CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, December 17, 2018

Members present; President Davis, Aldermen Notte, Humphrey, Ettori, Tommola, Mattis, Gillam, Clifford, DePoy and Whitcomb. Also present, Mayor Allaire, Attorney Bloomer and City Clerk Heck. Alderwoman Ryan was absent.

7:00 PM BOARD OF ALDERMEN MEETING

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

MINUTES OF PREVIOUS MEETINGS (December 3, 2018)

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

OUTSIDE THE RAIL

No one spoke from outside the rail.

COMMUNICATIONS FROM THE MAYOR

Mayor Allaire spoke briefly about the GOLM blood drawing and the need for blood this time of year.

ADDITIONS AND DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Kevin Loso; Housing Authority, Disposition & Retention of Public Housing Property

Kevin Loso was present to brief the Board on his request. Mr. Loso handed out an illustration noting the parcel of land within the Hickory Street Project. Mr. Loso was looking for support from the City with regards to the disposition and retention of .43 acres within the project. A motion was made and (Ettori, Mattis) suspending the rules and taking action on the request that evening. **Motion passed.** A motion was made and seconded (Ettori, Mattis) authorizing the Mayor to sign. **Motion passed.**

Treasurer Markowski; November Treasurer's Report

Treasurer Markowski was present to update the Board on the City finances for the end of November. Per her past reports the Treasurer noted several highlights and shared balances of funds and income and expense reports to date. A motion was made and seconded (Gillam, Mattis) to receive and file. **Motion passed.**

DPW Commissioner Wennberg; Referral Request, Bond Vote

Commissioner Wennberg was present to introduce his request for referral. Commissioner Wennberg noted his conversation at an earlier budget meeting, when he introduced his requests for a bond vote in March. A motion was made and seconded (Clifford, Gillam) referring the request to the Public Works Committee. **Motion passed.**

DPW Commissioner Wennberg; BOA Approval CWSRF Funding Application

Commissioner Wennberg introduced his requests noting that this request is part of the Bond requests, but dealt specifically with the funding mechanism. Commissioner Wennberg stated that even though there were only two (2) bonds, those items within the bond were broken down, thus creating four(4) applications in need of individual motions. A motion was made and seconded (Clifford, Gillam) suspending the rules and taking action for each requests that evening. **Motion passed.** A motion was made and seconded (Clifford, Gillam) that the Board of Aldermen, having the authority to authorize applications for SRF Loans and Pollution Control Grants, hereby authorize the filing of an application for a loan and a grant for the Primary Digester Complex Rehabilitation and further designates James Rotondo, City Engineer as authorized representative for the City of Rutland. **Motion passed.** Commissioner Wennberg also noted that the application needed to be circulated for signatures. A motion was made and seconded (Clifford, DePoy) to circulate the application for signatures. **Motion passed.**

While the application was circulating President Davis continued with the next motion.

Alderman Clifford moved that the Board of Aldermen of the City of Rutland, having the authority to authorize applications for SRF Loans and Pollution Control Grants, hereby authorize the filing of an application for a loan and a grant for the Force Main Replacement between River St Pump Station and the Waste Water Treatment Plant (WWTP) and further designates James Rotondo, City Engineer as authorized representative for the City of Rutland and to circulate the application for signatures. **Motion passed.** Alderman Whitcomb seconded. **Motion passed.**

Alderman Clifford moved that the Board of Aldermen of the City of Rutland, having the authority to authorize applications for SRF Loans and Pollution Control Grants, hereby authorize the filing of an application for a Step III CWSRF (Construction) loan and a grant for the Northwest Neighborhood Sewer Separation project, Phase 1A and further designates James Rotondo, City Engineer as authorized representative for the City of Rutland and to circulate the application for signatures. **Motion passed.** Alderman Gillam seconded. **Motion passed.**

The final motion request, Alderman Clifford moved that the Board of Aldermen of the City of Rutland, having the authority to authorize applications for SRF Loans and Pollution Control Grants, hereby authorize the filing of an application for a Step III CWSRF (Construction) loan and a grant for the Northwest Neighborhood Sewer Separation project, Phase 1A and further designates James Rotondo, City Engineer as authorized representative for the City of Rutland and to circulate the application for signatures. **Motion passed.** Alderman Gillam seconded. **Motion passed.** This concluded Commissioner Wennberg's requests.

