

**CITY OF RUTLAND, VERMONT**  
**Board of Aldermen Minutes**  
**Monday, January 4, 2021**

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

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

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

**MINUTES OF PREVIOUS MEETINGS (December 21, 2020)**

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

**Motion passed.**

**OUTSIDE THE RAIL**

No one spoke from outside the rail.

**COMMUNICATIONS FROM THE MAYOR**

***Interim DPW Commissioner; James Rotondo***

Mayor Allaire forwarded a request to table the nomination of James Rotondo as interim Public Works Commissioner until a permanent Commissioner is appointed and confirmed. A motion was made and seconded (DePoy, Clifford) to table the nomination. **Motion passed.** There were no other communications from the Mayor.

**ADDITIONS AND DELETIONS TO THE AGENDA**

There were no additions or deletions to the agenda.

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

***Treasurer Markowski; BOA Sign-Off Loan Agreement-RF3-371-3.0 Water Main Improvement***

Treasurer Markowski introduced the request noting that this was part of a larger project approved by the voters in March of 2019. Treasurer Markowski noted that this part of the project was to be funded by the Drinking Water State Revolving Fund. A motion was made and seconded (Gorruso, Gillam) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Gorruso, Clifford) authorizing the Board of Aldermen (BOA) Chair to execute loan documents on behalf of the BOA. President Whitcomb read the actual request, BOA approval of the loan document for the water main improvement project-RF3-371-3.0. in the amount of \$592,242.00, additionally, to authorize a representative-BOA Chair – to execute the loan agreement on behalf of the full Board. **Motion passed.**

***Clerk Heck; Update BOA Meetings 2021***

Clerk Heck noted that this was a yearly housekeeping request of moving BOA meetings falling on a holiday Monday to the following day, Tuesday. A motion was made and seconded (Gorruso, Davis) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Gorruso, Clifford) approving the dates as requested by the Clerk. President Whitcomb read those date requests into the record.

Monday, January 18, 2021, CLOSED to Tuesday, January 19, 2021.

Monday, February 15, 2021, CLOSED to Tuesday, February 16, 2021.

Monday, July 5, 2021, CLOSED to Tuesday, July 6, 2021.

Monday, September 6, 2021, CLOSED to Tuesday, September 7, 2021.

**Motion passed.**

***Attorney Bloomer:***  
***COVID-19 Leave Policy***

Attorney Bloomer was available to introduce the request noting that the Federal Government had initiated a COVID-19 Policy including two (2) weeks of additional leave time for quarantining. This policy sunset on 12-31-2020. The Rutland City HR Director, Mayor and Attorney decided to develop a policy on COVID-19 leave and utilizing State and Federal guidelines developed a twelve page policy including their request to keep those two (2) additional weeks of leave for COVID-19 related issues. The Board, Mayor, HR Director and Attorney spent approximately 40 minutes discussing the request. A motion was made and seconded (Gorruso, Davis) suspending the rules and taking action on the request. **Motion passed.** There was discussion on the motion to be presented with the language to approve the policy as presented, and for Attorney Bloomer to add Alderman Gorruso's held harmless discussion within the policy. Alderwoman Davis seconded. **Motion passed.**

***Executive session regarding pending litigation.***  
***Executive session regarding pending litigation.***  
Both requests were moved to the end of the meeting.

**REPORTS OF STANDING COMMITTEES**

There were no standing committee reports.

**REPORTS OF SELECT COMMITTEES**

There were no select committee reports.

**REPORTS OF REPRESENTATIVES**

There were no representative reports.

**PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION**

There were no petitions, letters, or miscellaneous communications.

**BOARD OF CONTROL COMMISSIONERS**

There were no requests for the Board of Control Commissioners.

**UNFINISHED BUSINESS**

There was no unfinished business to come before the Board.

**MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS**

Alderman Gorruso brought the issue of entering Starbucks plaza with traffic backed up at the entrance to that plaza. Alderman Gillam noted the same kind of issue with the Donkin Donuts on Woodstock Avenue. Both issues were referred to the Traffic Safety Committee, (Gorruso, Clifford). **Motion passed.**

With no other business to come before the Board, President Whitcomb asked Attorney Bloomer for executive sessions language.

Attorney Bloomer noted a motion to find that premature general public knowledge regarding two (2) pending litigations, to which the City would be a party, would clearly place the City at a substantial disadvantage because the discussion will divulge the City's strategy in such pending litigation and will include confidential attorney-client communications made for the purpose of providing professional legal services to the City. This language was so moved and seconded (Davis, DePoy) **Motion passed.**

Attorney Bloomer then noted a motion to enter into executive session number one (1) (with the inclusion of the City Attorney, Assessor, Mayor and Treasurer) to discuss pending litigation, as allowed under Title 1, Section 313(a)(1)(E) and Title 1, Section 313(a)(1)(F). This language was so moved and seconded (Gorruso, DePoy). **Motion passed.**

Attorney Bloomer then noted a second motion for entering the second (2) executive session (with the inclusion of the City Attorney, Police Chief, Mayor and Treasurer) to assess pending litigation, as allowed under Title 1, Section 313(a)(1)(E) and Title 1, Section 313(a)(1)(F). This language was so moved and seconded (Gorruso, DePoy). **Motion passed.**

At 8:05 PM the BOA signed off and moved into executive session.

At 9:16 PM a motion was made and seconded (Gorruso, Davis) to come out of executive session. **Motion passed.**

A motion was made and seconded (Davis, Gillam) authorizing the Mayor to enter into a settlement with Joseph, Barbara and David Giancola in substantially the form presented at the last scheduled BOA meeting. **Motion passed 8-2.**

A motion was made and seconded (Davis, Gorruso) to adjourn. **Motion passed.**

Respectfully submitted,

Henry A Heck  
Rutland City Clerk