

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday May 17, 2021

Members present; President Whitcomb, Aldermen Gorruso, Savage, Neary, Talbott, Franco, Gillam, Clifford, DePoy and Davis. Also present; Mayor Allaire, Attorney Bloomer, Treasurer Markowski, and City Clerk Heck. Alderman Doenges was absent.

7:00 PM BOARD OF ALDERMEN MEETING

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

MINUTES OF PREVIOUS MEETINGS (May 3, 2021)

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

OUTSIDE THE RAIL

Cape Air- Andrew Bonny and Dan Wolf were online to present a PowerPoint presentation for Cape Air to remain the local air carrier at the Rutland Airport. The presentation lasted about 20 minutes and was very detailed and informative.

Sallie Gill; Buried Conduit Request

There was brief discussion on the request. A motion was made and seconded (Davis, Gillam) to suspend the rules and take action on the request. **Motion passed.** A motion was made and seconded (Davis, DePoy) approving the buried conduit request for 85 Field Avenue. **Motion passed.**

Rev-Patricia Stratton; First Baptist Church

Senior Pastor Patty Stratton of the First Baptist Church at 81 Center Street spoke on issues associated with the property. Pastor Stratton briefed the Board on the history and layout of the property. Pastor Stratton noted her reason for coming to the Board was to share the problem of maintaining the building and to see if there was a way the community may be able to help. The Board spent several minutes providing ideas and resources for Pastor Stratton to contact.

Sallie Gill thanked the Board for their approval and asked about her request to eliminate the \$10,000 bond. James Rotondo spoke on the request and noted that the \$10,000 was not necessary, but he felt a \$1,000 bond would be acceptable. Ms. Gill thanked him. Alderwoman Davis sought a resolution on the prior motion and moved to reconsider the item. Alderman Clifford seconded. **Motion to reconsider passed.** A motion was made and seconded (Davis, Clifford) approving the buried conduit request at 85 Field Avenue and to lower the bond criteria to one thousand dollars. **Motion passed.**

COMMUNICATIONS FROM THE MAYOR

Mayor Allaire had one item for the Board and asked to table the nomination of Whitney Marsh for the vacant DPW Commissioners position. Mayor Allaire elaborated on the committee responsible for the vetting of candidates for that position. Mayor Allaire also noted that Ms. Marsh was an excellent applicant and that the City would be very fortunate to have them as our DPW Commissioner. A motion was made and seconded (Gillam, Clifford) to table the nomination of Whitney Marsh for DPW Commissioner. **Motion passed.**

ADDITIONS AND DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Barbara Spaulding; RRA

BROC Increased Refrigerator/Freezer Capacity

Barbara Spaulding was online to introduce the request. Ms. Spaulding noted a grant award for BROC in November and sought Board approval allowing President Whitcomb to sign on their behalf. A motion was made and seconded (Davis, DePoy) suspending the rules and taking action on the request. **Motion passed.** A motion

was made and seconded (Davis, Gillam) authorizing the BOA President to sign on the Boards behalf, Form PM-1 which designates the Mayor as Authorized Municipal Official to sign the grant agreement and any/all documents necessary to execute the project on behalf of the City. **Motion passed.**

HTRC/Lincoln Place

Ms. Spaulding noted this request was a VCDP grant of \$498,000 for Lincoln Place awarded in November. Ms. Spaulding was requesting the same authorization as the BROOC request. A motion was made and seconded (Davis, Gillam) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Davis, Gillam) authorizing the BOA President to sign on the Boards behalf, Form PM-1 which designates the Mayor as Authorized Municipal Official to sign the grant agreement and any/all documents necessary to execute the project on behalf of the City. **Motion passed.**

