

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday July 19, 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 call the meeting to order at 7:00 PM.

MINUTES OF PREVIOUS MEETINGS (July 6, 2021)

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

Motion passed.

OUTSIDE THE RAIL

Rebecca Stevens of Rutland invited Board members to participate in monthly meetings discussing homelessness in the Rutland community.

Lori Towne of Rutland spoke about the use of fireworks and the trauma that her dog has developed from them. Ms. Towne noted that it is a complicated situation, but notes something needs to be done. Several members spoke on the issue and a request/motion was made and seconded (Davis, Neary) to have the chair/president draft a letter to the Chair of Rutland Town addressing the situation. **Motion passed.**

President Whitcomb read a letter from Janet Wood who had complaints on access to parts of City Hall. A motion was made and seconded (Clifford, Davis) who referred the issue to the "administration".

Motion passed.

FY22 Vermont Education Tax Rate presentation by Ted Plemenos – RPS, CFO

Ted Plemenos, CFO of the Rutland City Schools came before the Board to brief them on the current status with the school budget and how it is determined. The presentation was very indepth and informative. The issue created a vast amount of discussion with the Board, presenter and Rob Bliss, assistant superintendent. The presentation and discussion lasted for about 45 minutes.

COMMUNICATIONS FROM THE MAYOR

Mayoral Appointment; DPW Commissioner

Mayor Allaire was present to brief the Board on three items with the first being the request to table the nomination of James Rotondo for Public Works Commissioner. The request was so moved and seconded (Clifford, Gorruso). **Motion passed.**

Mayor Allaire then noted a request to set a public meeting for, Wednesday, August 11, 2021, 7 PM at the Rutland Community & Recreation Center to discuss the item of ARPS Funds and how to use those funds.

Mayor Allaire ended his communications with an update on Amtrak Train services returning to Rutland and the award of the Federal contract with Cape Air for continued flight service from the Rutland Regional Airport.

ADDITIONS AND DELETIONS TO THE AGENDA

Attorney Bloomer noted a request to delete one (1) request for executive session related to labor relations agreement.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Interim Commissioner Rotondo; Request to set Public Meeting

President Whitcomb introduced the 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) to schedule a Public Meeting on August 2, 2021 at 6:30 PM to discuss the Long Term Control Plan (LTCP) for CSO abatement. **Motion passed.**

Brennan Duff; RRA Director, BIAP Grant Request

President Whitcomb introduced the request. Alderman Doenges presented the recommendation from the RRA Board noting that Ivan Rochon was planning to make a sizable investment into his downtown business and was requesting the \$5,000 BIAP grant to help supplement the cost. 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, Talbott) approving the request for the \$5,000 BIAP grant to Diamonds & More. **Motion passed.**

Treasurer Markowski; -Treasurer's Report June 30, 2021

Treasurer Markowski was present to discuss the June 30th report and stated that was still a lot of work to close the month. Treasurer Markowski noted the Boards past practice was a referral to committee to discuss quarterly results. A motion was made and seconded (Davis, Gillam) to refer the Treasurer's Report to the Finance Committee, **Motion passed.**

Attorney Bloomer; Request for Three Executive Sessions, 2 Pending Litigation, 1 Labor Relations Agreement

All 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

SEP Requests, Art in The Park; August & October Events, Main Street Park

President Whitcomb introduced both requests. A motion was made and seconded (Davis, Gillam) suspending the rules and taking action on the request. **Motion passed.** Alderwoman Davis asked if both requests could be taken up. President Whitcomb responded yes. A motion was made and seconded (Davis, Talbott) approving the Art in the Park requests for August 14 & 15 and October 9 & 10, in Main Street Park from 10 AM to 6 PM Saturdays and 10 AM to 4 PM Sundays. **Motion passed.**

BOARD OF CONTROL COMMISSIONERS

There were no items to come before the Board of Control Commissioners.

UNFINISHED BUSINESS

There was no unfinished business to come before the Board.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Treasurer Markowski; Preliminary - FY22 – Tax Rate Proposal

President Whitcomb noted the request from Treasurer Markowski and asked her to brief the Board. Treasurer Markowski reviewed her handouts noting yearend figures and the amount of tax needing to be generated to fund the FY22 budget. On her handout, Treasurer Markowski noted several requests

of the Board and stated if the Board agreed and approved those, city tax payers would see a \$4.34 increase on a property assessed at \$150,000.

