

**CITY OF RUTLAND, VERMONT**  
**Board of Aldermen Minutes**  
**Monday, November 5, 2018**

Members present; President Davis, Aldermen Notte, Humphrey, Ryan, Etori, Tommola, Mattis, Gillam, Clifford, DePoy and Whitcomb. Also present, Mayor Allaire, Attorney Bloomer and City Clerk Heck.

**7:00 PM BOARD OF ALDERMEN MEETING**

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

**MINUTES OF PREVIOUS MEETINGS (October 15, 2018)**

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

**Motion passed.**

**OUTSIDE THE RAIL**

Chief Larsen was present along with Fire Fighter, Nate Elwert and Fire Fighter Justin Hendersen. Chief Larsen noted the development of Mr. Elwert who was present to be promoted to Lieutenant. Mayor Allaire swore in Fire Fighter Elwert as Lieutenant of the Rutland City Fire Department. Chief Larsen then noted the history of a new recruit, Justin to a full time fire fighter for the City. Mayor Allaire then swore in Fire Fighter Hendersen as a full time fire fighter for the City of Rutland.

**COMMUNICATIONS FROM THE MAYOR**

***FY 2020 Budget***

Mayor Allaire noted the presence of the 2020 FY Budget. The Mayor looked forward to meeting with all committees to review his budget. A Motion was made and seconded (DePoy, Gillam) referring all budgets to the appropriate committees. **Motion passed.**

***Mayor Allaire; Request Executive Session Related to a Contract***

Per the Boards past practice the executive session request was moved to the end of the meeting (Gillam, Clifford). **Motion passed.**

**ADDITIONS AND DELETIONS TO THE AGENDA**

Attorney Bloomer asked to add the item of the Pine Hill Partnership. Alderman Notte so moved and Alderman Etori seconded. **Motion passed.**

**REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS**

***City Engineer Rotondo; Recommends Water Allocation Request***

President Davis introduced the request and sought the Board's desire. A motion was made and seconded (Clifford, Gillam) suspending the rules and taking action on the request that evening.

**Motion passed.** A motion was made and seconded (Clifford, Gillam) approving the request for water allocation increase of 151 gallons per day to Reynolds Contract Sales, Inc., owners of the property located at 3092 Cold River Road in the Town of Rutland. **Motion passed.**

***DPW Commissioner Wennberg, Request for Qualification***

Commissioner Wennberg was present to introduce the request and provided the Board with insight to his request for qualification. A motion was made and seconded (Mattis, DePoy) suspending the rules and taking the issue up that evening. **Motion passed.** A motion was made and seconded (Mattis, Notte) authorizing the mayor to seek statements of qualifications from engineering firms interested in providing engineering services related to necessary improvements to the wastewater collection system.

**Motion passed.**

***City Attorney Bloomer; Requesting Executive Session Regarding Pending Litigation***  
***City Attorney Bloomer; Requesting Executive Session Regarding Negotiation of a Contract***  
President Davis noted the requests for executive session and asked the Board to move those requests to the end of the meeting. The requests were so moved and seconded (Mattis, Notte). **Motion passed.**

#### **REPORTS OF STANDING COMMITTEES**

##### ***Alderman Mattis; Charter & Ordinance Committee***

Alderman Mattis read her committee report from October 18, 2018. Alderman Mattis noted her committee met to discuss the proposed changes to city ordinances regarding billing for water & sewer. Alderman Mattis further explained the interest within City Hall to go to monthly billing instead of the quarterly billing now used. The motion out of committee was to accept the changes proposed to the ordinance and she so moved. Alderman Ryan seconded, there was no debate. **Motion passed.**

##### ***Alderman Etori; Finance Committee***

Alderman Etori read his committee report from October 29, 2018. Alderman Etori noted his committee met to discuss non-property tax revenues and read his report. There were no motions to come out of committee and the issue is to remain there for further discussion.

#### **REPORTS OF SELECT COMMITTEES**

##### ***Alderman Etori; Pension Deficit***

Alderman Etori read his committee report from October 16, 2018 from his Pension Committee meeting. Alderman Etori noted his committee met right after the Pension Meeting. Alderman Etori noted Erik Schaif, actuary for the pension was present to recommend some changes to the plan. Alderman Etori noted the recommendations and of those presented his committee moved to recommend to the mayor that his administration budget the employer contributions to increase 1.5% each year until the pension obligation is fully funded and he so moved. Alderman Tommola seconded. Debate followed with Alderman Etori reviewing the illustrations. **Motion passed.**

#### **REPORTS OF REPRESENTATIVES**

There were no reports of Representatives

#### **PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION**

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

#### **BOARD OF CONTROL COMMISSIONERS**

There were no items to come under the Board of Control Commissioners.

#### **UNFINISHED BUSINESS**

There was no unfinished business to come before the Board.

