

CITY OF RUTLAND, VERMONT

Board of Aldermen Minutes

Monday, November 19, 2012

Members present; President Allaire, Aldermen Kiernan, Romeo, Notte, Donahue, Siliski, Robinson, Sargeant, Wallstrom, *DePoy and Davis, Attorney Costello and City Clerk Heck. Alderman DePoy arrived at 8:07 PM

President Allaire called the meeting to order at 7 PM.

MINUTES OF PREVIOUS MEETING (Monday, November 5, 2012)

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

OUTSIDE THE RAIL

Wendy Wilton spoke about Operation Bundle-Up, an opportunity to donate gently used coats here at City Hall.

COMMUNICATIONS FROM THE MAYOR

There were no communications from the Mayor.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

Library Avenue Stormwater Separation Project (loan documents); Commissioner Pilachowski

A motion was made and seconded (Davis, Romeo) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, Romeo) to circulate the documents for signatures and authorizing the Chair to sign his designated page. **Motion passed.**

FY 2014 Water & Sewer Rate Studies; Commissioner Pilachowski

Commissioner Pilachowski briefly outlined the rate study presented to the Board. He stated several changes, noting the criteria used in determining the best projected usage had changed for this year.

Police Department Equipment Donation; Chief Baker

A motion was made and seconded (Sargeant, Romeo) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Sargeant, Romeo) authorizing the Police Chief to donate the office cubical partitions and to take the metal scrap to Mac Steel with the remuneration to be placed in the maintenance line. **Motion passed.**

Treasurer's Report for October 2012 (Period 4); Treasurer Wilton

Treasurer Wilton gave a brief overview of the first four periods of FY 2013. The Treasurer spoke specifically about Water-Sewer delinquencies and the action her department is taking in dealing with those. The Treasurer then spoke on investing Giorgetti funds in more advantageous CD's.

REPORTS OF STANDING COMMITTEES

Community Development (Gro Solar Proposal); Alderman Davis

Moved to the end of the agenda, per executive session request.

Community Development (GMP Lease Agreement); Alderman Davis

Moved to the end of the agenda, per executive session request.

Public Safety (VT Farmers Food Center Sign Permit); Alderman Sargeant

Alderman Sargeant read his report on the request of the winter markets placement of a sign. After some debate, a motion was made and seconded (Sargeant, Wallstrom) to approve the permit variance request pending the review of the building inspector and his recommendations for placement after confirming that Vermont Railway has no issues of sight lines or property boundaries.

Motion passed. Alderman Sargeant finished his report with a brief update on potential concerns of various issues, including traffic and parking as well as sign location.

Public Works (Sidewalk Funds); Alderman Notte

Alderman Notte read his report stating his committee met to discuss the option of placing unspent funds budgeted for sidewalks into a special account at the end of a fiscal year. His committee determined that the need to do so could have benefits, and presented a motion to establish a sidewalk fund that will roll over unspent money in the concrete and precast budget at the end of each fiscal year for sidewalk and curbing work, with said fund to be capped at \$50,000. This motion was so moved and seconded (Notte, Davis). **Motion passed.**

REPORTS OF SELECT COMMITTEES

There was nothing to report.

REPORTS OF REPRESENTATIVES

Alderman Robinson noted a report from the Downtown Partnership, but also noted that it involved contractual language and asked for it to be heard in executive session at the end of the meeting.

Alderman Wallstrom updated the Board on issues with the Solid Waste District and the need for more composting to help keep rates down.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

Request for streetlights (Park Avenue & Harrison Avenue); Park Avenue Watch Group

A motion was made and seconded (Romeo, Davis) to refer the issue to the DPW Commissioner. Debate. Alderman Wallstrom asked for the Commissioner to report back to the Board on the issue. **Motion passed.**

2013 March Ballot Item; Rutland Area Visiting Nurse Association & Hospice

A motion was made and seconded (Notte, Sargeant) to suspend the rules and take the issue up that evening. **Motion passed.** Alderman Davis noticed her abstention. President Allaire stated a motion to place the question as presented on the March ballot would be in order. The request was so moved and seconded (Notte, Wallstrom). There was brief debate. **Motion passed.** Alderman Davis again abstained from voting.

