

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes (Unofficial)
Monday, May 4, 2020

Members Present: President Whitcomb, Aldermen Gorruso, Humphrey, Ryan, Ettori, Talbott, Mattis, Gillam, Clifford, DePoy and Davis. Also Attending; Mayor Allaire, Attorney Bloomer and City Clerk Heck. Alderman DePoy was absent.

7:00 PM BOARD OF ALDERMEN MEETING

President Whitcomb called the meeting to order at 7:00 PM and noted that the BOA was again meeting via teleconference and asked Clerk Heck to take a roll call vote of the Board. Clerk Heck verified all present except Alderman DePoy.

MINUTES OF PREVIOUS MEETINGS (April 20, 2020)

A motion was made and seconded (Mattis, Davis) approving the minutes of the previous meeting. Alderwoman Mattis noted a correction from part-time equivalent was actually full-time equivalent. The Clerk noted the request. Alderwoman Davis noted Clerk notes from the April 20, 2020 minutes about rules suspension. Attorney Bloomer guided the Board and a vote was taken. **Motion passed.**

OUTSIDE THE RAIL

Donald Billings owner of Roots the Restaurant briefed the Board on his concept for moving downtown restaurants forward over the next few months during the COVID 19 issues. A motion was made and seconded (Ryan, Davis) referring the request to the Community and Economic Development Community. **Motion passed.**

COMMUNICATIONS FROM THE MAYOR

Mayor Allaire briefed the Board on work force related updates and other COVID related issues. Mayor Allaire spoke about upcoming contract negotiations and City financials related to budgets.

ADDITIONS AND DELETIONS TO THE AGENDA

There was a request from Alderman Ettori to add his Finance Committee report. The request was so moved and seconded (Davis, Ettori). **Motion passed.**

Attorney Bloomer sought an Executive Session. The request was so moved and seconded (Mattis, Ettori). **Motion passed.**

Alderwoman Davis asked to add the issue of Tax (Property) to the agenda. Alderwoman Mattis seconded. **Motion passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

RRA Director Duffy; Micro Business Emergency Loan Provision Requests

Director Duffy noted there were 8 Applicants for Round #2 of the Emergency BIAP program and asked the Board how they would like to proceed. A motion was made and seconded (Davis, Ettori) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Davis, Ryan) approving the emergency BIAP for the applicants and dollar amounts requested within the Board's packet. **Motion passed.**

Fire Chief Lovett; Chief Lovett, Education Reimbursement Request

Chief Lovett spoke on the request. A motion was made and seconded (Davis, Mattis) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Davis, Ettori) approving the education reimbursement request from Charles Regula for training & professional development as outlined in the agreement. Debate. An amendment was offered by Alderwoman Davis to define credits as 12 for 2020 and 18 for 2021 as the total for reimbursement. Alderman Gillam Seconded. **Motion passed.**

Treasure Markowski; RF1 -258-1.1 – CSO - Long Term Control Plan loan agreement

Treasurer Markowski spoke on the issue briefly and noted a request for BOA approval and sign the amended CSO-Long Term Control Plan agreement. A motion was made and seconded (Davis, Mattis) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Davis, Mattis) to authorize the Clerk to sign on behalf of the Board of Aldermen, the Long Term Control Plan and CSO agreement.

Debate followed, upon taking a vote there was a no vote. President Whitcomb noted that a roll call vote would be needed if a motion did not pass unanimously and asked the Clerk to call the roll.

Alderman Gorruso	NO	
Alderwoman Humphrey		YES
Alderwoman Ryan		YES
Alderman Etori		YES
Alderman Talbott		YES
Alderwoman Mattis		YES
Alderman Gillam		YES
Alderman Clifford		YES
Alderman Depoy	ABSENT	
Alderwoman Davis		YES

Eight (8) YES one (1) NO **Motion Passed.**

Treasurer's Update – Preliminary April Non-Tax Revenue and Status of W/S and Tax Collection

Treasurer Markowski finished her report with a brief update on non-tax revenues and Water and Sewer collection. The Treasurer noted that the non-tax revenues were right on track and the water & sewer revenues were better than expected with the pandemic and economic hardships. Treasurer Markowski shared her concerns about the upcoming property tax and asked for a ten (10) day grace period for penalties and interest. A motion was made and seconded (Davis, Mattis) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Davis, Mattis) to add an additional grace period, from May 15, 2020, of ten (10) days to pay property taxes with no penalties or collection fees. There was debate. Treasurer Markowski noted she was looking to mirror the State guidelines. Attorney Bloomer noted that this was not law yet and stated that the BOA could approve this request based on what happens with the Governor's ruling. A motion was made (Davis, Etori) to amend the motion to include the approval is based on the State/Governors actions on this issue. There was brief debate. **Motion passed.**

Parks & Recs Superintendent Kim Peters; Update Rutland Recreation and Parks

Superintendent Peters spoke on the status of the recreation status for their summer events based on the executive orders and how her department is working through their child care camps resulting from COVID 19. Superintendent Peters also spoke on the Farmers Market and how that will look this year with the regulations in place. There was debate on how it would be enforced/policed and if there was a need to expand the market. Superintendent Peters noted she was still waiting on executive orders on how pools will be utilized this year and also mentioned the summer concert series in the park. The report was for information only.