#### **MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS**

Attorney Bloomer introduced the Pine Hill Partnership contract and noted there was a slight change to the contract. Upon reviewing those details, a motion was made and seconded (Etori, DePoy) suspending the rules and taking the issue up that evening. **Motion passed.** A motion was made and seconded (Etori, Whitcomb) authorizing the Mayor and Pine Hill Partnership to sign the contract as amended. There was brief debate before Attorney Bloomer noted the Recreation Superintendent should sign and not the Mayor. President Davis noted the request and asked the maker and seconder if they agreed. Both did, **Motion passed.**

Alderman Clifford asked to refer two items to the Traffic Committee about signage. Specifically a stop sign at the intersection of Adams and North Streets and a one-way sign when leaving the Chaffee Art Center. Alderman Mattis seconded the request. **Motion passed.**

Alderman Etori also noted at a recent Project Vision Meeting speaking with a woman and the marketing initiative and how impressed she was with the City school system. Alderman Etori wanted to refer the issue of marketing the City School System to the Marketing Committee. The request was seconded by Alderman Whitcomb. **Motion passed.**

President Davis noted that there were several executive session requests and sought language from City Attorney Bloomer to take Mayor Allaire's executive session request up first. Attorney Bloomer noted that the Mayor's and one of his requests were interrelated and sought to take his second request up first.

Attorney Bloomer stated a motion to find that premature general public knowledge regarding the negotiation of a contract would clearly place the City at a substantial disadvantage because the discussion will divulge the Board's position on the contract provisions to be negotiated. That language was so moved and seconded (Mattis, Ryan). **Motion Passed.**

Attorney Bloomer stated a motion to enter into executive session (with the inclusion of the Mayor, Fire Chief and City Attorney) to discuss the negotiation of a contract as allowed under Title 1, Section 313(a)(1)(A). That language was so moved and seconded (Mattis, Ryan). **Motion Passed.**

At 7:37 PM the Board moved into executive session.

At 7:54 PM a motion was made and seconded (DePoy, Clifford) to come out of executive session. **Motion passed.**

Attorney Bloomer noted a motion ratifying the Mayor's signature on the employment separation agreement on the behalf of the City would be in order. That language was so moved and seconded (Mattis, Ryan). **Motion passed.**

President Davis asked Attorney Bloomer to move on to the next executive session.

Attorney Bloomer stated a motion to find that premature general public knowledge regarding the negotiation of a contract would clearly place the City at a substantial disadvantage because the discussion will divulge the Board's position on the contract provisions to be negotiated. That language was so moved and seconded (Mattis, Whitcomb). **Motion Passed.**

Attorney Bloomer stated a motion to enter into executive session (with the inclusion of the Mayor and City Attorney) to discuss the negotiation of a contract as allowed under Title 1, Section 313(a)(1)(A). That language was so moved and seconded (Whitcomb, Ryan). **Motion Passed.**

At 7:57 PM the Board moved back into executive session.

At 8:30 PM a motion was made and seconded (Whitcomb, Ryan) to come out of executive session. **Motion passed.**

A motion was made and seconded (Notte, Whitcomb) to reimburse Rutland City Fire Chief Larsen for 120 hrs., as shift commander with the sum of \$6,153.60 to come from the Fire Department Salary Line. **Motion passed.**

Alderman Notte also moved to request that Mayor Allaire give the BOA an estimate of additional expenses to be paid to the fire chief, along with estimated savings from the Fire Department Salary Line based on the staff changes being made. Alderman Whitcomb seconded. **Motion passed.**

President Davis asked Attorney Bloomer to move on to the next executive session.

Attorney Bloomer stated a motion to find that premature general public knowledge regarding pending litigation which the city is a party would clearly place the City at a substantial disadvantage because the discussion will divulge the City's strategy and the discussion will include confidential attorney-client communications made for the purpose of providing professional legal services to the City. That language was so moved and seconded (Whitcomb, DePoy). **Motion Passed.**

Attorney Bloomer stated a motion to enter into executive session (with the inclusion of the Mayor and City Attorney) to discuss pending litigation as allowed under Title 1, Section 313(a)(1)(E) and Section 313(a)(1)(F). That language was so moved and seconded (Mattis, Gillam). **Motion Passed.**

At 8:32 PM the Board moved back into executive session.

At 8:42 PM a motion was made and seconded (Ettori, Ryan) to come out of executive session. **Motion passed.**

Attorney Bloomer provided language for a motion authorizing passive to settle the Foster vs The City of Rutland case in the amount of \$80,000 on the City's behalf. The language was so moved and seconded (Whitcomb, DePoy). **Motion passed.**

With no other business or executive session to come before the Board, a motion was made and seconded (DePoy, Ettori) to adjourn. **Motion passed.**

Respectfully submitted,

Henry A Heck  
Rutland City Clerk