

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

MINUTES:  
TUESDAY, November 15, 2016

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

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

Approval of Orders/Errors and Omissions of Meeting Minutes November 1, 2016,

- Ms. Ashcroft cited page three in the minutes and said the Cunningham's name had been left out and should be included. She also cited the fact that Mr. Zingale misspoke and cited a proposed solar project when in fact the project is an Act 250 project.
- Ms. Ashcroft made a motion to approve with corrections. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.

Questions from the floor/public comment:

- There were no questions from the floor.

Town Administrator Mr. Joe Zingale reported:

- 1) Mr. Zingale informed the Board that the screens on the Town Hall building have been tampered with and removed. He stated the Town Police Department suggested looking into an alarm system. The Board referred the issue to the Building Committee.
- 2) Mr. Zingale requested the Board vote on the posting of no hunting, shooting or trapping signs at Northwood Park. Mr. Zingale explained it had to be done before this meeting as hunting season has started. Ms. Ashcroft made a motion to approve. Mr. Denardo made a second to the motion. Motion passed unanimously.
- 3) Mr. Zingale stated the Town owes the Fire District #1 **\$916.79** regarding a sewer bill. Ms. Ashcroft made a motion to approve the payment of **\$916.79** to Fire District #1. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.
- 4) Mr. Zingale stated he received a phone call from an individual at the Rutland Town School asking the Board to set a date and time for a Pre-Town Meeting. Town Clerk/Treasurer Ms. Kirsten Hathaway said the School Board has asked for Monday, January 30, 2017. After some discussion it was decided Ms. Hathaway would call her contact at the school and get alternative dates.

- 5) Mr. Zingale updated the Board on the waste water investigation he and Town Road Commissioner Mr. Byron Hathaway performed. Mr. Zingale said that although he and Mr. Hathaway did not find any issues the State has requested a dye testing on one of the properties.
- 6) Mr. Zingale stated that Kristen from Rutland Town School who runs the Four Winds Project has asked permission to use the Cheney Hill Community Center on the first Tuesday of January-March of 2017 for their program. Ms. Ashcroft made a motion to approve. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.
- 7) Mr. Denardo questioned if the plumbing is working at the Cheney Hill Community Center. After some discussion it was decided that Mr. Zingale would contact plumber Mr. Jim Manley to visit the site and provide the Board with a quote for fixing the plumbing.
- 8) Ms. Ashcroft tabled her motion until the next meeting when the Board will have a quote.
- 9) Mr. Zingale asked for authorization to submit a \$50.00 application to the City of Rutland for a hydrant flow test for the new hydrant at Shearer Honda. Ms. Ashcroft made a motion to approve. Ms. Kiefer-Cioffi made a second to the motion. Motion tabled.
- 10) Mr. Zingale presented a bill to the Town from Taconic in the amount of \$367.99 for the Town's Google email accounts.
- 11) Mr. Zingale requested a brief executive session regarding the water billing accounts.

Town Clerk/Treasurer Ms. Kirsten Hathaway reported:

- 1) Ms. Hathaway updated the Board on the status of the Town credit card. After some discussion, Mr. Terenzini stated the Finance Committee will meet before the next Board meeting and will invite Ms. Hathaway to discuss the terms and conditions.
- 2) The Board discussed the adoption of the State's Record Retention Schedule. Ms. Ashcroft asked Ms. Hathaway to contact the Secretary of State's Office to assist in getting an actual policy and present it to the Board. Ms. Hathaway will also bring in a binder she created from the Secretary of State's website.
- 3) Ms. Hathaway reported 2,400 (80%) Town residents voted in the November 8, 2016 election.

Rutland Town Recreation Director Mr. Mike Rowe reported:

- 1) Mr. Rowe stated basketball sign-ups are available for grades K-2.
  - 2) Mr. Rowe reminded the Board of the Senior Christmas Party which will be held at Seward's Restaurant on Tuesday, December 20<sup>th</sup> at 11:00 A.M.
- The Board discussed rescheduling the special budget meeting that was originally scheduled for Tuesday, December 6<sup>th</sup>, at 6:30 P.M. as Mr. Terenzini will be out of town. The Board decided on Monday, December 12, 2016 at 5:30 P.M. at the Rutland Town Hall with all department heads.

Public Hearing-Adoption of Rutland Town Plan:

- Ms. Ashcroft made a motion to recess the Select Board meeting and move into the Public Hearing regarding Town Plan Amendments at 7:00 P.M. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.
- Rutland Town Planning Commission Chair Ms. Barbara Pulling presented the latest proposed Town Plan to the Board. Ms. Ashcroft stated Ms. Pulling's copy of the proposed Town Plan will be the official copy for the Public Hearing dated November 15, 2016. Mr. Zingale will print out color copies in house for the next Public Hearing on Tuesday, November 29, 2016 at 7:00 P.M.
- Mr. Terenzini asked Ms. Pulling if there were any comments from the Planning Commission. Ms. Pulling stated the latest additions for the Plan were adding language protecting the airspace at the Rutland Southern Vermont Regional Airport and the changing language with regard to Clustered Development and zoning.
- Ms. Ashcroft made a motion to resume the regular Select Board meeting and move out of the Public Hearing. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously resuming the Select Board meeting at 7:10 P.M.

