CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, November 7, 2011

Members present; President Allaire, Aldermen Larson, Kiernan, Notte, Romeo, Siliski, Robinson, Sargeant, and Wallstrom. Attorney Costello and City Clerk Heck. Alderman Davis and DePoy were absent.

President Allaire called the meeting to order at 7:00 PM

<u>MINUTES OF PREVIOUS MEETINGS (October 17, 2011)</u>

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

<u>OUTSIDE THE RAIL</u>

Travis Merrill a resident of Park St. came before the Board to discuss a neighborhood watch program for his neighborhood. Mr. Merrill along with several other neighbors spoke of drug activity and wanted the City to be aware of what was happening in their neighborhood. The Board recommended meeting with the Police Commission and RUN. A motion was made and seconded (Larson, Notte) to refer the issue to the Public Safety Committee. **Motion passed.**

<u>COMMUNICATIONS FROM THE MAYOR</u>

Mayor Louras spoke about the FY 2013 budget. He stated that the budget was up 5% of which a majority (60%) was do to hard personnel cost. Health care was up $135,000. He listed other areas that had increased and explained his reasons for those increases. The Mayor stated that he looked forward to working with the Board on this budget.

The Mayor also spoke of donations from Hanamaki City and a fundraiser held at the Rutland Country Club, for the Restoring Rutland Committee. The Mayor specified specific use of these funds to help individual homeowners that were affected by Tropical Storm Irene. The Mayor was looking to start a specific fund to deposit the donations for future use and asked the Board to suspend the rules and do that. A motion was made and seconded (Robinson, Romeo) to suspend the rules. **Motion passed.** A motion was made and seconded (Robinson, Wallstrom) to authorize Treasurer Wilton to establish a "Tropical Storm Irene relief fund" with donations from Hanamaki and Restoring Rutland to be directly deposited into that fund. **Motion passed.** A motion was made and seconded (Romeo, Notte) to refer the issue of how to dispense those funds to the Finance Committee. **Motion passed.**

The Mayor asked the Board for their input on how Tropical Storm Irene events were handled by the City. The Mayor was looking for input to share with the State at a LEPC meeting. Alderman Robinson praised the Mayor specifically for his actions and his sharing of information with the Board during that event.

<u>REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS</u>

David Schneider; City Forester, Request to sell timber in City forest

Forester Schneider was requesting permission from the Board to allow him to send out to bid the harvesting of white pine timber from the City forest. He stated that sealed bids were to be opened on 12-12-2011, and presented the Board with detailed outlines and specifications of the project. A motion was made and seconded (Notte, Wallstrom) to suspend the rules and take the issue up. **Motion passed.** A motion was made and seconded (Notte, Larson) to approve the request to sell timber in the City forest, located in stand 8 compartment 6. **Motion passed.**

Andrew Costello; City Attorney, Request for Executive Session-Civil Action-Connolly v. Rutland
President Allaire stated, hearing no objections he would hold Attorney Costello's request to the end of the meeting. There was no objection.

Wendy Wilton; City Treasurer, "net revenue" clarification
There was brief discussion from the Board on the issue. The Board determined that this issue was already in committee and moved to receive and file (Robinson, Notte) the documents presented by the Treasurer. **Motion passed.**

Alan Shelvey; DPW Commissioner, Pole & Cable Permits
There was brief discussion on the issue presented by the Commissioner. A motion was made and seconded (Robinson, Larson) to refer the issue of Pole and Wire request to the Charter and Ordinance Committee. Debate followed with the motion being withdrawn. The issue of Pole and Wire request was then referred to Public Works Committee (Robinson, Notte). **Motion passed.**

Evan Pilachowski; City Engineer, Water allocation Alderman's Kia
The water allocation request for Alderman's Kia was referred to the Intermunicipal Committee (Robinson, Larson). **Motion passed.**

Evan Pilachowski; City Engineer, NRCS Debris Removal
Engineer Pilachowski asked the Board to signoff on a request to obtain funds from the NRCS to relocate Brewer Brook back into the watershed. Brewer Brook relocated its path during Tropical Storm Irene. A motion was made and seconded (Notte, Robinson) to suspend the rules and take the issue up. **Motion passed.**
A motion was made and seconded (Notte, Robinson) to circulate for signatures and to authorize the Commissioner of Public Works to sign on behalf of the BOA any and all portions of the application and any other materials necessary in order to obtain funds through the Emergency Watershed Protection Program, in order to repair a breech of Brewer Brook in the City Watershed. After brief debate the **Motion passed.**

<u>REPORTS OF STANDING COMMITTEES</u>
Sharon Davis; Chair, Charter & Ordinance, Attorney Review before BOA Signoff
Alderman Romeo read the committee report for Alderman Davis who was out of town on business. He stated that the committee reviewed the request to have Attorney Costello review any documents needing a Board signoff prior to it going to the Board. Alderman Romeo stated that a draft was proposed and presented to the committee. A motion was made and seconded (Romeo, Sargeant) to approve the revised draft coming out of committee approving language on documents needing to be signed off from the Board. **Motion passed.**

Sharon Davis; Chair, Charter and Ordinance, Pension Ordinance
Alderman Romeo read the report stating the committee reviewed pension structure and the BOA having charter authority over the pension. The committee reviewed composition of the Pension Board, role of the Pension Commissioner and benefits- negotiated. Alderman Romeo stated that the committee would focus on the structure of the pension board at its next meeting. He stated that there was no action taken in committee and the report was for information only.

