

**CITY OF RUTLAND, VERMONT**  
**Board of Aldermen Minutes**  
**Monday, April 04, 2022**

Members present: President Doenges, Aldermen Neary, Savage, Ettori, Talbott, Gillam, Tadio, and Davis. Also present, Mayor Allaire, Attorney Bloomer and City Clerk Heck. Absent: Aldermen Franco and DePoy.

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

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

**MINUTES OF PREVIOUS MEETINGS (March 21, 2022)**

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

**OUTSIDE THE RAIL**

Brennan Duffy, RRA spoke along with John and Zach Hale from Hale Resources out of Bennington, Mary Cohen with the Housing Trust, Lyle Jepson and Tyler from CEDRR. This group has been discussing for the last three months about the CSJ campus and what could happen next. Housing would be a key component but not the total use of that campus. Trying to line up a plan to move that forward with bringing in a third party consultant that has worked on other development projects.

A motion was made and seconded to send the request to the Finance Committee (Davis, Gillam).  
**Motion passed.**

Lyle Jepson from CEDRR wanted to thank the City for the money that is being made available assuming they get a grant for the HUB co-working space at the Opera House. To celebrate that Chamber & Economic Development of the Rutland Region will hold a CEDRR Mixer April 14, 2022 from 5-7 PM at the Rutland Recreation Community Center. Also, The Real Rutland Feud is back on April 30, 2022 at the Paramount Theatre. A parade of hero's and whoopee pie festival that had to be postponed twice will take place on Saturday, August 27, 2022.

**COMMUNICATIONS FROM THE MAYOR**

The City was successful in their request to get a \$300K transportation grant for work around the Amtrak Station. That grant comes with a requirement for a 25% match which is \$75,000. The Mayor would like to request that the Finance Committee act on his initial request, which was for \$400,000 seed money from the ARPA funds to be set aside for this project.

The Center Street hallway which links the transit center to Center Street was ordered locked by the Mayor and not by the Transit Center. It was order locked for safety reasons because of graffiti and other unwelcomed uses for that hallway. There is going to be a discussion about getting the waiting area for people waiting for the bus to re-open.

The State has changed their policy and are now looking at making, the hotels down on South Main Street, specifically the Cortina Inn FKA Holiday Inn and the Quality Inn, into more of a long term homeless facility for those in the program. The State is expanding the service up to an additional 18 months with no real end in sight. This has a lot of negatives to add to the City, not only with police response but also the lack of the City to collect the 1% rooms and meals tax. These decision are being made at the State level without the direct input from the City. Mayor Allaire wants to meet monthly with the State to be kept informed about transitioning the homeless to permanent housing.

**ADDITIONS AND DELETIONS TO THE AGENDA**

President Doenges noted a request to add an audit report and Special Events Permit request.

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

***Sean Sargeant; Chair Police Commission, Request for Referral, ACT 164 & ACT 62***

President Doenges read the letter from Sean Sargeant, Chair of the Police Commission. With the passage of Cannabis in March 2022, the City must now anticipate applications for retail sale under Act 164 and Act 62. The City's framework for the local regulation, evaluating applications and authorizing operators and locations has not been established as allowed under 7 V.S.A. § 863. As Sean is traveling, he would appreciate a referral of this matter to the appropriate committee of the Board for further discussion.

This item was already referred to Charter and Ordinance Committee which will be meeting on April 20<sup>th</sup>.

