CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, April 19, 2010

Members present; President Allaire, Aldermen Dress, Barrett, Notte, Tilden, Robinson, Coleman, DePoy, and Davis. City Attorney Costello and City Clerk Heck. Alderman Larson was absent.

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

MINUTES OF PREVIOUS MEETING (Monday, April 5, 2010)
A motion to approve the minutes was made and seconded (Coleman, Davis). Motion passed.

OUTSIDE THE RAIL
Lynn Walsh from RUN gave the Board a brief update on Green up Day and how people could participate. Patricia Carbonell from the Summer Farmers Market briefed the Board on new developments with the Market and their increased involvement and interaction with downtown merchants.

COMMUNICATIONS FROM THE MAYOR
Aldermanic Appointment; Alderman; Sean Sargeant
Mayor Louras presented the Board with a list of appointments. The Mayor introduced Sean Sargeant as his appointment to replace Joanne Slattery on the Board of Alderman and Nick Ronfeld as an appointment to the Rutland Redevelopment Authority. The list also contained several other appointments, including Israel Mac (RRA 3yr) James Pell (DRB 3Yr), Michael Brookman (DRB 3 Yr), and Karl Anderson (Rutland Housing Authority 3Yr).
A motion to table the appointment was made and seconded (Davis, Robinson). Motion passed.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS
Henry Heck, City Clerk; Authorization to sign contract for new computerized land record system
Clerk Heck gave a brief overview of COTT Systems a Land Records Software Company. The Clerk was requesting authorization to sign a 4 year contract with COTT's. After brief debate a motion to suspend the rules was made and seconded (Davis, Notte). Motion passed. A motion was made and seconded (Davis, Robinson) to authorize the Clerk to sign the contract between the City of Rutland and COTT Systems. Motion passed.

Dave Dress, Alderman; Spruce St. Zoning Change (letter from Attorney Jack Facey III)
A motion to suspend the rules was made and seconded (Tilden, Notte). Motion passed. A motion was made and seconded (Tilden, Barrett) to approve the zoning change on Spruce Street. After brief debate the motion passed.

Wendy Wilton, Treasurer; Quarter 3 Treasurer's Report
Treasurer's Report
The Treasurer sent the following reports for the Third Quarter (period ending 3/31/2010) by email and provided hard copy to the Board of the following reports: New fund descriptions, YTD budget vs. Actual for all funds, Bank Balances as of 3/31/2010, Pooled Cash Allocation, and Balance sheets for all funds.

Treasurer Wilton commented on the recent funds conversion project, resulting in all funds now presented accurately in the reports. The City has been cited in previous audits for reporting funds that are not actually funds and combining funds that should be reported separately. This structure was a hold-over from MUNIS, our previous accounting system, which we discontinued as of July 1, 2008 in the conversion to NEMRC.

The Board of Finance, as designated by BoA, approved a list of City funds based upon the audit findings. The Treasurer's Office has recently accomplished this project so that City's accounting system now closely matches the way that the City's finances are actually reported in the audited financial statements. This is anticipated to save time and money in future audit work, and provide greater clarity and transparency for the Board, the City administration and the public as all of the City's activity in now represented in the reports. Treasurer Wilton complimented Assistant Treasurer James Manning and Chip Stearns of NEMRC for their management of the project.

YTD Budget Results**.** Overall: The City is adhering to its budget for revenue and expense, as a % of budget, except that revenues in Sewer Fund appear soft. YTD results (target is 75%): General Fund, revenue is 76.1%* (based on actual collections), expense is 69.2%, Water Fund, revenue is 74.0%, expense is 54.6%, Sewer Fund, revenue is 69.6%, expense is 61.8%, Parking Meter Fund, revenue is 74.8%, expense is 75.0%. Delinquent taxes outstanding (all years prior to FY 2010) as of 4/19/2010: $173,119.24 or .67% of annual collection. The treasurer mentioned that the reports will also be posted to the City website (under Treasurer).