BOARD OF CONTROL COMMISSIONERS

There were no items for the Board of Control Commissioners.

UNFINISHED BUSINESS

Alderman Robinson referred the issue of the train car and its housing to the General Committee. **Motion passed.**

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

None to report.

President Allaire then noted the two reports from Community and Economic Development that Alderman Davis was to give. He noted that the reports could be given in open session and any contractual issue would be discussed in executive session.

Alderman Davis read her first report on a proposal from Gro-Solar for an option agreement on 5.5 acres of land to establish a 1000kwh solar farm on City property. A motion was presented and seconded (Davis, Robinson) to the full Board. The motion authorized the Mayor to enter into an option agreement with Gro-Solar for a \$5,000 payment to hold 5.5 acres at the Poor Farm through December 2013.

At 7:31 PM a motion was made and seconded (Davis, Notte) to move into executive session to discuss a contract where premature or general knowledge could place the City at a substantial disadvantage. Alderman Davis then asked to present her second committee report prior to entering executive session, allowing the public to hear her next report. The President confirmed the request. Alderman Davis continued with her

committee report from November 8th, dealing with a lease agreement from Green Mountain Power on 15 acres of land south of the City landfill to build a 2 megawatt solar farm. Alderman Davis stated that GMP had proposed a 25 year lease with an option for another 25 years and to pay the City \$30,600 annually no matter the production. Alderman Davis stated that the 25 year lease equated to \$765,000. A motion was made and seconded (Davis, Notte) to approve the lease agreement with GMP pending discussion of the City Attorney with general council of GMP on issues discussed in executive session.

President Allaire then stated that it would be appropriate to enter into executive session to discuss contractual issues where premature or general knowledge could place the City at a substantial disadvantage. This request was so moved and seconded (Davis, Notte) **Motion passed.**

At 7:38 PM the Board moved into executive session.

At 8:10 PM a motion was made and seconded (Davis, Sargeant) to move out of executive session. **Motion passed.**

A motion was made and seconded (Davis, Notte) authorizing the Mayor to enter into an option agreement with Gro-Solar for a \$5,000 payment to hold 5.5 acres at the Poor Farm through December 2013. **Motion passed.**

Alderman Davis then made a motion authoring the Mayor to sign the GMP lease agreement. Alderman Notte seconded. **Motion passed.** This concluded Alderman Davis's report.

A motion was made and seconded (Romeo, Robinson) to refer the issue of use and application of revenues from solar city initiative projects to the Finance Committee. **Motion passed.**

Attorney Costello stated that he had a request to enter into executive session to discuss the Stebbins exchange parcel, which dealt with real estate contracts. The request was so moved and seconded (DePoy, Robinson). **Motion passed.** At 8:13 PM the Board moved into executive session.

At 8:26 PM a motion was made and seconded (Robinson, Romeo) to come out of executive session. **Motion passed.**

At 8:27 PM a motion was made and seconded (Robinson, Sargeant) to move into executive session to discuss contract negotiations, (Downtown Partnership and Transit Center) where premature or general knowledge could place the City at a substantial disadvantage. **Motion passed.**

At 8:41 PM a motion was made to come out of executive session. **Motion passed.**

President Allaire noted one last item for a request for abatement of penalties and interest on a water and sewer bill. The President stated he chose not to include the request on the agenda because the Board had already determined that they cannot abate penalties and interest solely, the Board also does not hear abatement request for water and sewer. There was brief discussion on the issue.

At 8:45 PM a motion was made and seconded (Romeo, Davis) to adjourn. **Motion passed.**

Respectfully Submitted,

Henry A. Heck
Rutland City Clerk