

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, October 21, 2019

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

7:00 PM BOARD OF ALDERMEN MEETING

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

MINUTES OF PREVIOUS MEETINGS (Thursday, September 25 & October 7, 2019)

A motion was made and seconded (Reveal, Gillam) approving the minutes of the previous meeting. Alderman Whitcomb noted on the October 7, 2019 meeting coming out of executive session a motion was made. Alderman Whitcomb stated it was Alderman DePoy not he who was the maker of that motion. Correction was noted by the Clerk.

OUTSIDE THE RAIL

Mayor Allaire introduced Cub Scouts Troop 120 and noted he had a great earlier visit with them.

Mary Cohen of the Chamber noted the upcoming annual meeting and briefed the Board on that event.

Sam Garruso, a Rutland City resident spoke about a letter he received from FATHOM and noted he was not appreciative of the tone or language used. President Davis noted that letter has been sent to those that have not updated their water meter.

Julia Purdy of 22 Watkins Ave noted a dog waste issue within her neighborhood and wanted the Board to take action. There was brief discussion on the issue with a motion for the Clerk's Office to notify all dog owners of ordinances referring to the care of dog waste and also asked the Clerk to notify the Rutland Police Chief and ACO of this issue. This request was so moved and seconded (Etori, Ryan).

Motion passed.

COMMUNICATIONS FROM THE MAYOR

Un-table Mayoral Appointments: Health Board

President Davis noted the issue to untable Mayoral appointments. A motion was made and seconded (DePoy, Gillam) to untable the Appointments. A motion was made to circulate the ballot box (DePoy, Gillam). **Motion passed.** Courtney Collins was the first member to be voted on. Her term was for two (2) years. Clerk Heck gathered all votes and presented them to Attorney Bloomer for verification. Mark Woodbury for a three (3) year term was voted on next. Clerk Heck gathered all votes and presented them to Attorney Bloomer. Mary Nemeth for a one (1) year term was voted on. Clerk Heck gathered all votes and presented them to Attorney Bloomer.

While Attorney Bloomer finalized the count, Mayor Allaire continued with RFP updates on the insurance increases associated with the FY 21 budget. Mayor Allaire also spoke about an Efficiency Vermont project associated with better insulating City Hall. Mayor Allaire finished by thanking everyone associated with the Louras Tragedy, noting that it had hit his family and appreciated all the support.

At this time, President Davis read the results of the voting for the Board of Health.

Courtney Collins two (2) year term	10 YES	0 NO
Dr. Mark Woodbury three (3) year term	10 YES	0 NO
Mary Nemeth one (1) year term	9 YES	1 NO

All member appointed were approved by the Board of Alderman.

ADDITIONS AND DELETIONS TO THE AGENDA

President Davis noted several requests for additions and asked the Board to add a General Committee Report, a Committee of the Whole Report, an Executive Session request by Attorney Bloomer to discuss the CSJ Gym contract and finally a request from Deputy Chief Lovett to update the Dunklee Pond Dam situation. Those requests were so moved and seconded (DePoy, Gillam). **Motion passed.**

President Davis asked Mayor Allaire to continue with the Dunklee Pond Dam update. Mayor Allaire spoke briefly on the issue and then introduced a State official, Todd and Deputy Chief Lovett who spoke on the issue and what was being done about it. The officials spoke on what would happen if the dam burst to public and city property and how they plan to remove the dam. The officials spoke on failure rate and how the recent weather event has increased the failure rate. A motion was made and seconded (Clifford, DePoy) suspending the rules and taking action on the request that evening. **Motion passed.** A motion was made and seconded (Clifford, Gillam) to suspend the bid process for this project based on the emergency situation. Debate followed. **Motion passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Treasurer Markowski; Financial report September 30.2019

Treasurer Markowski was present to update the Board on the first qtr. report of FY20. Treasurer Markowski noted several areas of concern and areas that were doing fine. A motion was made and seconded (Ettori, Ryan) to refer Treasurer Markowski first qtr. report to the Finance Committee. **Motion passed.**

