

**Board of Aldermen Minutes
City of Rutland
Monday February 3, 2025**

Members present: President Talbott, Aldermen Heck, Barbagallo, Savage, Whitcomb, McCann, Adams, Gillam, McClure and Davis. Alderwoman Tadio was absent. Also present: Mayor Doenges, Attorney LaChance, Treasurer Markowski, Fire Chief Lovett, Police Chief Kilcullen, Commissioner Protivansky and Deputy City Clerk Clark.

7:00 PM BOARD OF ALDERMEN MEETING

President Talbott called the meeting to order at 7:00 PM and started with the Pledge of Allegiance.

ADDITIONS, DELETIONS OR OTHER MODIFICATIONS TO THE AGENDA

President Talbott asked if there were any additions, deletions or other modifications to the agenda. There were none. President Talbott noted the executive sessions were moved to the end of the meeting.

Amendment and approval of the minutes of the previous meeting – January 21, 2025

President Talbott asked for a motion to approve the minutes in which Alderwoman Davis so moved and Alderman Adams seconded and the motion passed.

Public Comment

President Talbott asked if there was anyone outside the rail who wished to speak on matters not on the agenda and asked for those speaking to state their names.

Detective Corporal Adam Lucia

Detective Corporal Lucia introduced himself as a 13-year member of Rutland City Police Department, currently the Police Benevolent Association President and serving in Bureau of Criminal Investigations. Detective Corporal Lucia read a prepared statement expressing his deep concerns and disappointment regarding the actions of a current Board member who has misrepresented facts about the Rutland City Police Department and breached confidential negotiation topics in an unsecured forum.

Police Chief Brian Kilcullen

Chief Kilcullen read a prepared statement expressing the Police Department's collective deep concern and disappointment regarding Alderman Heck's recent participation in a Facebook Live interview in which comments made were inaccurate, inappropriate and irresponsible.

Tom Donahue; 21 Laverne Drive

Mr. Donahue announced the Rutland Herald and PEGTV will have an Aldermanic Candidate Forum on February 19th and invited everyone to tune in.

Communications from the Mayor

Capital Improvement Program and Budget

Mayor Doenges stated his first order of business is to ask the board to make a motion to approve and adopt the Capital Improvement Program as amended. Alderman McCann so moved. Alderwoman Savage seconded.

President Talbott stated a motion to suspend the rules and take the matter up first would be in order, in which Alderman Whitcomb so moved and Alderwoman McClure seconded and the motion passed. Alderman McCann made a motion to adopt the Capital Improvement Plan as amended. Alderwoman McClure seconded.

Alderwoman Davis asked Mayor Doenges to explain what this means for the voters to vote Yea or Nea. Mayor Doenges stated the Capital Improvement Program is not on the ballot and said what is on the ballot is a bond to pay for some of the items and said there is a meeting later this week to discuss so all departments are fully informed of the language and what can go against the bond; the only thing approved to go against the bond so far is the Giorgetti Chiller Project. A document will be sent to Department heads and to the board as well. President Talbott stated the motion is to adopt the Capital Improvement Plan as amended. All were in favor except for Alderman Heck who opposed. The motion passed.

Johnson Controls Update

Mayor Doenges reminded the board financing was suspended for Johnson Controls after not receiving MERP grant and went back to the table with Johnson Controls to discuss changing the contract for the lack of potential revenue from that grant and taking out a few things from feedback of both the Board and Department Heads.

Mayor Doenges asked the board to refer to the Finance Committee resuming the JCI Financing process and review of the final amendments of the project. Alderman Gillam so moved and Alderwoman Davis seconded and the motion passed.

Letter of Intent with Belden Corporation for the downtown hotel (to be an executive session)

Mayor Doenges stated one of the executive sessions will be discussing the letter of intent with Belden Corporation for the downtown hotel and will bring Stephanie in from White & Burke remotely to discuss the implications to the TIF district.

Delegation in Montpelier

Mayor Doenges stated he spent time in Montpelier last week at a weekly Wednesday morning meeting with the Rutland County Delegation lead by Senator Collamore.

Paramount Theatre Update

Mayor Doenges stated he toured the theatre's renovations with Eric Mallett, Executive Director of the Paramount, and reminded the board it had assigned some dollars to the renovation project and said to call Eric if board members wished to see the progress of the renovations.

CEDRR Mixer @Stafford Technical Center

Mayor Doenges announced CEDRR will be holding a mixer at Stafford Technical Center on February 11th and at the mixer will be a Mayoral Proclamation for the 50th anniversary of Stafford Technical Center.

Mondays With Mike

Mayor Doenges held a Mondays With Mike at Loose Luna today and had great conversations with people from our community and undecided voters came out to ask questions. The next Mondays With Mike will be next Monday morning at 8:00am at Last Cup Café.

