

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, August 21, 2017

Members present; President Davis, Aldermen Notte, Ryan, Etori, Mattis, Cook, Larson, DePoy and Donahue. Also present, Mayor Allaire, Attorney Bloomer and Deputy Clerk Kapusta.
Absent: Humphrey and Tommola.

7:00 PM BOARD OF ALDERMEN MEETING

President Davis called the meeting to order at 7:00 PM.

MINUTES OF PREVIOUS MEETINGS (August 7, 2017)

A motion was made and seconded (Etori, Mattis) approving the minutes of the previous meeting. **Motion passed.**

OUTSIDE THE RAIL

There were none.

COMMUNICATIONS FROM THE MAYOR

The BOA and the Mayor received a memo from the City Treasurer regarding funding for the Center Street Market Place and transferring some of those remaining funds into the General Fund. The Mayor asked for this item to be added to the agenda. So moved (Etori, DePoy).

Motion Passed.

The Mayor also recognized Commander Scott Tucker for his almost 40 years of service to the City, the Rutland City Police Department and being Executive Director of Project Vision.

ADDITIONS AND DELETIONS TO THE AGENDA

Funding for the Center Street Market Place and transferring some of those remaining funds into the General Fund. So moved (Etori, DePoy). **Motion Passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Barbara Spaulding; RRA, Hickory Street Phase III

Motion to suspend the rules and take the issue up tonight. So moved (Mattis, Larson). **Motion Passed.** A motion was made to circulate for signature the Grant Agreement Resolution for Hickory Street Phase III, (Larson, DePoy). **Motion Passed.**

Barbara Spaulding; RRA, Evelyn Street Redevelopment Study

A motion was made to circulate for signature the Grant Agreement Resolution for Evelyn Street Redevelopment Study, (Larson, Etori). **Motion Passed.**

Brennan Duffy; Executive Director, RRA, Business Incentive & Assistance Program (BIAP)

Following the recent revisions to the City's Business Incentive and Assistance Program (BIAP) policy the RRA has received and reviewed three applications. All applicants were determined to meet the eligibility criteria for City incentive programs.

After a brief discussion a motion was made to suspend the rules and take the issue up of the three applications tonight. (Etori, Mattis). **Motion Passed.**

Green Mountain Insulated Glass, Inc. Applicant Rolf Hirshmann (owner of Hirshmann Windows and Doors) has purchased a NH company which manufactures specialized insulated glass units and is re-locating the business to 10-12 Ripley Road. The business is expected to create five new jobs. RRA recommends to the BOA the approval of a \$5,000 grant and a \$5,000 in re-location assistance through the BIAP program and tax stabilization on business personal property starting at 50% of tax liability and increasing 10% annually for five years through the Industrial and Commercial Property Tax Stabilization program. (Ettori, DePoy) **Motion Passed.**

G&G Associates, LLC. Applicant Rajesh Harchind and his wife Ranjana are opening a retail store called Maple Leaf Gifts and Wine at a property they purchased at 170 Woodstock Avenue. The business would create one full time and two part time jobs. RRA recommends to the BOA the approval of a \$10,000 loan, with a three year term at 0% interest, with all payments deferred for three years. Loan to be forgiven at the end of the term provided all requirements have been met and subject to a personal guarantee as security. Also, to refer to HFCU for a BIAP loan of up to \$50,000 subject to their underwriting and approval, upon BOA approval of the applicant to the BIAP program. (Notte, Ryan). **Motion Passed.** Alderman Ettori recused himself from the vote.

Cavacas Associates, LLC. Applicant Hurley Cavacas, Jr. is expanding the current business to include additional services and is renovating his home at 68 Philips Street to create required office space. He will be creating two new full time positions and two-three seasonal part-time positions. RRA recommends to the BOA the approval of a \$10,000 loan, with a three year term at 0%, with all payments deferred for three years. Loan to be forgiven at the end of the term provided all requirements have been met and subject to a personal guarantee as security. (Ettori, Larson). **Motion Passed.**

Matt Bloomer; City Attorney, Untable-Revisions to Sick Leave

A motion was made to untable revisions to Sick Leave Policy (Larson, Mattis). **Motion Passed.**

A motion was made to suspend the rules and take the issue up tonight of the changes to the Sick Leave Policy (Larson, Depoy). **Motion Passed.**

Summary of changes necessitated by Vermont Earned Sick Time Act ("VESTA"):

- VESTA now requires Employers to provide sick time/leave for part-time employees and provides for the minimum amount of time that employees must be allowed to accumulate from year to year.
- VESTA expanded the acceptable reasons for which an employee can use their earned sick time/leave
- Because sick time/leave can be used for more reasons than just sickness or injury, the definition of "Acceptable Evidence" of such reasons had to be expanded beyond doctors' note.

Summary of changes related to VESTA:

- VESTA refers to sick time in increments of hours rather than days, so we converted all "days" references to "hours", based on a 7.5 hour day.
- For the time being, any employee (even non-full-time employees) would be eligible for a payout of their accumulated sick time, if they meet the criteria of either of these sections.