Wendy Wilton, Treasurer, Zamias Fund (possible reimbursement of re-appraisal monies FY 2005-2007)
Zamias Research
The Treasurer also addressed the issue of researching the Zamias Fund activity in FY 2006-2007 for a possible $100,000 reimbursement relating to the reappraisal project. She stated she reviewed the audit work papers and bank statements from this period of time, before her tenure, but did not find evidence that the transfers in or out of the fund related to such a project. However, documentation was provided from previous audits to show the fund had been satisfied based on historical annual audit adjustments and recommendations, which have resulted in a the current balance in the Zamias bank accounts of $646,385 as of 3/31/2010.

Alan Shelvey, Commissioner; Managerial Reorganization of DPW (New Position: Projects Manager)
A motion was made and seconded (Davis, Coleman) to refer the issue to Public Works Committee. Motion passed.

Alan Shelvey, Commissioner; Proposed Bridge Repair & Replacement Fund
A motion was made and seconded (Davis, Tilden) to refer the issue to Public Works Committee. Motion passed.

Barbara Allen, RRA; Request by Pat Patorti to access funds from Maples RLF
Barbara Allen came before the Board stating that Patsy Patorti was requesting a loan from the Maples RLF. Barbara stated that Mr. Patorti has been restoring property downtown and may qualify for the loan. A motion was made and seconded (DePoy, Robinson) to refer the issue to Community and Economic Development Committee. Motion passed.

Barbara Allen, RRA; Municipal Grant Application (Downtown Traffic Study/Grant Awards & Status Update
Barbara presented the Board with a list of Grants pending, and approved for the City and RRA. The total exceeded three million dollars. Alderman Davis thanked Barbara for her hard work and dedication to the City.

Barbara Allen, RRA; Request to sign resolution for Downtown Designation Renewal
Barbara asked the Board to sign the renewal application designating the Rutland downtown redevelopment area as a downtown development district. A motion to suspend the rules was made and seconded (Davis, Robinson). Motion passed. A motion to circulate the application for signatures was made and seconded (Robinson, Notte). Motion passed.

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

Rutland Downtown Partnership; Expansion of Farmer's Market
Michael Coppinger from the Partnership requested a referral for an issue with the expansion of the farmers market. He originally was requesting approval from the Board. He stated that under the circumstances the issue would be better served in Committee. A motion to refer the expansion of the farmers market to the Community and Economic Development Committee was made and seconded (Coleman, Robinson). Motion passed.

Hope Rogers, CVPS; Pole and Wire Request
A motion to suspend the rules was made and seconded (Davis, Coleman). Motion passed. A motion to approve the request with the seven standard conditions was made and seconded (Davis, Dress). Motion passed.

REPORTS OF STANDING COMMITTEES

Alderman Christopher Robinson; Public Safety
Alderman Robinson stated that his committee met on April 13th to discuss the issue of the D.A.R.E. program being eliminated from Christ the King School. The committee discussed the options available to continue the program. It was determined that if the school purchased the materials needed to offer the class the D.A.R.E. officer would teach the program. The committee also discussed how to work together so that the program may continue beyond this year.

REPORTS OF SELECT COMMITTEES

Alderman Sharon Davis; Intermunicipal

Alderman Davis stated that Intermunicipal Committee was invited to the Town of Clarendon to discuss water and sewer issues that the town was having. Alderman Davis stated that Rutland Town was also present. She commented on the debate held and options presented. Alderman Davis stated to the Clarendon Board that if her Committee could assist them to let her now. This report was for information only.

Alderman Davis then reported on her April 14th meeting of the Intermunicipal Committee. She stated that the committee met to discuss the Moon Brook watershed area which the State has classified as impaired, the City tends it is not impaired. The Committee discussed the new MS4 Program being planned through the State. This new program potentially has the risk of imposing millions of dollars of cost to the City. The Committee discussed the impact to businesses and residents along the watershed area. The City is trying to rally City and Town officials, business owners and residents affected by this new law to be part of a possible suit to stop the designation of Moon Brook as an impaired water way, thus imposing the new MS4 criteria. The report was for information only at this time.