Mayor on WVMT radio

Mayor Doenges said he will be on WVMT radio tomorrow morning at 8:00am.

Consideration of Special Event Permit requests

Special Event Permit: Wonderfeet Truck or Treat; Sunday, October 19, 2025, from 7AM-5:30PM

Alderwoman Davis moved to suspend the rules. Alderman Heck seconded and the motion passed. Alderwoman Davis moved for the approval for Wonderfeet Truck or Treat on Sunday October 19, 2025 from 7:00AM to 5:30PM. Alderwoman Savage seconded. Alderwoman McClure asked if anyone is present to speak on the event permit. Nicole Mastroeni, 3-year board member of Wonderfeet Kids Museum, spoke outside the rail regarding the event. All were in favor and the motion to approve passed.

Special Event Permit: RAVE Annual Car Show; July 12-13, 2025

Alderman Gillam moved to suspend the rules. Alderwoman McClure seconded and the motion passed. Alderman Gillam moved for the approval. Alderwoman seconded and asked if there was anybody present to speak on the event permit. Alderman McCann stated this event doesn't necessarily need a permit but they bring it each year as a good neighbor relationship. Alderman Gillam said it is held at the Fair Grounds as a secure site. All were in favor and the motion to approve passed.

Reports and Letters from Department Heads and Officials

Barbara Spaulding, RRA: Residential Property Tax Stabilization

Barbara Spaulding brought the recommendation from the RRA board for approval of residential property tax stabilization for Claire Purcell for condos 7-12 at 24 Wales Street and said Ms. Purcell is present for any questions. Alderwoman Davis moved to refer the issue to the Community & Economic Development Committee. Alderman Whitcomb seconded and the motion passed. President Talbott stated Alderwoman Tadio will reach out to set a committee meeting.

Barbara Spaulding, RRA: BIAP Loan – Clover Exploration

Barbara Spaulding stated Jessica Alexander is applying for a \$10,000.00 BIAP forgivable loan to expand her home business at 146 West Street to create Clover Exploration, which is children's programming, and said the application meets the criteria in the BIAP policy and the funds will be used for improvements to the physical space and stated Ms. Alexander was present to answer any questions.

Alderman McCann moved to suspend the rules and take the matter up. Alderman Gillam seconded and the motion passed. Alderman McCann made a motion to approve the \$10,000.00 BIAP forgivable loan to Clover Exploration. Alderwoman Davis seconded. Alderman Gillam asked where is 146 West Street, Ms. Alexander said right across from the Post Office. Alderwoman McClure asked Ms. Alexander to explain her project and what she plans on doing with the space. Ms. Alexander stated she is looking to create a space that is not only for play but for imagination, creativity, discovery, exploring new materials and hone in on that it is super sustainable. Alderwoman Savage asked how many children will be served at one time. Ms. Alexander said maximum capacity of about 48; 15-20 kids at a time classes are 1-10 ratio. Alderman McCann said as a new parent there is a need in the community and excited to see this application come through.

Planning Director Bove: Amendment to White & Burke Contract for TIF District Creation

Ed Bove stated this is to amend the White & Burke contract for TIF district creation for an additional \$10,000.00 and said funding has been allocated for TIF for increasing the contract which should take us through creation of the district in April or May. Alderman Gillam moved to suspend the rules and take the matter up. Alderwoman Savage seconded, all were in favor and the motion passed. Alderman Gillam moved to approve the additional \$10,000.00. Alderwoman Davis seconded. President Talbott stated the motion to approve the amendment to the White & Burke contract for TIF district creation in the amount of \$10,000.00 contingent on City Attorney review. All were in favor and the motion passed. Mr. Bove said this will be added to the contract that was approved in July.

Planning Director Bove: Letter of Engagement

Ed Bove stated, as part of the TIF district creation, a letter of intent is being worked on for the development agreement and said counsel is being used for that. Mr. Bove requested the board to allow the Mayor to sign the document to keep the process moving. President Talbott asked City Attorney LaChance if the board can act on this because it wasn't warned on the agenda. City Attorney LaChance stated the board would have to suspend the rules. President Talbott asked if someone would like to make a motion to add this to the agenda. Alderwoman so moved with Alderwoman McClure seconding and the motion passed. Alderman Gillam moved to suspend the rules and take the matter up. Alderwoman McClure seconded and the motion passed. Alderman Gillam moved to authorize the Mayor to sign the contract with MSK attorneys to do with the TIF district on an hourly basis. Alderwoman McClure seconded. Alderwoman Davis asked who in Montpelier advocates to the committee for us on our behalf to establish this district. Mr. Bove said he hopes our delegation does and believes John Russell is the chair. Discussion began. Mayor Doenges stated former legislator Peter Fagan has offered to help and Vice Chair, Bill Canfield, will also help. Alderman Gillam suggested the members of the TIF committee have a meeting with the delegation. Mr. Bove said he would arrange that. The motion then passed.