***Brennan Duffy; RRA Director, BIAP Request***

The RRA Board has reviewed and approved an application for BIAP funding from Masala Corner. The applicant, Sunita Dholakia, is planning to open a new restaurant at 98/100 Merchants Row. The new business will be an Indian Restaurant and Bar in a currently vacant space. Anticipated investment is approximately \$26,000 and at least five new jobs will be created. Applicant is requesting a \$5,000 grant from the BIAP program. A motion was made and seconded (Talbott, Davis) to suspend the rules and take action on the request. **Motion passed.** A motion was made and seconded (Talbott, Savage) to approve the \$5,000 BIAP grant for Masala Corner. **Motion passed.**

***Treasurer Markowski; Business Incentive Fund – Status of Emergency Loan Program***

In April 2020, the BOA approved an allocation from the Business Incentive Fund to provide for emergency loan funding to local businesses for COVID relief. The program was successful and provided small business loans to twenty two local business owners totaling \$140,000. There have been two requests for repayment on an installment basis and Treasurer Markowski would like to be able to work with individual borrowers to offer repayment arrangements on an installment basis if the borrower is not able to repay the full balance on the due date. A motion was made and seconded to suspend the rules (Davis, Gillam) and take action on the request. **Motion passed.** A motion was made and seconded (Davis, Talbott) to authorize the City Treasurer to work with BIF Emergency Loan Borrowers to enter into a repayment agreement on an installment basis, not to exceed 18 months. **Motion passed.**

***Treasurer Markowski; Audit Report Update***

Treasurer Markowski received the FY21 audit report that was emailed to everyone and the City received an unqualified opinion and that is what is wanted. A motion was made and seconded (Gillam, Davis) to refer the audit report to the finance committee for review. **Motion passed.**

***DPW Commissioner Rotondo; Resolution of Support, Two (2) Projects***

Commissioner Rotondo requested the Board to issue a Resolution of Support for the following FY 2023 Municipal Highway Grant Applications:

1. FY 2023 Municipal Highway grant for Class 2 Roadway  
2" Mill & Fill Paving Project on Park Street from South Main to end of pavement.  
Estimated project cost = \$209,060.
2. FY 2023 Municipal Highway Grant for Structures  
Remove and replace Allen Street culvert #20 over Hospital Brook  
Estimated project cost = \$710,000

The local match for the Structures Grant is 20%. It is anticipated that the City's share would be taken from the March 2019 voter approved Structures Bond. This project is expected to be put out to bid within the next few weeks.

The local match for the Class 2 Highway Grant is 30%. It is anticipated that the City's share would be taken from the Paving Line within the approved annual budget or from the march 2020 voter approved Paving Bond.

A motion was made and seconded (Neary, Davis) to suspend the rules and take action on the request. **Motion passed.** A motion was made and seconded (Neary, Savage) to approve the resolutions of support for both Class 2 and structures for district 3 grant. **Motion passed.**

***Superintendent Peters; Update on Rentals & Heritage Credit Union Donations***

Heritage Credit Union has worked with Superintendent Peters and have allowed her to take what she needs as a donation from the other buildings at the College of St. Joseph's, i.e. tables, stackable chairs, comfy chairs. The credit union has helped save thousands of dollars with their donations and we can't thank them enough for the continued support.

There have been many events that are scheduled at the Rutland Recreation Community Center (RRCC) and have already taken place such as the US Gymnastics meet and there were over 2,000 visitors for that. AAU tournaments are starting and RRCC has partnered with Castleton College to host the events. FW Webb reached out and they are in need of a site that can hold 400 people for a training. CEDRR mixer is taking place April 14<sup>th</sup> and that will be the first event where RRCC will provide the supplies donated from Heritage for the event. RRCC will be hosting the first middle school dance as well. Rutland Recreation has met all rental revenue expectations so far this year and that includes the Godnick Adult Center and Giorgetti.

***Chief Lovett; Emergency Management Funds Request***

There is a \$10,000 salary line item that is in the Fire Department's budget for emergency management. In the Fire Chief's contract the only way he can draw those funds out is to get approval from the Board and the Mayor prior to doing any emergency management work. A motion was made and seconded (Davis, Gillam) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Gillam) to authorize the Fire Chief, when acting as the Emergency Management Director for the City of Rutland, to be allowed to withdraw from the associated salary

line item of \$10,000, as needed when he is functioning at that capacity. **Motion passed.** A motion was made (Davis, Gillam) to move the Fire Chief's amendment to his contract to the Public Safety Committee. This motion was rescinded. A motion was made and seconded (Davis, Gillam) to refer to the City Attorney to draft the amendment for Fire Chief Lovett's contract regarding the emergency management funds. **Motion passed.**

