



CITY OWNED PROPERTIES COMMITTEE MINUTES

WEDNESDAY, JANUARY 12, 2022 @ 8:30 AM
RUTLAND CITY HALL, DOWNSTAIRS CONFERENCE ROOM

ATTENDANCE

COPC MEMBERS PRESENT:

Andrew Strniste, Chair
Brennan Duffy*
Ed Clark*
Michael Talbott
Matt Whitcomb

STAFF PRESENT:

Mary Markowski, City Treasurer
Matt Bloomer*, City Attorney

274 WEST STREET ATTENDEES:

Chris Ettori, City Resident (44 Engrem Ave)

* Denotes attendance via Go-To-Meeting

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- Members of the City-Owned Properties Committee convened on Go-To-Meeting and in the Downstairs Conference Room at Rutland City Hall @ 52 Washington Street around 8:25 AM.

[8:32] Chair Andrew Strniste called the meeting to order.

ADDITIONS & DELETIONS TO THE AGENDA

[8:32] No additions or deletions were made to the agenda.

PUBLIC COMMENT

[8:34] No general public comments were provided.

NEW BUSINESS – APPLICATION REVIEW PROCESS/UPCOMING SCHEDULE

[8:35] Prior to discussing the application review process and upcoming schedule, Chair A. Strniste opined that the Committee could potentially dispense of one or two properties. He specifically identified 200 Columbian Avenue, stating that the bid submitted by Ryan Walton, in his opinion, was not in the best interest of the City, especially since it was a joint bid where selecting him was contingent on also being selected for 19 East Washington Street. Due to the sizeable bids submitted for 19 East Washington Street, Chair A. Strniste opined that not accepting a higher bid would be a disservice to the City's taxpayers and previous landowner (for reasons discussed later in the meeting). The Committee agreed with Chair A. Strniste's position. Committee Member Duffy asked if the Committee was intending only to discuss the process going forward and whether the agenda was sufficient enough to allow the Committee to make a recommendation to the Board of Aldermen. Committee Member Clark opined that the Committee is not selling the properties, but rather, making a recommendation to the Board of Aldermen on who to sell the properties to. Committee Member Duffy advised that given the spotlight on the Committee, he just

wanted to be cognizant of the process. Attorney Bloomer advised that the agenda is sufficient for the Committee to make a recommendation to the Board, as the Board of Aldermen's agenda will be warned specifically identifying the disposition of property, and that anyone who is interested, can object at that meeting. He then informed the Committee that if no presentations will be performed, that Committee should articulate why presentations are not being made for that particular property.

- [8:42] Chair A. Strniste moved to recommend to the Board of Aldermen the disposition of 200 Columbian Avenue to the Housing Trust of Rutland County, noting that the other submitted bid for the property were uncompetitive and not in the best interest of the City or its taxpayers, as the Housing Trust's bid was notably larger and would be part of a larger development project for the neighborhood. In addition, Ryan Walton's submittal for 19 East Washington Street would ultimately be eliminated from the pool, and since the submission was contingent on being awarded both projects, the application related to 200 Columbian Street was eliminated, leaving one application remaining. The motion was seconded by Committee Member Clark and approved unanimously. The Housing Trust of Rutland County's application was to be forward to the Board of Aldermen.
- [8:45] Chair A. Strniste then recommended discussing 158 South Street, as that property received one standalone application and two accompanying joint bids involving both 156 & 158 South Street. If the Committee determined that the two joint applications were not competitive offers, then that would leave one application remaining. Chair A. Strniste opined that the Jacobson joint application was less than separate applications submitted for 156 South Street and 158 South Street individually. Regarding the Walton joint application, the aggregate of separate applications for 156 South Street and 158 South Street individually would be more beneficial for Rutland taxpayers, and that the Walton application was incomplete as it failed to provide a descriptive overview of the long-term rental housing complex contained with the application. Committee Member Talbott opined that the individual bid for 158 South Street was the most appealing, and that the joint applications were uninspiring. Committee Members Duffy and Clark both informed the Committee that they were willing to vote on 158 South Street at the morning's meeting. The Committee unanimously agreed that the joint applications were not competitive bids, thereby leaving one application remaining for 158 South Street.
- [8:48] Chair A. Strniste moved to recommend to the Board of Aldermen the disposition of 158 South Street to Phillip Frassica & Tharon Malay. The motion was seconded by Committee Member Clark. City Treasurer, Mary Markowski, noted for the record that her office confirmed that none of the applicants for all submitted applications had any unpaid taxes or fees. Staff Member Strniste confirmed that 35 & 37 Pine Street, also owned by Phillip Frassica and Tharon Malay, contained clean certificates of occupancies. The motion was approved unanimously. The Committee transitioned to discussing potential meeting dates to conduct presentations for 19 East Washington Street and 156 South Street. The Committee expressed interest in seeing three presentations for 156 South Street. The Committee agreed that January 21, 26 and 28, as well as February 2 and 4 were conducive to everyone's schedule as possible meeting dates.
- [9:02] In reviewing the applications for 19 East Washington Street, Committee Member Duffy advised that the three criteria considered, in priority order, were the bid amount, how much was being invested into the property and comfort level with the proposal and applicant. Committee Member Whitcomb opined that the bid amount was influential to him, as the Committee has a responsibility to recoup money for the previous landowner when applicable. He also posed the question on how much weight the Committee should give

towards the source of finances. Attorney Bloomer informed the Committee that sometimes Applicants trying to get title insurance slows down the time from when the Board of Aldermen approves the sale to when closing occurs.

- [9:09] Committee Member Duffy moved to find that premature general public knowledge regarding the City Attorney's analysis of a legal matter would clearly place the City at a substantial disadvantage because the discussion will include confidential attorney-client communications made for the purpose of providing professional legal services to the City. The motion was approved unanimously. Committee Member Clark moved to enter into executive session to discuss the City Attorney's analysis of a legal matter as allowed under Title 1, Section 313(a)(1)(F). The City's Attorney and Treasurer were invited to participate in the session. The motion was approved unanimously.
- [9:23] Committee Member Clark made a motion to exit executive session. The motion was seconded by Committee Member Talbott and was approved unanimously. In accordance with advice received by the City Attorney and outside counsel, Chair A. Strniste moved to recommend to the Board of Aldermen the disposition of 19 East Washington Street to Thomas Mullan, as the Committee acknowledges that it has a fiduciary responsibility to the former taxpayer/landowner to select the highest qualified and eligible bid. The motion was second by Committee Member Clark and approved unanimously.
- [9:24] The Board recommended scheduling 10 minute presentations for the following three applicants relating to 156 South Street: Crestmark, Incorporated; Doug Walker; and Boniface Kadima-Mazela.

NEW BUSINESS – UPCOMING MARKETING

- [9:24] Chair A. Strniste informed the Committee he has commenced drafting the marketing materials for the following four properties: 24 Division Street, 120 Maple Street, 157 State Street and 33 Summer Street. He is anticipating open houses in mid-February and an application deadline date of Friday, February 25, 2022. Chair A. Strniste confirmed that the property profiles can be found on the City's website.

OTHER BUSINESS

- [9:27] No other business was presented.

ADJOURN

- [10:09] Committee Member Whitcomb made a motion to adjourn. The motion was seconded by Committee Member Clark. The motion was approved unanimously.
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Respectfully Submitted by Andrew Strniste, Planning & Zoning Administrator