James Rotondo, Interim-DPW Commissioner

Request Authorization to Award Moon Brook Metals Study

James Rotondo was online to introduce the request and sought Board approval authorizing the Mayor to sign the contract for professional services with Stone Environmental Inc. Mr. Rotondo gave a brief history of the project to study metals along portions of Moon Brook as ordered by Vermont Superior Court. Mr. Rotondo noted there were six (6) proposals received and based on criteria Stone Environmental scored highest. A motion was made and seconded (Clifford, Davis) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Clifford, Davis) authorizing the Mayor to sign the contract for professional services to perform a Metals Study along segments of Moon Brook that passes Howe Center to Stone Environmental Inc. with the amount not to exceed \$21,966. There was brief debate. **Motion passed.**

Request Authorization to Sign Contract Amendment – Grove Street Bridge

James Rotondo introduce the request noting a request from the Board to authorize the Mayor to sign a contract amendment extending DuBois & King's contract to include construction phase services for the rehabilitation of Grove Street Bridge. A motion was made and seconded (Clifford, Talbott) suspending the rules and taking action on the request. **Motion passed.** President Whitcomb read the requested language sought from Mr. Rotondo. Authorizing the Mayor to sign a Contract Amendment in the Not to Exceed (NTE) amount of \$29,633 for professional services to perform construction phase services including inspection and administration for the rehabilitation of Grove Street Bridge. There was no debate. **Motion passed.**

Refer to Committee – Update on \$7.4M Wastewater/Stormwater Bond Projects

Mr. Rotondo asked the Board to refer to the DPW Committee, a construction & finance update of the wastewater/stormwater projects that comprise the 2019, \$7.4M Wastewater Bond. Mr. Rotondo elaborated on his request for the Board. A motion was made and seconded (Davis, Gillam) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Davis, Gillam) to refer to the DPW Committee, a construction & finance update of the wastewater/stormwater projects that comprise the 2019, \$7.4M Wastewater Bond. Alderman Clifford then asked to warn a DPW Committee meeting for May 25, 2021 at 5:30 PM to discuss this referral. **Motion passed.**

Treasure Markowski; April Treasurer's Report

Treasurer Markowski was online to present her Treasurer's Report for April. Per her usual practices Treasurer Markowski reported on Cash Balances, Delinquencies, Balance Sheets, Income & Expense – General Fund, Parking Fund, Transit Fund and RRA. Upon the completion of Treasurer Markowski's report a motion to receive and file was made and seconded (Davis, Gorruso). **Motion passed.**

Attorney Bloomer;

Finance and Maintenance Agreement between State and City for Improvements to Highway-Rail Grade Crossing at West Street and Forest Street

Attorney Bloomer was online to brief the Board on this request. Attorney Bloomer noted the pros and cons to the project and reviewed the finance and maintenance agreements and the cities concerns on indemnification. Attorney Bloomer spoke on the potential for contaminated soils and associated cost for removal. After the presentation from Attorney Bloomer a motion was made and seconded (Clifford, Gillam) to suspend the rules and take action on the request. **Motion passed.** Alderman Clifford expressed his concerns on the fact that the State would not help with associated cost from contamination clean up. There was lengthy debate on this issue. Alderman Gorruso moved to table the request to further gather information. President Whitcomb called for a vote and was unsure of the result. President Whitcomb asked the Clerk for a roll call vote.

Clerk Heck called the roll

Alderman Gorruso	YES	
Alderwoman Davis		NO
Alderman Gillam		NO
Alderman Talbott	YES	
Alderman Franco		NO
Alderman DePoy	YES	
Alderman Clifford		NO
Alderwoman Savage	YES	
Alderman Neary		NO

Four (4) YES and five (5) NO, **Motion failed.**

Debate continued on the contamination issue. President Whitcomb asked Attorney Bloomer what does a no vote, no support from the BOA mean to the request. Mayor Allaire shared his input on the request and noted there is a good deal of benefit for the City related to the project, but understood the concerns with contamination and offered to go back to the State to see if he could get better information for the Board.

Alderman Clifford moved to refer the request to the Mayor and his administration to discuss further concerns with the State and Vermont Railway. Alderwoman Davis seconded. **Motion passed.**

Amendments to Engineering Services Agreement with Weston & Sampson

Attorney Bloomer noted that Engineer Rotondo would be better qualified to go over this request with the Board and sought input from him. Engineer Rotondo noted that the requests were for seeking reimbursement from the State for contracts related to design and construction amendments to the East Creek Sewage Force Main Replacement project. Engineer Rotondo noted with the first request/amendment dealt with contamination/PCB concerns on the GMP right away property in the design phase.

