

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Tuesday July 6, 2021

Members present; President Whitcomb, Aldermen Gorruso, Franco, Savage, Neary, Talbott, Doenges, 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 (June 21, 2021)

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

Motion passed.

OUTSIDE THE RAIL

Lyle Jepson; Parade of Hero's Fireworks Request

Mr. Jepson noted that the previous request for the Parade of Hero's also included fireworks and wanted to make sure there were no questions from the BOA. Seeing none, Mr. Jepson thanked the Board for their support.

Rutland City Parks Foundation

Dave Wallstrom of Highland Avenue spoke about the Gazebo in Main Street Park and the need for it to be replaced. Mr. Wallstrom spoke about some funding options and the need for discussion with the Board on how to move forward with potential options to remove or replace. A motion was made and seconded (Davis, Gillam) to refer the issue to the Recreation Committee. **Motion passed.**

Rec Superintendent Kim Peters

Superintendent Peters was present and asked the Board to recognize Bob Peterson who was present on his forth coming retirement of 26 years from the recreation department. Mayor Allaire noted his great contribution to the City and its parks. Mr. Peterson received a standing ovation from all present. Several members of the Board recognized Mr. Peterson and wished him a happy retirement.

Beth Berra

Ms. Berra came to the Board as a pedestrian and bike rider and had several items she felt needed immediate attention. Ms. Berra spoke about increasing the amount of time at crosswalks and suggested increasing the amount to allow people to get across safely. Ms. Berra then noted several areas in the City for crosswalks and the need to improve pedestrian safety with related accidents involving pedestrians crossing roads.

Michael J. Romano & Andrea McDevitt spoke on an area in front of their home that has been used as a parking area for them for over fifty (50) years. Mr. Romano spoke on how DPW was going to remove the pavement and replace with topsoil and grass. Both parties spoke on the need to keep the area paved and the possibility of them paying for the rehab of that section of roadway. After some discussion a motion was made and seconded (Clifford, Gillam) to refer the issue to the Public Works Commissioner and report back to the Board.

COMMUNICATIONS FROM THE MAYOR

Mayor Allaire had several items for the Board and noted he was looking for a public forum to discuss uses for the \$4.4 Million the City will be receiving from the Federal Government (ARPA). Mayor Allaire noted the earlier concerns for pedestrian safety and related pedestrian fatality and stated a meeting with the Town and the City needs to take place to discuss options for improvements. Mayor Allaire then noted he would be presenting the Board with a name for the vacant DPW Commissioners position

at their next meeting. Alderwoman Davis noted several options for committees to hear and discuss the pedestrian safety issues and moved to refer the issue to the Intermunicipal Committee. Alderman Gillam seconded. Debate. **Motion passed.**

ADDITIONS AND DELETIONS TO THE AGENDA

Attorney Bloomer sought one addition and one deletion to the agenda and asked the Board to add an executive session for the negotiation of a labor relations agreement and to delete one of the pending litigation requests. Those requests were so moved and seconded (Davis, DePoy). **Motion passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Interim Commissioner Rotondo; Request to Sign Timber Contract

Interim Commissioner Rotondo was present to ask the Board to authorize the Mayor to sign the timber sales contract and noted that the City was looking to harvest the remaining Red Pine trees located in the City water shed. Commissioner Rotondo noted four bids were received ranging from \$7K to \$22K thousand dollars and asked the Board to approve the contract with Norm Brown Lodging high bidder in the amount of \$22,136. A motion was made and seconded (Davis, Clifford) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Gorruso, Davis) to move for the approval. Debate. **Motion passed.**

Interim Commissioner Rotondo; Municipal Roads Grants-In-Aid Program

Commissioner Rotondo was present to brief the Board on his next request. Commissioner Rotondo noted at the last meeting interim Mayor Whitcomb was asked to sign the application for the Municipal Roads Grant and tonight Commissioner Rotondo was asking the Board to ratify the letter of intent. 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) to ratify the letter of intent. Alderman Neary recused himself from voting on the request because of work related conflicts. **Motion passed.**

Treasurer Markowski; Resolution for Acceptance of ARPA Funds

Treasurer Markowski was present to introduce her request asking the Board to sign the resolution supporting the ARPA Funds and to award terms and conditions. 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, Gorruso) to circulate for signature the resolution. Debate. **Motion passed.**

Attorney Bloomer; Request for Three Executive Sessions

2 Pending Litigation

1 Negotiation of a contract

Per the Boards past practice, the 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

Green Mountain Power; Pole & Wire Request #1

President Whitcomb introduced the request from GMP. 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) approving the request with the seven standard conditions. **Motion passed.**

Green Mountain Power; Pole & Wire Request #2

President Whitcomb introduced the request from GMP. 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) approving the request with the seven standard conditions. **Motion passed.**

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

BOARD OF CONTROL COMMISSIONERS

Global Montello Group Corp; Request for two (2) second (2nd) Class Liquor Licenses

President Whitcomb noted the requests for second class licenses. A motion was made and seconded (Davis, Gorruso) to circulate both licenses for signatures. **Motion passed.**

A motion was made and seconded (Davis, Talbott) 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

President Whitcomb noted he received a thank you message for the City Scholarship given at the recent RHS graduation ceremony.

President Whitcomb noted several executive sessions requests and sought language from Attorney Bloomer.

Attorney Bloomer noted a motion to find that 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. This language was so moved and seconded (Talbott, Gillam) **Motion passed.**

Attorney Bloomer then noted a motion for entering into executive session (with the inclusion of the Mayor, Police Chief, City Attorney, Treasurer and City Clerk) to discuss the Labor Relations Agreement, as allowed under Title 1, Section 313(a)(1)(B). This language was so moved and seconded (Gorruso, Davis). **Motion passed.**

At 7:58 PM the BOA moved into executive session.

At 8:38 PM a motion was made and seconded (Davis, DePoy) to come out of executive session. **Motion passed.**

Attorney Bloomer noted a motion to authorize the Police Chief to enter into a memorandum of understanding with the Police Union in substantially the form presented. This language was so moved and seconded. (Davis, Gorruso) **Motion passed.**

President Whitcomb asked Attorney Bloomer for the next set of motions to enter executive session.

Attorney Bloomer then noted a motion to finding premature general public knowledge regarding pending litigation, to which the City is 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 for entering into executive session (with the inclusion of the City Attorney, 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 (Davis, Gorruso). **Motion passed.**

At 8:39 PM the Board moved back into executive session.

At 9:04 PM a motion was made and seconded (Davis, Clifford) to come out of executive session. **Motion passed.**

Attorney Bloomer noted 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 to be negotiated. This language was so moved and seconded (Davis) **Motion passed.**

Attorney Bloomer then noted a motion for entering into executive session (with the inclusion of the Mayor, City Clerk, City Attorney, and Treasurer) to discuss the contract to be negotiated, as allowed under Title 1, Section 313(a)(1)(A). This language was so moved and seconded (Davis, DePoy). **Motion passed.**

At 9:04 PM the Board moved back into executive session.

At 9:07 PM a motion was made and seconded (DePoy, Clifford) to come out of executive session. **Motion passed.**

A motion was made and seconded (Davis, Gorruso) to authorize the Mayor to sign the lease agreement with the option to purchase MKF Properties LLC in substantially the form presented. **Motion passed.**

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

Respectfully submitted,

Henry A Heck
Rutland City Clerk