

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Tuesday, January 17, 2023

Members present; President Doenges, Aldermen Franco, Savage, Barbagallo, Talbott, Gillam, DePoy and Davis. Also present, Mayor Allaire, Attorney Bloomer and City Clerk Heck. Aldermen Cupoli and Tadio were absent and the Whitcomb seat remains open.

7:00 PM BOARD OF ALDERMEN MEETING

President Doenges opened the meeting at 7:00 PM.

MINUTES OF PREVIOUS MEETINGS (January 3, 2023)

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

OUTSIDE THE RAIL

Barbara Spaulding introduced John Woodard the new Executive Director of the Mentor Connector. Mr. Woodard spoke briefly about this new venture and looked forward to acclimating to the Rutland Community.

Jack Crowther spoke on fluoridation in City water. Mr. Crowther was looking for a refresh of the issue and had requested a ballot item for the March election. Mr. Crowther was requesting a Public Hearing with the Commissioner to speak on why he is choosing fluoride being added to City water. Mr. Crowther spoke on the hazards of chemicals being added to drinking water. A motion was made and seconded (Talbott, Barbagallo) to set a public hearing. Debate. Discussion presented a motion to amend the current motion to include the Public Works Commissioner and held by the Public Works Committee. This addition was so moved and seconded by the maker and seconder. **Motion failed, 4-3**

Ted Plemenos CFO RPS, School Budget Update

Mr. Plemenos was present to present an overview of the FY24 Budget. Mr. Plemenos reviewed a hand out and spoke at length about the current proposed school budget. Mr. Plemenos spent about 35 minutes reviewing and answering questions.

COMMUNICATIONS FROM THE MAYOR

Mayor Allaire thanked Mr. Plemenos for his presentation and noted the length of the agenda and gave a quick review of his visit to the State House. Mayor Allaire noted his visit with the City delegates and shared his concern with the ongoing hotel issues and public safety concerns. Mayor Allaire noted his desire to work with the State on this issue and stated he would keep the Board informed. Mayor Allaire noted the work of our police department and thanked them for their dedication

ADDITIONS AND DELETIONS TO THE AGENDA

Clerk Heck asked to add the Bond Warning and to circulate for signatures. The request was so moved and seconded (Davis, Talbott) **Motion passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Barbara Spaulding: RRA; Better Connections Grant Application Referral Request

Barbara Spaulding was present to brief the Board on the application criteria and the reason for her request for referral. A motion was made and seconded (Talbott, Savage) referring the request of the Better Connections Grant application to the Community and Economic Development Committee. Debate. **Motion passed.**

Chief Kilcullen: Executive Session Regarding Negotiation of Labor Relations Agreements

This request was moved to the end of the meeting, per the Board's past practice.

Treasurer Markowski: Request for Referral, Treasurer's Reports

President Doenges introduced the request. A motion was made and seconded (Davis, Talbott) to refer the item to the Finance Committee. **Motion passed.**

Treasurer Markowski: Approve Time Donation to City Employee

President Doenges 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, Savage) approving the donation of sick time in the amount of eight hundred and eleven hours (811). **Motion passed.**

Commissioner Rotondo; Request Authorization to Sell Obsolete City Equipment

Commissioner Rotondo was present to brief the Board on his request to sell obsolete equipment. Commissioner Rotondo noted the equipment, a 2007 GMC Envoy that will not pass inspection and 2003 Holder Sidewalk plow. 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) approving the request to sell obsolete city equipment, a 2007 GMC Envoy and a 2003 Holder Sidewalk Tractor. **Motion passed.**

Commissioner Rotondo; Request Authorization to Issue RFP's for two Engineering Studies:

#1 Center Street Underground Utility Study

#2 Traffic Safety Plan Scoping Study

Commissioner Rotondo outlined the requests for the utility study and the traffic safety scoping study. A motion was made and seconded (Talbott, Davis) suspending the rules and taking action on the requests. **Motion passed.** A motion was made and seconded (Talbott, DePoy) to issue requests for proposals for the Center Street underground utility study and traffic safety plan scoping study. **Motion passed.**

Attorney Bloomer: Approval of Police Cruiser Lease Financing Documents

President Doenges introduced the request. Attorney Bloomer briefed the Board on the request noting the request was for the lease of two new police cruisers, with a motion authorizing the resolution and declaration of official intent in substantially the form presented. A motion was made and seconded (Talbott, DePoy) suspending the rules and taking action on the request. **Motion passed.** A motion was made and seconded (Talbott, Davis) to adopt the resolution and declaration of official intent in substantially the form presented. **Motion passed.**

