

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, December 2, 2013

Members present; President Allaire, Aldermen Kiernan, Humphrey, Notte, Donahue, Siliski, Cassarino, Larson, Wallstrom, DePoy, and Davis. Also present were Mayor Louras, City Attorney Romeo, and City Clerk Heck.

President Allaire called the meeting to order at 7 PM.

MINUTES OF PREVIOUS MEETING (November 18, 2013)

A motion was made and seconded (Davis, Larson) to approve the minutes of the previous meetings. **Motion passed.**

OUTSIDE THE RAIL

Brennan Duffy updated the Board on the Housing Revitalization efforts. Mr. Duffy noted a Phase II analysis done by Housing Market Analysis Consultants, targeting the Northwest section of the city for blight removal and neighborhood revitalization. Mr. Duffy noted the desire for public input and stated a meeting to be held in mid-December.

COMMUNICATIONS FROM THE MAYOR

Health Officer Recommendation to Vermont Commissioner of Health

President Allaire read a request from Mayor Louras on the recommendation of Michael Brookman as the City Health Officer/Assistant Building Administrator. A motion was made and seconded (Siliski, Notte) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Wallstrom) to recommend Michael Brookman as Health Officer and authorize the President to sign the recommendation. **Motion passed.**

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Wendy Wilton; Treasurer, Auditor Recommendations, Recreation Activities Fund Changes

President Allaire read the request from Treasurer Wilton and noted a referral was in order. A motion was made and seconded (Davis, DePoy) to refer the request to the Finance Committee. **Motion passed.**

David Allaire; Board President, Vt. Municipal Employees' Retirement Request

President Allaire noted a request from the State authorizing him to sign an agreement noting that all compensation is reportable and that all new employees have been advised of the switch to VMERS. A motion was made and seconded (Davis, Notte) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Larson) authorizing the Board President to sign. **Motion passed.**

Jeff Wennberg; DPW Commissioner, MS4, Third Party Analysis RFP

A motion was made and seconded (Davis, Larson) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Wallstrom) to authorize the request, for an RFP, for a third party analysis of the condition and primary cause of impairment of Moon Brook. There was no debate from within the rail, Kam Johnston did ask how the criteria was going to be set as the City and State believed in two separate underlying issue with the brook. Commissioner Wennberg stated that the City and State were working together and that finding a third party to do the analysis was not going to be a problem. **Motion passed.**

Jeff Wennberg; DPW Commissioner, Request for Referral

A motion was made and seconded (Davis, Larson) to refer the issue of the 1272 Order Compliance Schedule to the Public Works Committee. Commissioner Wennberg noted time constraints and sought to meet as soon as possible. **Motion passed.**

Evan Pilachowski; City Engineer, Scoping Study RFP for the WWTF

A motion was made and seconded (Davis, Larson) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Larson) approving the request for an RFP, for engineering services relating to a scoping study of the wastewater treatment facility and methods that could be implemented to reduce phosphorus concentrations. Debate. There was a fair amount of debate as to how phosphorus enters streams and why the City was requesting an RFP. Commissioner Wennberg noted that the City was within the standards set by the State for phosphorus discharge, but wanted to have information available as the State moves to lower the standard. **Motion passed.**

Evan Pilachowski; City Engineer, RFP for Tree Work

A motion was made and seconded (Davis, Notte) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, DePoy) authorizing the Department of Public Works to enter into an RFP for contracted tree removal and maintenance services. There was brief debate from within the rail. **Motion passed.**

Evan Pilachowski; City Engineer, RFP for Scope Work on Killington Ave

A motion was made and seconded (Davis, DePoy) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was so moved and seconded (DePoy, Davis) authorizing the Department of Public Works to seek an RFP for engineering services related to a scoping study for a sidewalk on Killington Ave. **Motion passed.**

Charles Romeo; City Attorney, Request for Referral, Parking Management Agreement with LAZ

Attorney Romeo explained his request for referral and asked the issue be referred to the General Committee. The request was so moved and seconded (Notte, Davis). **Motion passed.**

Charles Romeo; City Attorney, Request for Referral, Fund Creation for Parking Garage Management

Attorney Romeo briefly explained the request for a fund creation for the parking garage management and asked for the issue to be referred to the appropriate committee. A motion was so moved and seconded (Davis, Larson) to refer the issue to the Finance Committee. **Motion passed.**

REPORTS OF STANDING COMMITTEES

Chris Siliski; Chair, Finance Committee, "Non-Union Pension Contribution Rates"

Alderman Siliski read a very indepth and detailed committee report. The report entailed various options and motions to move the non-union pension contributions into better fiscal funding by both employee and employer. During the debate, both Aldermen Larson and Cassarino abstained from voting on any motion that was made, because they are active recipients of the City pension.

Alderman Siliski read all three motions from committee and moved all three to the full Board. President Allaire asked to take each motion individually and read the first motion.

1. Approve the overall non-union rates proposed by the Mayor for FY '14 through Fy' 16 and add them to the employee manual. Fy ` 14 = 2.9% ee + 7.8% er; Fy '15 = 3.8%ee + 8.1% er; FY '16 4.7%ee + 8.4er

This motion was seconded by Alderman Davis. There was no debate. **Motion passed.**

The President then read the next motion.

2. Establish that the revised non-union employee and related employer contribution rates start with an effective date, 1/1/14.

This motion was seconded by Alderman Notte. There was no debate. **Motion passed.**

The president then read the third and final motion.

3. Refer the newly approved non-union pension rates to the Pension Board in order for it to reflect the changes in its documents.

This motion was seconded by Alderman Davis. There was no debate. **Motion passed.**

REPORTS OF SELECT COMMITTEES

There were no reports from any select committee

REPORTS OF REPRESENTATIVES

Alderman Kiernan gave a brief MVRTD report. Alderman Kiernan noted a very successful stuff a bus season. It was also noted that their audit was moving along with no issues and Alderman Kiernan wanted to extend a job well done by Betty Ferraro who had been on the Board for 17 years and retired.

Alderman Siliski noted a repeat update from the RRA and the meeting planned for the Master Plan.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

No issue came before the Board during this part of the agenda

BOARD OF CONTROL COMMISSIONERS

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

UNFINISHED BUSINESS

There were no issues to come under unfinished business

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Alderman Humphrey made a motion to refer to Charter & Ordinance the issue of public speaking outside the rail. The motion was seconded by Alderman Wallstrom. This motion related to Kam Johnston being banned from speaking during the outside the rail portion of Board of Alderman meetings. The Board spent a fair amount of time debating the issue. As the President was calling for a vote on the motion, Alderman Wallstrom asked for a roll call vote. The President asked the Clerk to call the roll.

Alderman Kiernan		NO
Alderman Humphrey	YES	
Alderman Notte		NO
Alderman Donahue	YES	
Alderman Siliski		NO
Alderman Cassarino		NO
Alderman Larson		NO
Alderman Wallstrom	YES	
Alderman DePoy		NO

Alderman Davis

NO

The Clerk confirmed with the Board President the outcome of 7 NO and 3 YES, **Motion failed.**

At 8:08 PM a motion was made and seconded (Davis, Larson) to move into executive session to discuss a civil action where premature or general knowledge could place the city at a substantial disadvantage. **Motion passed.**

At 8:44 PM a motion was made and seconded (Davis, Larson) to come out of executive session. **Motion passed.**

At 8:55 PM a motion was made and seconded (Davis, Cassarino) to adjourn. **Motion passed.**

Respectfully Submitted,

Henry A. Heck
Rutland City Clerk