Engineer Rotondo then noted a request for the construction phase for ledge probes to determine how bedrock might impact the revised force main alignment. Upon finishing his requests, President Whitcomb sought a rules suspension. Alderwoman Davis so moved the request. Alderman Talbott seconded. **Motion passed.** A motion was made and seconded (Davis, Clifford) to approve amendment #1, design control in the amount of \$39,209.58 for additional environmental engineering services requested to address potential PCB contamination at the Green Mountain Power Electrical Maintenance Facility site, along the path of the proposed sewage force main. **Motion passed.** Alderwoman Davis then moved the construction phase amendment for \$40,400.70, for additional ledge probes as required to determine the extent to which bedrock might impact the revised force main alignment. Alderman Gillham seconded. **Motion passed.**

REPORTS OF STANDING COMMITTEES

Alderman DePoy; Recreation Committee, Multi Use Path

Alderman Depoy reported his committee met on Thursday, May 6, 2021 to discuss the Multi Use Path. Alderman DePoy noted that Susan Schreiber and Paul Gallo who have been working on this project for years were both online. Alderman DePoy noted that Ms. Schreiber and Mr. Gallo reported that Suburban Propane has offered land on West Street to help with segment three. Alderman DePoy noted specific requirements the City would need to enter into, specifically the BRELLA program. Alderman DePoy noted an estimated cost of \$4,000 for the Phase 1 work and BRELLA enrollment. A motion out of committee was to approve no more than \$4,000 from the Zamias Fund to pay for the Phase 1 work and BRELLA application and he so moved. Alderwoman Davis seconded. **Motion passed.**

Alderman DePoy also reported updates from Ms. Schreiber and Mr. Gallo on Segment 5 along Dorr Drive. Alderman DePoy noted that this part of his report was for information only and no action was requested

Alderman Gorruso; General Committee

Alderman Gorruso read his General Committee report from Tuesday, May 11, 2021 with the item of outside meetings moving to in person and how to accommodate the outside public. Alderman Gorruso noted several of the members present were advanced in regards to the E-Technology needed. The committee discussed items from partnering with PEG-TV, best room accessibility to State and Federal COVID guidelines. No action was requested and the issue is to be further discussed.

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 to come before the Board.

BOARD OF CONTROL COMMISSIONERS

There were no items requested of the Board of Control Commissioners

UNFINISHED BUSINESS

There was no unfinished business to come before the Board.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Alderman Franco; Rutland Pride-New Business

Alderman Franco spoke on referring the item of the City supporting a partnership with Rutland Pride to the Community & Economic Development Committee. Alderman Clifford seconded. **Motion passed.**

Alderman Clifford wanted to acknowledge the recent retirement of David Shortsleeves from the treatment plant. Mr. to the Shortsleeves had served the City for 28 years. Alderman Clifford also acknowledge the Garden Club and thanked them for their hard work and dedication to the beautification of our city gardens.

Alderman DePoy spoke quite sternly on the reporting of WCAX TV of Mia Schultz chair of the NAACP on her calling of schools to boycott the Rutland schools if the name of the Ravens is reversed back to the Raiders. Alderman DePoy spoke at length from a prepared statement.

Alderman Gillam noted that his Charter & Ordinance Committee will be meeting Thursday.

Alderman Franco spoke against Alderman DePoy's comments about Mia Schultz.

Alderman Gorruso spoke about a citizen who is trying to get someone from City Hall to speak with a neighbor about mowing their lawn. Alderman Gorruso spoke about not being able to get ahold of anyone from Building & Zoning. The Board briefly discussed this concern.

At 9:19 PM a motion was made and seconded (Gorruso, Davis) to adjourn. **Motion passed.**

Respectfully submitted,

Henry A Heck
Rutland City Clerk

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