City Engineer Rotondo; Contract Amendment Request, Ripley Rd Water Main

City Engineer Rotondo was present to review his request for a contract amendment. Engineer Rotondo spoke of previous projects and savings. This amendment request covers the additional construction phase engineering costs to construct the Ripley Road Water Main Replacement (Bid Alternate #1) portion of the original project. A motion was made and seconded (Whitcomb, DePoy) suspending the rules and taking action on the request that evening. **Motion passed.** A motion was made and seconded (Whitcomb, DePoy) authorizing the Mayor to sign the contract amendment in the amount of \$38,680 for professional services related to construction phase services for the South End Water Distribution Improvements Project. **Motion passed.**

REPORTS OF STANDING COMMITTEES

Alderman Clifford; Public Works Committee

President Davis noted that Chair Clifford was ill and Alderman Tommola stepped in to run the meeting. There was no real report as Alderman Tommola noted that the meeting was a continuation of issues related to the FATHOM project and noted that things were trending more favorably, but could give more details at the next BOA meeting. Alderman Clifford thanked Alderman Tommola for running his committee.

Alderman Tommola; General Committee

Alderman Tommola provided an update to the request of Bias training for the Board. Alderman Tommola noted that he has held off calling the meeting as funding was not going to be available and he did not want to hold the meeting for personal agendas. Alderman Tommola noted that if stipulations were met then bias training could indeed be held. His report was for information.

REPORTS OF SELECT COMMITTEES

Alderman Ettori; Marketing Committee

Alderman Ettori read his committee report from October 10, 2019 noting the Real Rutland marketing initiative. The report updated what was being done since the new RFP was awarded to LIFT of Saratoga NY. The main objective is still to market the area and provide as much information to those that are inquiring. Mary Cohen of the Chamber spoke briefing on the direction of the plan. The report was for information only and will remain in committee to be updated in the future.

Alderman Whitcomb; Committee of the Whole

Alderman Whitcomb read the Committee of the Whole report provided by President Davis. The report noted that the committee met to discuss the multi-state law suit against big Pharma and opioid drugs. It was noted that the State of Vermont is part of this suit and as such the City of Rutland would be entitled to a portion of any settlement. There is an opt out clause that the City could utilize and would need to take action by November 22, 2019 if they chose. No action was requested or taken and the report was for information.

REPORTS OF REPRESENTATIVES

Alderman Whitcomb; Project Vision

Alderman Whitcomb provided a very thorough and detailed report on all sub-groups within project Vision and how they operated or what they provided to Project Vision. There were brief updates and input provided by the Board. Alderman Whitcombs report was for information only.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

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

A motion was made and seconded (Clifford, Ryan) to move into the Board of Control Commissioners.
Motion passed.

BOARD OF CONTROL COMMISSIONERS

The Saloon; Third Class Liquor Request

President Davis introduced the request for a third class license from The Saloon and noted a motion to circulate for signatures would be needed. Alderwoman Ryan so moved and Alderman Gillam seconded. Alderman Reveal abstained as he owns a business with liquor licenses. **Motion passed.**

A motion was made and seconded (Ettori, Clifford) to move out of the Board of Control Commissioners.
Motion passed.

UNFINISHED BUSINESS

There was no unfinished business to come before the Board.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Alderman Whitcomb asked to refer the sale of engine #2 to the Public Safety Committee. Alderman Ettori seconded. There was brief debate. **Motion passed.**

Alderman Clifford asked for the Chair of intermunicipal Committee to reach out to the Town Chair and hold a meeting to discuss what is happening, to just touch base. Alderman Whitcomb seconded.
Motion passed.

President Davis asked if there was any other business for the Board. Seeing none, President Davis asked Attorney Bloomer for executive session language.

Attorney Bloomer noted language finding 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 (DePoy, Ryan). **Motion passed.**

Attorney Bloomer then noted language to enter into executive session (with the inclusion of the Mayor, Recreation Superintendent, Director of Maintenance, Treasurer 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 (DePoy, Ryan). **Motion passed.**

At 8:15 PM the Board moved into executive session.

At 8:37 PM a motion was made and seconded (Whitcomb, DePoy) to come out of executive session.
Motion passed.

A motion was made and seconded (DePoy, Whitcomb) authorizing the Mayor to sign the lease with the College of St. Josephs on behalf of the City. **Motion passed.**

A motion was immediately made to adjourn. **Motion passed.**

Respectfully submitted,

Henry A Heck
Rutland City Clerk