Clerk Heck: New DLC/DLL Liquor Licensing Requirements

President Doenges asked Clerk Heck to address his request. Clerk Heck noted that the DLC/DLL had changed their licensing application to an on-line portal and it is not a smooth transfer. Clerk Heck noted it would be good to have a discussion on how the Board of Control Commissioners would move forward. A motion was made and seconded (Davis, Gillam) referring the issue to the Board of Control Commissioners. Debate. **Motion passed.**

REPORTS OF STANDING COMMITTEES

Alderman Gillam: Public Works; Proposed Bond Requests & Water Damage Fund Request

Alderman Gillam read his committee report from January 5, 2023. Alderman Gillam noted his committee met to discuss two (2) referred items, the application from Thomas Kessop for No-Fault Water Damage Reimbursement and a request to place three (3) Public Works Bond questions on the March 7, 2023 ballot.

Alderman Gillam opened with the request from Mr. Kessop and reviewed the request for \$15,000 for no-fault water damage at his home at 79 Granger Street. Alderman Gillam noted a motion out of

committee **Motion: Aldermen Barbagallo moves to the full BOA, for approval to reimburse the property owner Thomas Kessop of 79 Granger Street for the invoices of services rendered and equipment replacement, at the cost of no more \$15,000.00, pending an agreement and release document provided by City Attorney for the BOA meeting on Jan 17, 2023. City Attorney will present, in the agreement to the BOA, the dollar amount of each invoice to be reimbursed and to be approved by the Board. Motion passed 4-0 and he so moved.** Alderman DePoy seconded. Alderman Gillam noted a change by Attorney Bloomer. Alderman Gillam asked if there was to be an amendment or strike all of this motion. Attorney Bloomer noted new language, stating it was to authorize the Mayor to enter into the agreement and release presented in the packet. Debate followed on best practice to move the new motion. Alderman DePoy **moved to amend and to strike all, the committee motion presented and to substitute with "motion to approve Thomas Kessop's request for reimbursement under the No-Fault Water Damage Reimbursement Policy and to authorize the Mayor, on behalf of the City, to enter into the Agreement and Release, in substantially the form presented".** Alderman Talbott seconded. Debate. Mayor thanked the Board for doing the right thing. Alderman Gillam noted an exhibit "A" noting expenses incurred and to be paid. **Motion passed.** President Doenges noted the motion to amend passed and now he would call the amended motion and had Alderman DePoy re-state that motion. Alderman DePoy **stated "motion to approve Thomas Kessop's request for reimbursement under the No-Fault Water Damage Reimbursement Policy and to authorize the Mayor, on behalf of the City, to enter into the Agreement and Release, in substantially the form presented".** Alderman Gillam seconded. President Doenges asked if there was any debate/questions on the amended motion. There were no questions or debate. **Motion passed.**

President Doenges asked Alderman Gillam to continue his report. Alderman Gillam noted the second issue was proposed Bond requests and reviewed those items. The committee discussed the continuing plan for improvement of street, sidewalk, water and sewer line replacement and CCO and pollution control. Commissioner Rotondo presented PowerPoint documents and reviewed those in committee. Alderman Gillam noted several motions from committee and was ready to present each one. Clerk Heck sought clarification on the presentation of motions needing to be amended or stricken as his concern was how it was presented, it would be documented/written. There was debate. After some clarification, Alderman Gillam noted he had three (3) motions and presented the first. **To recommend to the full BOA for approval to be added to the ballot the Town meeting March 7, 2023, for voter approval: \$2.5 Million Water Main Replacement Bond, pending legal bond questions for the ballot from city attorney and he so moved.** Alderman DePoy seconded. There was no debate. **Motion passed.** Alderman Gillam noted the second motion from committee **recommending to the full BOA for approval to be added to the ballot the Town meeting March 7, 2023, for voter approval: \$4.0 CSO & pollution Control Bond, pending legal bond questions for the ballot from city attorney.** Alderman Gillam asked for this motion to be voted down as he had new information/figures for this request. President Doenges called the question. **Motion failed.**