Assistant Engineer Gillen: Request to use ARPA funds to support water meter installation

Ted Gillen said there is unaccounted for water that comes from the plant, gets treated, goes to the distribution system, gets metered and billed and said there is a big difference between the number the time that records at the plant versus the time of bills and said several buildings throughout the city are unmetered and suspects there are a number of water leaks throughout the system. Mr. Gillen said leak detection equipment (correlators) were purchased several months ago and were installed and said the topic was discussed at the Board of Finance for a quote just of shy of \$24,000.00 and that board recommended to this board to use utilize unused ARPA funds as opposed to the Capital Fund. Alderman McCann moved to suspend the rules and take the matter up. Alderman Gillam seconded and the motion passed. Alderman McCann made a motion to authorize the Commissioner of Public Works to utilize up to \$24,000.00 in the ARPA Funds to purchase water meters if available. Alderwoman Davis seconded. Treasurer Markowski recommended referring to Finance when we go over the assignments in the balance sheet of what is actually available. Discussion began regarding the financing of the purchase. Alderman Gillam had a point of order there would be two motions. President Talbott said the motion needs to be amended because of ARPA. Alderman McCann amended his motion to authorize the Commissioner of Public Works to utilize up to \$24,000.00 of the Water Capital Fund to purchase water meters. Alderman Gillam seconded. All were in favor and the motion passed. Alderman Gillam made a motion to refer to the Finance Committee how to pay for this and what fund to take it from. Alderwoman Savage seconded and the motion passed.

Assistant Engineer Gillen: Request to approve ESA for Moon Brook FRP

Ted Gillen said he came to the board a few weeks ago requesting the Public Works Commissioner initiate the contract negotiations with Watershed Consulting and since then, he received the engineering service agreement and after his review, sent it to the City Attorney for review.

Mr. Gillen said he is looking for a motion to authorize the Commission of Public Works to sign the engineering services agreement with Watershed Consulting to complete the Moon Brook flow restoration plan following review

and approval by the City Attorney. Alderman Adams moved to suspend the rules. Alderwoman Davis seconded. All were in favor and the motion passed. Alderman Adams moved to authorize the Commissioner of Public Works to sign the engineering services agreement with Watershed Consulting to complete the Moon Brook flow restoration plan following review and approval by the City Attorney. Alderwoman Davis seconded and the motion passed.

Assistant Engineer Gillen: Request to approve ESA for Final Design of Phosphorus Reduction Projects
Ted Gillen said he came to the board a few weeks ago and has the contract in hand but has not given it to the City Attorney but will following the board's approval. Alderman Adams moved to suspend the rules. Alderwoman Davis seconded and the motion passed. Alderman Adams moved to authorize the Commissioner of Public Works to sign the engineering service agreement with Fitzgerald Environmental Associates to complete the final design for Phosphorus Reduction Projects following review and approval by the City Attorney. Alderwoman Davis seconded. Alderman Gillam stated the \$84,000.00 is coming out of the MS4 Community Formula Grant. The motion to approve passed.

President Talbott read the following:
Reports of Standing Committees (there were none)
Reports of Select Committees (there were none)
Reports of Representatives (there were none)

Petitions, Letters, Miscellaneous Communication

Alderman McCann stated a couple of weeks ago a member of the public requested the Board and City endorse the Fossil Fuel Non-Proliferation Treaty which calls for an end of fossil fuel expansion and a just transition to renewable energy. Alderman McCann said to see if the request is in alignment with the City's policies and priorities moved for the referral to the Environmental Sustainability Committee. Alderwoman McClure seconded. President Talbott asked for those in favor. The chair was in doubt and asked for those in favor to raise their hands. The motion then failed. President Talbott asked there if there were any other Petitions, Letters or Miscellaneous Communications. Alderman Gillam stated the last two weeks the Public Works department had major breaks on Library Avenue and Cleveland Avenue and praised the Department for their hard work.

President Talbott read the following:
Board of Control Commissioners (there were none)
Board of Cannabis Commissioners (there were none) ____

Unfinished Business

Alderman McCann stated Planning Director Bove said the zoning bylaws were close to being drafted and ready for review and made a motion for the consideration of the zoning bylaws update be referred to Committee of the Whole. Alderwoman Savage seconded and the motion passed.

Miscellaneous Motions, Resolutions, New Business (there were none)

President Talbott referred to City Attorney LaChance to read the first set of motions for the first of four executive sessions and reminded the board of executive session decorum and asked that everyone follow the same rules of order in the executive session as they do here.