***Chief Lovett; RFP Recommendations/Award, Fire Station Base Radio Replacements***

Chief Lovett had previously been to the Board earlier this year to solicit RFP's for permission to go out and get replacement for the base radios at the Fire Station. He reached out to four vendors, and CVC 2-way, which is the current vendor, and Wells Communications out of Troy, NY responded to the RFP. After review it was decided to go with CVC 2-way radio. Initially the cost was thought to be in the \$250,000 area but came in at \$197,597.25. Chief Lovett is seeking Board approval to move forward and start the replacement. A motion was made and seconded (Davis, Talbott) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Whitcomb) to authorize the Fire Chief to award purchase of the base radio replacements to CVC 2-way not to exceed \$197,597.25. **Motion passed.**

Chief Lovett sent out the results of the sick bank to the Board and he also met with Cathy in Payroll and she will utilize it after the employees own time is used up.

Chief Lovett on Friday was contacted by Wal-Mart and they came forward with a grant that they would like to earmark for the Fire Department about awarding something for community impact. They said they often work with the Fire Department and they offered a grant for \$5,000. Chief Lovett would like to apply for this grant and use it to buy a skid loader to go on the back of the UTV. The department is having a lot of interaction with the Pine Hill Park and Mendon having to go into wooded areas and having to bring a patient out and it would be much easier with a skid loader than having to strap the patient on the end of the UTV. A motion was made and seconded (Davis, Gillam) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Gillam) to authorize the Fire Chief to apply for the Wal-Mart grant for \$5,000. **Motion passed.**

***Attorney Bloomer; Requests Executive Session Related to Labor Relations Agreement***

President Doenges moved this Executive Session to the end of the agenda.

**REPORTS OF STANDING COMMITTEES**

***Alderman Whitcomb; Finance Committee, ARPA***

Alderman Whitcomb read his finance report. Chief Kilcullen provided background regarding the COVID premium pay request for the police department. He detailed the challenges faced by the department during the pandemic and the challenges related to attracting and retaining new officers. A motion was made and seconded (Whitcomb, Davis) to recommend to the full board the approval of a \$10,000 retention bonus, totaling \$260,000, to be paid to 26 sworn officers from the existing surplus in the police department salary line item and to pay the bonus through 2 installment payments to be determined by the Police Chief and Administration. **Motion passed.**

***Alderman Ettori; Public Works Committee; Alpine Contract***

Alderman Ettori read his Public Works Committee Report. The meeting was to discuss the amended and restated Sewage Agreement with Alpine Pipeline Company. Some of the changes and clarifications that were made, including codifying current allocations purchased to date, specifying reporting requirements, and updating fee amounts, among other clarifications. Alderman Neary moved to recommend to the full board that the Mayor be authorized, on behalf of the City, to enter into the Amended and Restated Agreement with Alpine Pipeline Company, in substantially the form presented. So moved (Ettori, Gillam). **Motion passed.**

**REPORTS OF SELECT COMMITTEES**

There were no select committee reports.

**REPORTS OF REPRESENTATIVES**

There were no reports of representatives.

**PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION**

***License Request; Farmer's Market***

A motion was made and seconded (Davis, Gillam) to move to refer the plans for the upcoming Winter Farmer's Market season to the Community and Economic Development Committee. **Motion passed.** A motion was made and seconded (Davis, Whitcomb) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Savage) to approve the Summer Farmer's Market hours for Saturday's from 9AM to 2PM for opening day to begin on May 7, 2022 and also including the summer middle week market for Wednesday from 1PM to 5PM and be consistent with the \$500 yearly fee. **Motion passed.**

### ***New Story Center; ARPA Request***

Avaloy Lanning with New Story Center announced that they have purchased the former Valente & Company building at 92 Grove Street and plan to move their offices within the next few months. This will allow the current location at 101 Grove Street to convert into emergency shelter space. This project will significantly reduce the dependency on motel rooms as an emergency housing option for those fleeing violence. New Story has applied for grant funds for the large majority of the cost and are additionally embarking on a campaign to raise \$100,000 this year from private donors and businesses to support this project. New Story would like to request that the City of Rutland allocate \$100,000 of its one-time ARPA funds to help complete this project. Funds would be used for brick and mortar renovations at current office building into emergency shelter, and build an accessible ramp at the new office space.

