

**CITY OF RUTLAND, VERMONT**  
**Board of Aldermen Minutes**  
**Wednesday, April 19, 2017**

Members present, President Davis, Aldermen Notte, Humphrey, Ryan, Etori, Tommola, Cook, Larson, and Donahue. Also present, Attorney Bloomer and City Clerk Heck. Alderman DePoy was absent.

President Davis called the meeting to order at 5:30 PM.

President Davis opened the meeting noting that the City Attorney wanted clarity from the Board as to whether the Board violated any open meeting laws by calling for an executive session at the March 20, 2017 BOA meeting. President Davis explained that at the March 20<sup>th</sup> meeting, Assessor Keefe was placed on the agenda for an issue related to "Potential Executive Session to Consider Appraisal Contract". Assessor Keefe was looking to award an RFP for doing an appraisal for Dana School.

Attorney Bloomer stated that the Board had been warned for tonight's meeting to discuss whether any open meeting laws had been violated and noted a letter from Mr. Joseph Giancola via his attorney Sigismund Wysolmerski claiming that open meeting laws had been violated. Attorney Bloomer sought insight from the Board and based on their conversation to determine if in their opinion any open meeting laws had been violated.

President Davis reviewed the events noting an email between Assessor Keefe and President Davis, with Assessor Keefe explaining his request for an executive session. President Davis then noted that she contacted Clerk Heck to look into the request with Vermont Leagues of Cities and Towns, as City Attorney Romeo had retired and the City was without counsel at that time. Clerk Heck noted his conversation with the League and confirmed based on the conversation that an executive session was warranted. Clerk Heck sought language from the League for entering into an executive session and called Charles Romeo to confirm the language. Clerk Heck provided this information to President Davis the night of their BOA meeting. The Board utilized the language provided to enter into executive session. Once in executive session, the Board discussed the request to consider an appraisal contract. Upon coming out of executive session, the Board placed a motion on the floor, awarding a contract for an appraisal on Dana School and it was seconded. There was no debate, the motion passed and the meeting adjourned.

The Board spent approximately 25 minutes discussing the details of that executive session request and how the Board worked through the process. The Board through its review of their discussion determined that they did not violate any open meeting laws and presented a motion. The Board of Aldermen determines that no violation of the open meeting laws has occurred and the discussion of which appraiser to hire would include the reasoning for such hire and premature public knowledge of such reasoning would have clearly placed the city at a substantial disadvantage. This request for a motion was so moved and seconded (Notte, Etori).

**Motion passed.**

A motion was made and seconded Etori, Tommola to adjourn. **Motion passed.**

Respectfully submitted,

Henry A Heck  
Rutland City Clerk