Attorney Bloomer; Requests for Four (4) Executive Sessions for Contracts, Civil Litigation & Labor Negotiations
Per the Board past practice, President Davis asked the Board to move all of Attorney Bloomer's requests to the end of the meeting.

<u>REPORTS OF STANDING COMMITTEES</u>
There were no Standing Committee Reports.

<u>REPORTS OF SELECT COMMITTEES</u>
There were no Select Committee Reports.

<u>REPORTS OF REPRESENTATIVES</u>
There were no Representative Reports.

<u>PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION</u>
SEP Request; Winter Fest Center St Sledding
President Davis introduced the request from the recreation department. A motion was made and seconded (DePoy, Whitcomb) suspending the rules and taking action on the request that evening. **Motion passed.** A motion was made and seconded (Mattis, DePoy) approving the SEP request for Winter Fest Center Street Sledding, for Tuesday, February 19, 2019, from noon to 10 PM. **Motion passed.**

<u>BOARD OF CONTROL COMMISSIONERS</u>
There were no items for the Board of Control Commissioners.

<u>UNFINISHED BUSINESS</u>
There was no unfinished business to come before the Board.

<u>MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS</u>
President Davis asked to have the issue of Mondo Marketing Strategy referred to the Marketing Committee for updates from Mary Cohen of the Chamber. The request was so moved and seconded, (Gillam, Mattis). **Motion passed.**

President Davis noted the executive sessions requests from Attorney Bloomer and sought language to move into executive session.

Attorney Bloomer stated a motion to find that premature general public knowledge regarding probable civil litigation would clearly place the City at a substantial disadvantage because the discussion will divulge the Board's position on the probable civil litigation and will include confidential attorney-client communication made for the purpose of provide professional legal services to the City. That language was so moved and seconded (Mattis, Whitcomb). **Motion Passed.**

Attorney Bloomer stated a motion to enter into executive session (with the inclusion of the Mayor, Fire Chief and City Attorney) to discuss the probable civil litigation as allowed under Title 1, Section 313(a)(1)(E) and Title 1, Section 313(a)(1)(F). That language was so moved and seconded (Ettori, Whitcomb). There was brief debate before Attorney Bloomer asked the Board to allow Treasurer Markowski be allowed to stay for the executive session. The maker and seconder added and agreed to the request. **Motion Passed.**

The Board moved into executive session at 7:24 PM.

At 7:30 PM a motion was made and seconded (Ettori, Notte) to come out of executive session. **Motion passed.**

President Davis asked Attorney Bloomer for language to the next executive session request.

Attorney Bloomer stated 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 provisions to be negotiated. That language was so moved and seconded (Mattis, Gillam). **Motion Passed.**

Attorney Bloomer stated a motion to enter into executive session (with the inclusion of the Mayor, Fire Chief, Treasurer and City Attorney) to discuss the negotiation of a contract as allowed under Title 1, Section 313(a)(1)(A). That language was so moved and seconded (Mattis, Whitcomb). **Motion Passed.**

At 7:32 PM the Board moved into executive session.

At 8:05 PM a motion was made and seconded (DePoy, Whitcomb) to come out of executive session. **Motion passed.** A motion was so moved and seconded to the language provided. The Board ratifies the Mayor's signature on the employees' separation agreement with Brad Lafaso on behalf of the City. **Motion passed.**

Attorney Bloomer then provided language on his last executive session request.

Attorney Bloomer stated 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. That language was so moved and seconded (Mattis, Gillam). **Motion Passed.**

Attorney Bloomer stated a motion to enter into executive session (with the inclusion of the Mayor, Fire Chief, Treasurer and City Attorney) to discuss the negotiation of a contract as allowed under Title 1, Section 313(a)(1)(B). That language was so moved and seconded (Mattis, Gillam). **Motion Passed.**

At 8:05 PM the Board moved into executive session.

At 8:19 PM a motion was made and seconded (DePoy, Gillam) to come out of executive session. **Motion passed.** A motion was made and seconded (Notte, DePoy) authorizing the Mayor to sign the agreement. **Motion passed.**

President Davis noted a motion to adjourn to a time certain of Wednesday, December 19, 2018 at 5:30 PM would be in order. The request was so moved and seconded (Ettori, Mattis). **Motion passed.**

The Board adjourned at 8:20 PM.

Respectfully submitted,

Henry A Heck
Rutland City Clerk