A motion was made and seconded (Whitcomb, Talbott) to refer to the Finance Committee. **Motion passed.**

### ***S.E.P. Request***

A special events permit for Rutland Great Strides to walk on park trails May 14, 2022 from 10:00 AM to 12:00 PM. A motion was made and seconded (Davis, Savage) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Gillam) to approve the special events permit for Rutland Great Strides for May 14, 2022 from 10:00 AM to 12:00 PM walk on the park trails Pine Hill Park to benefit the Cystic Fibrosis Foundation. **Motion passed.**

### **BOARD OF CONTROL COMMISSIONERS**

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

### ***Two Shea's; New Owner Applications***

A motion was made and seconded (Davis, Gillam) to circulate the license the for application of 1<sup>st</sup> and 3<sup>rd</sup> class liquor license and outdoor consumption for signature. **Motion passed.**

### ***Renaissance BBQ 1<sup>st</sup> Class and Outside Consumption Requests***

A motion was made and seconded (Davis, Savage) to circulate for signature the 1<sup>st</sup> class and outside consumption request for Renaissance BBQ. **Motion passed.**

A motion was made and seconded (Davis, Savage) to go out of the Board of Control Commissioners. **Motion passed.**

### **UNFINISHED BUSINESS**

There was no Unfinished Business.

### **MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS**

R.A.I.S.E. Grant Resolution – Federal AOT Grant

Alderman Neary, Brennan Duffy, the Mayor and President Doenges met with Lee Con about this opportunity to be a co-applicant on a R.A.I.S.E. Grant, which is a large federal highway grant awarded to cities and states for rail and transit oriented development. There is no match, no commitment, no nothing, so we could only be rewarded up to \$750,000 for planning purposes only. This grant is due in 10 days.

A motion was made and seconded (Davis, Gillam) to send the list development on to the Community & Economic Development Committee to be held at the next CED meeting. **Motion passed.**

A motion was made and seconded (Whitcomb, Davis) to suspend the rules. **Motion passed.** A motion was made and seconded (Davis, Gillam) to circulate for signature the resolution. **Motion passed.**

President Doenges requested that all committee chairs submit a progress report. The progress report will list off anything that has been sent to the committee for the past two years including what is currently being worked on and what is soon to be terminated. President Doenges would like these reports in the next two weeks.

Alderman Neary invited all of the BOA to the Center Street Design Review, public forum and feedback session to be held at the Paramount Theatre on Monday, April 25<sup>th</sup>. Center Street stakeholders meet from 5PM to 6PM and the Rutland Community from 6:30PM to 7:30 PM.

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 (Davis, Talbott). **Motion passed.**

Attorney Bloomer noted language to enter into executive session (including Fire Chief, Deputy Fire Chief Mangan, Mayor, Treasurer, 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 (Davis, Talbott). **Motion passed.**

At 8:45 PM the BOA moved into executive session.

At 9:10 PM a motion was made and seconded (Davis, Neary) to come out of executive session.

A motion was made and seconded (Talbott, Davis) to authorize the Mayor to sign on behalf of the City to enter into the proposed bargaining agreement and MOU with the Fire Department Union each substantially and the form presented. **Motion passed.**

A motion was made to adjourn at 9:12 PM, so moved and seconded (Davis, Savage). **Motion passed.**

Respectfully submitted,

Tracy L. Kapusta  
Rutland City Deputy Clerk