REPORTS OF REPRESENTATIVES

None to Report

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

BOARD OF CONTROL COMMISSIONERS

2010-2011 Liquor License Renewals

A motion to authorize the Clerk to sign was made and seconded (Davis, Notte). President Allaire read the licenses into the record.
3D's Café
Magoo's
Muckenschnabel's
Palms Restaurant
Rutland Restaurant
Sirloin Saloon
Sidelines Tavern
Moose Lodge No. 1122
With no debate the motion passed.

2010-2011 Tobacco License Renewals

A motion to authorize the Clerk to sign was made and seconded (Robinson, Notte). Alderman Robinson read the licenses into the record.
3D's Café
Magoo's
Muckenschnabel's
With no debate the motion passed.

2010-2011 Outside Consumption Renewal

A motion to authorize the Clerk to sign was made and seconded (Robinson, Notte). President Allaire read the licenses into the record.
Sidelines Tavern
Magoo's
3D's Café
Moose Lodge No. 1122
With no debate the motion passed.

2010-2011 Entertainment Renewals

A motion to authorize the Clerk to sign was made and seconded (Robinson, Notte). President Allaire read the licenses into the record.
3D's Café
Magoo's
Sideline's Tavern. With no debate the motion passed.

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

UNFINISHED BUSINESS

None to Report

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

Alderman Robinson asked to refer the issue of a cross-walk being installed near the intersection of Strongs Ave. and South Main St. to the Public Safety Committee. The motion was seconded by Alderman Davis, debate. There was lengthy debate over this issue as the Board had dealt with the issue previously. After several minutes of debate Alderman Coleman called the question, motion was seconded by Alderman DePoy. Motion passed. President Allaire restated the original motion to refer to Public Safety Committee. Motion passed.

President Allaire spoke on issues he was still concerned with at the Police Department and Police Commission. He stated specific issues including, moral survey, pornography issues, internal investigations, lack of response from the Police Commission and a recent uncovering of information and developments from the recent hearing. He stated that the Commission has oversight of the Police Department and is responsible for their actions. He asked the City Clerk to distribute a letter that he drafted to the Police Commission and was asking for the Boards support of this letter. President Allaire Read the letter to the viewers at home.

There was lengthy debate in support of the letter; Alderman Tilden spoke in opposition with concerns that the Commission has not had enough time to act. Several Aldermen Spoke in regards to oversight and felt that the Commission was just "rubber stamping" issues at the Police Department. Alderman Robinson presented a scenario to the Board if the followed through with the intent of the letter, of disbanding the Police Commission. He asked Attorney Costello if his analogy was correct, the Attorney agreed with his analogy.

After further debate on questions regarding a Charter Change, the Board determined it had no authority to have Chief Bossi removed. Even with a Charter Change the Board realized it could take months if at all. President Allaire stated that his intent was to not disband the Police Commission.

A motion to go into executive session where premature or general knowledge may place the City at a substantial disadvantage was made and seconded (Coleman, Robinson). Motion passed. At 9:02 PM the Board moved into executive session.

At 10:02 PM a motion to come out of executive session was made and seconded (DePoy, Tilden). Motion passed.

A motion to adjourn was made and seconded (DePoy, Tilden). President Allaire stated that the Board had not finished with the editing of the letter previously distributed. After making an addition to the letter, a motion to endorse the letter was made. Alderman Robinson stated that the motion to adjourn was still standing; the makers of the adjournment motion removed their motion.

A motion to suspend the rules was made and seconded (Notte, Davis). Motion passed.

A motion to support the letter as crafted and endorsed by the Board was made and seconded (Notte, Dress). Motion passed 8-1 with Alderman Robinson voting no.

At 10:13 PM a motion to adjourn was made and passed.

Respectfully Submitted,

Henry A. Heck
Rutland City Clerk