Alderman Gillam then noted a new **motion recommending to the full BOA for approval to be added to the ballot the Town meeting March 7, 2023, for voter approval: \$1.85 million CSO & pollution Control Bond, pending legal bond questions for the ballot from city attorney.** Debate. Commissioner Rotondo spoke on the new request noting the decrease was long term CSO items. There was brief debate on the order to which items were listed on the ballot. **Motion passed.**

Alderman Gillam noted the third bond request **motion recommending to the full BOA for approval to be added to the ballot the Town meeting March 7, 2023, for voter approval: \$3.5 Million, Sidewalks, Paving and Structures Bond, pending legal bond questions for the ballot from city attorney and he so moved.** Alderman DePoy seconded. **Motion passed 6-1, with Alderman Talbott voting no.** Alderman Gillam concluded his report noting the committee discussed the need to educate the public on the bonds and suggested a public meeting in February. President Doenges thanked Alderman Gillam and moved on to Alderwoman Savage committee report.

Alderwoman Savage: Charter & Ordinance; Parking Ordinance Updates

Alderwoman Savage read her committee report from January 12, 2023, noting her committee met to discuss parking ordinance updates. Alderwoman Savage noted an additional request from Attorney Bloomer on updates to definitions or terms "parking app" and "parking kiosk" and other associated

details to the update. Alderwoman Savage noted a motion from committee to approve the new parking ordinances and she so moved. Alderman Talbott seconded. Debate. **Motion passed.**

Alderwoman Savage then noted a motion in committee sending the statement which will appear in the newspaper warning of the new parking ordinance and she so moved. Alderman Talbott seconded. **Motion passed.**

REPORTS OF REPRESENTATIVES

There were no representative reports.

REPORTS OF SELECT COMMITTEES

There were no select committee 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 requests for the Board of Control Commissioners.

BOARD OF CANNABIS COMMISSIONERS

There were no requests for the Board of cannabis commissioners.

UNFINISHED BUSINESS

Alderman Talbott asked about the Chamber updates utilizing ARPA funds already approved. Alderman Franco gave a brief update noting RFP's were being finalized after a brief delay.

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

President Doenges noted the request under additions and deletions, bond items and asked the Clerk to brief the Board. Clerk Heck noted utilizing new bond counsel there were different requests and explained the request to circulate for signatures bond language/resolution and then to approve bond ballot language for the March 2023 City Annual Election. After brief discussion with Attorney Bloomer on motion breakdown, it was decided a motion for each item, adopt resolutions (3) and circulate bond language for signatures. A motion was made and seconded (Davis, Talbott) suspending the rules and taking action on all requests. **Motion passed.** Clerk Heck then noted language to circulate the Bond Warning for signatures. That language was so moved and seconded, (Davis, Gillam). **Motion passed.**

Clerk Heck then provided language for the next three (3) ballot articles, noting to approve Bond Article Resolution #1. In the amount of \$3.5 million dollars. This language was so moved and seconded (Davis, Savage). **Motion passed.** Clerk Heck noted Bond Article Resolution #2 in the amount of \$2.5 Million dollars. This language was so moved and seconded (Davis, DePoy). **Motion passed.** Clerk Heck noted Bond Article Resolution #3 in the amount of \$1.85 million dollars. This language was so moved and seconded (Savage, DePoy). **Motion passed.** There was brief debate on gathering signatures for these documents on Aldermen that were absent. Attorney Bloomer stated you must be present.

With no further business in the agenda, President Doenges sought language from Attorney Bloomer to enter into executive session.

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 noted language to enter into executive session (including Police Chief, Commander Prouty, Mayor, Clerk and City attorney) to discuss the labor relations agreement as allowed under Title

1, section 313(a)(1)(B). This language was so moved and seconded (Talbot, Barbagallo). **Motion passed.**

At 9:00 PM President Doenges noted a quick five (5) minute break before entering into executive session.

At 9:07 PM the Board moved into executive session.

At 9:11 PM a motion was made and seconded (Davis, Savage) to come out of executive session. **Motion passed.**

Attorney Bloomer noted language authorizing the Police Chief to sign the Communications Operator Added Duties MOU, in substantially the form presented. This language was so moved and seconded, (Talbot, Davis). **Motion passed.**

Attorney Bloomer noted language authorizing the Police Chief to sign the Field Training Officers MOU, in substantially the form presented. This language was so moved and seconded, (Talbot, Savage). **Motion passed.**

At 9:13 PM a motion was made and seconded (Talbot, Davis) to adjourn. **Motion passed.**

Respectfully submitted,

Henry A Heck
Rutland City Clerk