meeting before the Town Meeting Day election to March 6, 2017 at the Rutland Town School at 5:30 P.M.

#### Correspondance:

- The Board reviewed correspondence. No action was taken.

Ms. Kiefer-Cioffi made a motion for the Board to enter into executive session for personnel and pending litigation issues. Ms. Ashcroft made a second to the motion. Motion passed unanimously. Board entered into executive session at 8:46 P.M.