City Engineer Rotondo; Recommendation to Approve Water Allocation

President Whitcomb introduced the request. No one was on line to speak on the issue, but it was noted that it was a basic water request. A motion was made and seconded (Davis, Gorruso) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Davis, Gorruso) approving the request allocating 625 GPD to Harbor Freight Tools for a 15,630 SF retail store to be built at 42 US Route 7S in Rutland Town

Zoning Administrator Kelly; City Owned Property Committee Recommendation, 31 East Street

President Whitcomb introduced the request. ZA Kelly was out of town. Mike McClallen spoke to the issue, noting the request for a conveyance and briefed the Board on the request from his clients Jon and Andrew Kiernan. A motion was made and seconded (Etori, Mattis) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Mattis, Gorruso) to authorize the Mayor to sign. There was debate with Alderman Etori noting specific language from Attorney Bloomer who stated a "motion to direct the Zoning Administrator and Building Inspector to execute the waiver of restrictive covenant of 31 East Street on behalf of the City". It was noted that there was two (2) motions on the Floor. Alderwoman Mattis moved to amend her motion to coincide with Attorney Bloomers language. Alderman Etori seconded. **Motion passed.**

REPORTS OF STANDING COMMITTEES

Alderwoman Humphrey; General Committee

Alderwoman Humphrey read her committee report from April 21, 2020. The committee discussed the Master Plan and Alderwoman Humphrey noted ***A note on the motions made within this committee meeting...Due to the timeline of this Master Plan process, the Committee agreed and recognized that while we would move/vote on suggested changes to the document in order to provide guidance to the RRA for a final draft, these are not*

*motions that will be made as recommendations to the full board for approval on each. By state statute, changes cannot be made to the Master Plan document after May 3rd. The RRA will seek Board approval of the final draft on May 18th after public hearing. At that time, Board can approve, deny, or request RRA seek a 90 day extension, though it cannot vote on individual edits or suggest new ones.*** Alderwoman Humphrey then reported on the various sections within the Master plan, related motions and there outcome. There was debate at the end of the report. The report was detailed at length and should be included in the minutes for reference.

Alderman Ettori; Finance Committee

Alderman Ettori noted that his committee met on April 22, 2020 to discuss the FY 2019 Audit and the Treasurer's third quarter report. The city again has a clean unmodified opinion and is in full compliance with Government Auditing Standards. The committee discussed the unassigned fund balance and other areas highlighted in the audit. The Committee then discussed the third quarter report and concerns related to cash flow and the COVID pandemic. Treasurer Markowski will continue to evaluate the situation and keep the BOA advised. This report was for information only.

REPORTS OF SELECT COMMITTEES

There were no reports of Select Committees.

REPORTS OF REPRESENTATIVES

There were no representative reports.

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 for the Board of Control Commissioners.

UNFINISHED BUSINESS

Alderman Gorruso noted an issue with the Emergency BIAP process as he learned that the Sandwich Shoppe was unable to apply because they had no on line use. There was brief discussion on how to get that application before the RRA Board.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

There were no miscellaneous motions, resolutions or new business to come before the Board.

President Whitcomb noted the addition earlier by Attorney Bloomer for an executive session and sought that language.

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

Attorney Bloomer then stated a motion to enter into executive session (with the inclusion of the Mayor, Commissioner of Public Works, City Engineer, Treasurer and City Attorney to discuss the labor relations agreement as allowed under Title 1, Section 313(a)(1)(B). That language was so moved and seconded (Gorruso, Davis). **Motion passed.**

At 8:44 PM the Board moved into executive session.

AT 858 PM a motion was made and seconded (Gorruso, Mattis) to come out of executive session. **Motion passed.**

The Board then signed back into their regular meeting. A motion was made and seconded (Gorruso, Ryan) to authorize the Mayor to sign the MOU with the DPW Union on the behalf of the City. **Motion passed.**

At 9:00 PM a motion to adjourn was made. **Motion passed.**

Respectfully Submitted,

Henry A Heck
Rutland City Clerk