Attorney LaChance: Update on Fire Department Union Discussion, Executive Session Information Only
City Attorney LaChance began to read her motion, Alderman Heck exited chambers. The motion read is to find that premature general public knowledge regarding the negotiation of a labor relations agreement, specifically for the Fire Department, would clearly place the city at a substantial disadvantage because the discussion would divulge the board's position on the agreement provisions to be negotiated. Alderwoman Davis so moved and Alderwoman Savage seconded. President Talbott asked City Attorney LaChance to wait until all Aldermen can be present so they can hear the description of why they were going into executive session. When Alderman Heck returned, City Attorney LaChance stated she was looking for the motion is to find that premature general public knowledge regarding the negotiation of a labor relations agreement, specifically for the Fire Department, would clearly place the city at a substantial disadvantage because the discussion would divulge the board's position on the agreement provisions to be negotiated.

Alderwoman Davis so moved and Alderwoman Savage seconded, all were in favor and the motion passed. City Attorney LaChance stated as a reminder to the board, before the second motion because of the concerns around executive session breaches in the past, particularly when discussing labor relations agreements because they are subject to ground rules (Alderman Heck exited chambers) that are potentially opening up the whole city to liability.

Alderwoman Davis left the room to get Alderman Heck and upon returning, City Attorney LaChance stated as a reminder ground rules are for any discussion of union contract negotiations and especially in executive session there is liability for the city and union and legal consequences if those ground rules are violated. City Attorney LaChance sought for a motion to enter into executive session with the inclusion of the Mayor, Fire Department Chief, Treasurer, Director of Human Resources and the City Attorney to discuss labor relations agreement as allowed under Title 1 Section 313(a)(1)(b). Alderwoman Davis so moved with Alderman McCann seconding and the motion passed. The board went into executive session at 7:45PM and came out of executive session at 7:48PM.

Attorney LaChance: Update on Litigation, Executive Session

City Attorney LaChance sought a motion to find that premature general public knowledge regarding pending litigation to which the city is a party would clearly place the city at a substantial disadvantage because the discussion would divulge the city's strategy and such pending litigation and will include confidential attorney client communications made for the purpose for providing professional legal services to the city. Alderwoman Savage so moved with Alderwoman Davis seconding and the motion passed. City Attorney LaChance looked for a motion to enter into executive session with the inclusion of the Mayor, Treasurer, Human Resources Director and City Attorney to discuss pending litigation as allowed under Title 1 Section 313(a)(1)(e) and Tile 1 Section 313(a)(1)(f). Alderwoman Davis so moved with Alderwoman McClure seconding and the motion passed. The board went into executive session at 7:50PM and came out of executive session at 7:58PM.

Attorney LaChance: Hotel Letter of Intent, Executive Session

City Attorney LaChance sought a motion to find the premature of general public knowledge regarding the negotiation of a contract would clearly place the city and the other party at a substantial disadvantage because the discussion might divulge the board's position on the current contract provisions to be negotiated. Alderman Gillam so moved with Alderwoman Savage seconding and the motion passed. City Attorney LaChance sought a motion to enter into executive session with the inclusion of the Mayor, City Treasurer and City Attorney to discussion the negotiation of a contract as allowed under Title 1 Section 313(a)(1)(a). President Talbott asked if Stephanie from White & Burke should be included. Attorney LaChance said yes and asked if anyone else should be included. City Attorney LaChance sought an amendment to her motion to enter into executive session with the inclusion of the Mayor, Treasurer, City Attorney, Stephanie from White & Burke, DPW Commissioner, Assistant City Engineer and Ed Bove, Planning Director. Alderman Gillam so moved with Alderwoman Davis seconding and the motion passed, The board went into executive session at 8:00PM and came out of executive session at 8:37PM.

Attorney LaChance: Police Department Union Contract, Executive Session

City Attorney LaChance sought a motion to find that premature general public knowledge regarding the negotiation of a labor relations agreement would clearly place the city at a substantial disadvantage because the discussion would divulge the board's position on the agreement provisions to be negotiated and this agreement is a discussion with the Police Department. Alderwoman Davis so moved with Alderwoman Savage seconding and the motion passed; City Attorney LaChance sought a motion to enter into executive session with the inclusion of the Mayor, Police Chief, Treasurer, Director Of Human Resources, Chair of Police Commission, Commander Whitehead and City Attorney to discuss labor relations agreement as allowed under Title 1 Section 313(a)(1)(b). Alderman Heck so moved with Alderwoman Davis seconding and the motion passed. The board went into executive session at 8:42PM and came out of executive session at 10:07PM and the meeting the meeting adjourned.

Respectfully Submitted,

*Susan A, Clark
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Deputy City Clerk*