Sharon Davis; Chair, Community and Economic Development, Downtown Parking Proposal
Alderman Notte reported out for Alderman Davis. Alderman Notte stated that this was the first of three potential meetings. This meeting dealt with the Mayors proposal on parking downtown. The Mayor proposed increases to meter rates and parking fines as well as eliminating free parking spots. He proposed removing the Wales and "pit" parking lots from the inventory and decreasing rates in the parking deck to $35 per month. The committee also discussed the issue of Construction bags for short-term construction use only. A motion was made and seconded (Notte, Robinson) to refer the issue of Short-Term Construction bags to the Charter and Ordinance Committee. **Motion passed.**

Sharon Davis; Chair, Community and Economic Development, Downtown Parking Issue
Alderman Notte then reported for Alderman Davis on the second meeting of parking issues downtown. This report again detailed the need to move parking into the parking garage. The committee discussed long term issues and reviewed a proposal presented by Alderman Larson dealing with other municipalities and eliminating parking meters in their downtowns. Alderman Notte stated that the committee would focus on short-term issues at their next meeting and then would probably have a motion to present to the full Board. He stated that this report was for information only.

Ed Larson; Chair, Finance Committee, Auditors Report, Electronic Fund Transfer, Internal Control Checklist
Alderman Larson stated that his committee met to discuss three issues. The first was a report from Randall Northrup of Corrette and Associates on the current audit. Mr. Northrup stated that so far the audit was going along very well. There was one issue discussed that brought some debate from the committee. The issue was to have the City utilize better control over payroll with Department Heads having final authorization.

The next issue was a request from Treasurer Wilton to sign a new electric fund transfer agreement with Merchants Bank. There was little debate from the committee and Alderman Larson so move the motion to approve the new agreement. Alderman Romeo seconded and the **Motion passed.**

The Final issue discussed was, internal control checklist. Alderman Larson stated that several changes were made to the list. Treasurer Wilton was to get those changes documented and back to the BOA, she had not done so to date. Alderman Larson stated that the issue would remain in committee until the changes have been made.

REPORTS OF SELECT COMMITTEES
None to Report

REPORTS OF REPRESENTATIVES
Alderman Wallstrom gave a very brief update from the Rutland County Solid Waste District on a web site www.vtcleanup.org that people can donate or find used items if needed from a loss during Tropical Storm Irene.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION
Abatement Request; William & Charlotte Gillam, 34 Cleveland Ave
President Allaire stated that there was an abatement request for William and Charlotte Gillam of 34 Cleveland Ave. He also stated that a request from Riverside Veterinary Care was also received late. He asked for the Board to approve the committee of Alderman Wallstrom (chair) DePoy and Davis to hear both request and to report back to the full Board on December 5th at 6:45 PM. The Request was so moved and seconded (Larson, Notte). **Motion passed.**

Pole & Wire Request; Sovernet Communications
A motion was made and seconded (Robinson, Notte) to suspend the rules and take the issue up. **Motion passed.** A motion was made and seconded (Robinson, Romeo) to approve the request and circulate the application for signatures imposing the seven standard conditions. Debate. There was brief debate involving the notification of the fire department and street locations being misspelled. **Motion passed.**

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

BOARD OF CONTROL COMMISSIONERS
Second Class Liquor Request; Costantino's Italian Imports

A motion was made and seconded (Robinson, Wallstrom) to approve the request. Debate. Alderman Romeo questioned the fact that the application was incomplete. Alderman Robinson withdrew his motion. A motion was made and seconded (Romeo, Robinson) to table the request. **Motion passed.**

A motion was made and seconded (Robinson, Notte) to come out of the Board of Control Commissioners.

UNFINISHED BUSINESS

Alderman Robinson brought the issue of the SBD tax and multifamily properties being taxed exempt. A motion was made and seconded (Robinson, Sargeant) to have the RRA present to the BOA criteria for exemptions. There was brief debate as to whether the RRA could answer that question as an issue has been referred to committee from the RRA asking the same question. President Allaire called the question, with the out come in doubt he asked for a show of hands. The results showed a 4-4 tie; needing 6 votes the Presidents tie breaking vote was not necessary. **Motion failed.**

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

A motion was made and seconded (Sargeant, Robinson) to refer the issue of plans for recruiting of the new police chief, to the Public Safety Committee. Alderman Romeo abstained. **Motion passed.**

President Allaire brought an issue that was presented to him at 7:15 PM that evening from Treasurer Wilton. The issue involved the bond for the library and the necessary criteria involved for obtaining financing of that bond. Attorney Costello explained the necessity of the form and the hard/fast date due forth coming. There was brief debate on signing off of the application with such short notice. The Board felt they needed more time to look over the request and to get back with their recommendation.

Attorney Costello's request for an executive session was next. At 8:33 PM a motion was made and seconded to go into executive session to hear a civil action, Connolly v. City of Rutland where premature or general knowledge could place the City at a substantial disadvantage. (Robinson, Larson). **Motion passed.**

At 8:41 PM a motion was made and seconded (Robinson, Romeo) to come out of executive session. **Motion passed.**

At 8:42 PM a motion was made and seconded (Notte, Romeo) to adjourn to a time certain of Tuesday, November 8 at 5:30 PM. **Motion passed.**

Respectfully Submitted,

Henry A. Heck
Rutland City Clerk