Treasurer Markowski noted the next several requests;

Recommend - BOA approval of transfer of \$60,000 from the General Fund to the Bridge Capital Fund. This represents the unspent portion of the budgeted expense for Bridge Construction in the DPW budget. This is the primary source of funding of the bridge capital fund.

Alderman Gorruso so moved, Alderman Clifford seconded. MOTION PASSED

Recommend - BOA approval of transfer of \$16,880.29 from the General Fund to the Sidewalk Capital Fund. This represents the unspent portion of the budgeted expense for Concrete and Precast in the DPW budget. This is the primary source of funding of the sidewalk capital fund.

Alderman Clifford so moved, Alderwoman Davis seconded. MOTION PASSED.

Recommend – BOA approval to remove the assignment of \$46, 730.86 that was assigned for FY21 tax relief.

Alderman Clifford so moved, Alderwoman Davis seconded. MOTION PASSED.

Recommend – BOA approval to maintain the unassigned fund balance at 10% of revenues, to provide working capital. Alderman DePoy moved to decrease this recommendation to 9%. There was a great deal of debate with this motion. Upon the completion of debate a roll call vote was requested for this vote. President Whitcomb asked the Clerk to call the roll.

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

The Clerk reported two (2) YES and eight (8) NO, **Motion failed.**

President Whitcomb went back to Treasurer Markowski noting her original recommendation to maintain the unassigned fund balance at 10% of revenues, to provide working capital. Treasurer Markowski commented that was correct. Alderwoman Davis so moved, Alderman Gillam seconded.

Motion passed.

Treasurer Markowski was asked to continue. Treasurer Markowski made her final recommendation.

Recommend – BOA approval to assign \$837,607.20 fund balance for FY22 tax relief.

Alderman Doenges so moved, Alderman DePoy seconded. MOTION PASSED.

Treasurer Markowski noted the approval of the above resulted in a municipal tax rate of **1.766** (before exemptions). This rate would result in an **annual increase of \$4.34** on a property assessed at \$150,000. And she asked the Board to set that rate.

Recommend - BOA approval to set the municipal tax rate at 1.766 for FY22.

Alderwoman Davis so moved and Alderman Gillam seconded. Motion passed.

Treasurer Markowski noted the State education rate has been set at 1.6402 and recommended the Board accept that rate. A motion was made and seconded (DePoy, Davis) acknowledging the State education rate of 1.6402 for Homestead. Alderwoman Davis apologized to school representatives, but noted the significant increase of \$188.25 annually on a property assessed at \$150,000 for the schools portion of the tax bill. Alderman DePoy acknowledged the increase, but also noted the reasons provided earlier for that increase. Treasurer Markowski noted the non-homestead State education rate of 1.72610 and asked the Board to accept that rate. Alderwoman Davis so moved and Alderwoman Savage seconded. **Motion passed.**

President Whitcomb noted that if there was nothing else, he would ask Attorney Bloomer for executive session language.

Attorney Bloomer noted a motion 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, Talbott) **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, Gillam). **Motion passed.**

At 8:54 PM the Board moved into executive session.

At 9:14 PM a motion was made and seconded (Davis, Doenges) to come out of executive session. **Motion passed.**

There was no action or motions requested. President Whitcomb asked Attorney Bloomer for the next executive session language.

Attorney Bloomer noted a motion 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 (Doenges, Davis) **Motion passed.**

Attorney Bloomer then noted a motion for entering into executive session (with the inclusion of the City Attorney, Mayor and Zoning Administrator) 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, Gillam). **Motion passed.**

At 9:14 PM the Board moved into executive session. While in executive session it was determined that Alderman Clifford had a work/personal related conflict and recused himself from this debate. Alderman Clifford left the meeting.

At 9:45 PM a motion was made and seconded (Doenges, Talbott) to come out of executive session. **Motion passed.** The BOA adjourned upon exiting.

Respectfully submitted,

Henry A Heck
Rutland City Clerk