Summary of changes recommended by Human Resources Committee:

- The re-formatting and added language are attempts to make the current practice more clear.
- The “plus the current year’s allotment (up to 75 hours)” language is consistent with the current practice.

A motion was made to accept the changes to the Sick Leave Policy (Larson, DePoy). **Motion Passed.**

Matt Bloomer; City Attorney, Request Executive session

Moved to the end of the meeting.

Treasurer Reports FY 2017 updated preliminary report & FY 2018 July, Period 1

A motion was made to suspend the rules and take the issue up tonight for the BOA to vote on the additional commitment of \$50,000 by the Mayor made in July (FY 18) for the Center Street Alley project (Ettori, Notte). **Motion Passed.**

A motion was made to approve the additional commitment of \$50,000 made by the Mayor for the Center Street Alley project (Ettori, Mattis). **Motion Passed.**

A motion was made to suspend the rules and take the issue up tonight to take the \$90 left over from the purchase of the Search and Rescue Vehicle and move to the Fire Equipment Fund (Larson, DePoy). **Motion Passed.**

A motion was made to take the remaining \$90 left over from the purchase of the Search and Rescue Vehicle and move into the Fire Equipment Fund (Larson, Ettori). **Motion Passed.**

A motion was made to send the Transit Center budget and the LAZ budget to the Finance Committee for further discussion (Ettori, Mattis). **Motion Passed.**

Commissioner Wennberg Authorization for Timber Sales & Vacation Leave Carry-over

The Board was briefed some months ago on the discovery of Red Pine Scale, an invasive species within the City Watershed. The City Forester sought and received a “Heavy Cut” permit from the Agency of Natural Resources to harvest approximately 150 acres of these trees over the next two years. The Red Pine stands are in 17 separate parcels, so there will be multiple harvests in various locations over this time. The approval of the BOA is required to seek bids on the first three of these stands as this represents the sale of a City asset.

The three stands are:

1. Beaver Meadow sale which is approximately 20 acres and with a minimum bid of \$22,213
2. City Camp Sale which is approximately 15 acres and with a minimum bid of \$24,480
3. Compartment 3 Stands 21, 23, 26, 27 sale which is approximately 17 acres with a minimum bid of \$21,600

Once bids are received and evaluated, the City Forester and Commissioner Wennberg will bring their recommendations for bid awards back to the BOA for final approval.

After a brief discussion a motion was made to take the issue up tonight regarding the authorization for Timber sales (Larson, Notte). **Motion Passed.**

A motion was made to authorize the Commissioner of Public Works and the City Forester to seek bids on the sale of the first 3 stands that needs to be removed while there is still revenue to be generated for the City, that being Beaver Meadow, City Camp Sale and Compartment 2 stands 21, 23, 26, 27 (Larson, Ettori). **Motion Passed.**

The City Forester typically plans his vacation at the end of his spring-summer busy season in order to get as much work done during these critical months. His anniversary date is October 8th and it is requested that one week be allowed to be taken in late October. Taking the week prior to his anniversary date would create a hardship for the department and delay critical tasks including organizing timer sales. This request has been granted in the past.

A motion was made to take the issue up tonight to carry over one week of vacation for the City Forester (Mattis, Ettori). **Motion Passed.**

A motion was made to allow the City Forester to carry one week of vacation past his anniversary date in early October and use it later in that month (Mattis, Ettori). **Motion Passed.**

REPORTS OF STANDING COMMITTEES

There were no standing committee reports to come before the Board.

REPORTS OF SELECT COMMITTEES

There were no select committee reports to come before the Board.

REPORTS OF REPRESENTATIVES

There were no representative reports to come before the Board

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

There were no petitions, letters or miscellaneous communications to come before the Board

BOARD OF CONTROL COMMISSIONERS

There were no request for the Board of control commissioners.

UNFINISHED BUSINESS

There was none.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

There was none.

EXECUTIVE SESSION REQUEST

Attorney Bloomer; 2 part motion:

1. Motion to find that premature general public knowledge regarding the City Attorney's analysis of a legal matter would clearly place the City at a substantial disadvantage because the discussion will include confidential attorney-client communications made for the purpose of providing professional legal services to the City and will also divulge the City's strategy with respect to such legal matter.

So moved (Notte, Ryan). **Motion Passed.**

2. Motion to enter into executive session to discuss the City Attorney's analysis of a legal matter as allowed under Title 1, Section 313 (a)(1)(F).

A second motion to enter into executive session and request the Mayor and Zoning Administrator be present for the Executive Session (Notte, Ryan). **Motion Passed.**

At 7:55 PM the Board moved into Executive Session.

At 8:29 PM a motion was made and seconded (Ettori, Notte) to come out of executive session. **Motion Passed.**

At 8:30 PM a motion was made and seconded (Notte, Ettori) to Adjourn. **Motion Passed.**

Respectfully submitted,

Tracy L. Kapusta
Rutland City Deputy Clerk