Rutland Town Highway Commissioner Mr. Byron Hathaway reported:

- 1) Mr. Hathaway presented the Board with the first survey map regarding the storm water improvement project at the Rutland Town School. Mr. Hathaway said this is an "Existing Conditions" map and from that map storm water improvements will be developed. Mr. Hathaway said there are some corrections that need to be made before proceeding with Enman Engineering.
- 2) Mr. Hathaway stated the highway crew is finishing up fall construction and will be moving into winter operations.
- 3) Mr. Hathaway informed the Board regarding a driveway issue on East Proctor Road in which the Town resident paved their driveway before the road itself was resurfaced and the neighbor is having drainage issues. Mr. Hathaway and the Board discussed options on how to handle the issue. No action was taken.

Town Fire Chief Mr. Frank Cioffi reported:

- 1) Mr. Cioffi informed the Board the Town Fire Station's exhaust system was inspected by a local company and he concurred with the engineer that the system needs to be reversed. Mr. Cioffi presented the Board with an estimate of \$2,040.00 from the engineer to reverse the system. Ms. Ashcroft made a motion for Mr. Cioffi to proceed. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.
- 2) Mr. Cioffi asked the Board permission to purchase a new computer for the Town Fire Station on McKinley Avenue. Mr. Denardo made a motion to authorize Mr. Cioffi to purchase the computer. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.
- 3) Mr. Denardo asked Mr. Cioffi the status of the purchasing of fire hoses. Mr. Cioffi said the when he has the bid complete he will present it to the Board.

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

- 1) Mr. Nicholson was absent. Mr. Jim Snee of the RRPC updated the Board of the State of Vermont's Municipal Renewable Energy Plan.

Rutland Town Police Chief Ed Dumas reported:

- 1) Mr. Dumas presented the Board with the Rutland Town Police Department's Monthly Activity Report.
- 2) Mr. Dumas informed the Board the Vermont State Police will not be responding to Town calls unless it is an emergency. Mr. Dumas will talk with the new Vermont state Police Chief at the next Police Chief's meeting on what the State Police will and will not cover for the Town.
- 3) Ms. Ashcroft asked if the \$6,100.00 in the Police Budget includes payroll for Ms. Lynette Gallipo. Mr. Dumas stated it does not and explained to the Board there are many projects the State is mandating that she is extremely helpful with. Mr. Terenzini said that the issue will be discussed at the next Police Committee meeting.
- 4) Mr. Denardo brought up the issue of screens being tampered with and removed at the Town Hall and asked Mr. Dumas his thoughts on types of alarm systems.

### Committee Meeting Updates:

There were none.

### Progress of Various Projects:

- Ms. Kiefer-Cioffi presented the Board with a contract from Watershed Associates in the amount of **\$20,950.00** for the water shed project on Randbury Road. Ms. Ashcroft made a motion to hire Mr. Andres Torizzo as a preferred vendor for site work on Randbury Road per his contract quote of **\$20,950.00** and authorize Chair Terenzini to sign the document on behalf of the Board. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.
- Ms. Kiefer-Cioffi inquired about the recommendation of the Old Vermont Cemetery Association President Mr. Tom Giffin epoxy recommended for the rehabilitation of cemetery stones and if there needs to be a vote to purchase it. No action was taken.
- Mr. Denardo said he is waiting for an updated cost for the generator for the Town Municipal Building.
- Mr. Terenzini inquired about the purchase and sales agreement between the Town and Town resident Mr. Mark Foley, Sr. Mr. Zingale stated to the Board that the information is in Mr. Foley's attorney's hands and will follow up with Mr. Foley, Sr. Mr. Zingale explained Mr. Foley, Sr. is having reservations as he is concerned about the provision of what will happen to the retained lands. Ms. Ashcroft requested a brief executive session regarding the matter.
- Ms. Ashcroft reported she met with the Cheney Hill Seniors and they are satisfied with the **\$1,500.00** budget for the coming fiscal year.
- Ms. Ashcroft presented a request from the Town Lister's office for a new chair and a horizontal filing cabinet totaling less than **\$1,000.00**. Ms. Ashcroft made a motion to approve the purchase of the filing cabinet and chair. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.
- Ms. Ashcroft thanked the Rutland Town students from grades 6-8 for the display of their artwork at the polling places on Election Day.

### Packet Items:

- The Board reviewed packet items. Information only.
- The Board considered the Cold River Road sidewalk agreement with the State of Vermont. Ms. Ashcroft made a motion to approve and authorize Chair Terenzini to sign on the Board's behalf. Mr. Denardo made a second to the motion. Motion passed unanimously.

- The Board considered asking Town Resident Ms. Susan Schreiber to be the contractor for the project. Mr. Hathaway will contact Ms. Schreiber and report back to the Board.
- The Board considered putting an ad hoc committee together to discuss updating the Town's website.
- Ms. Ashcroft made a motion to move into executive session for the purpose of a land transaction and to discuss water billing accounts which may mean possible litigation. Ms. Kiefer-Cioffi made a second to the motion. Board moved into executive session at 8:19 P.M.
- The Board moved out of executive session at 8:35 P.M. Ms. Ashcroft reported that Town Administrator Mr. Zingale has discovered that there are Town residents and businesses which have on some occasions been billed by the Town for water they were never connected to in the amount of \$28,000.00. Ms. Ashcroft moved to reimburse on advice of counsel going back six years those users who were billed and paid for service they didn't receive. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously.
- Ms. Ashcroft made a motion to adjourn. Ms. Kiefer-Cioffi made a second to the motion. Motion passed unanimously. Meeting adjourned at 8:38 P.M.



