

**TOWN OF RUTLAND SELECT BOARD OPEN MEETING  
HELD VIA PUBLICALLY ACCESSABLE CONFERENCE CALL LINE  
NOVEMBER 10<sup>th</sup>, 2020**

Out of an abundance of caution around the covid-19 virus, this meeting was held via zoom conferencing which was made publicly available for anyone to join.

- Board members present Joshua Terenzini, Mary Ashcroft, Sharon Russell, Joe Denardo, and John Paul Faignant
- Meeting opened at 6:00 P.M.

Approval of Orders

Board members will approve the orders as they have the opportunity to stop into the office.

Approval of Select Board Minutes for October 27<sup>th</sup>:

1. Ms. Russell moved to approve the minutes; Ms. Ashcroft seconded the motion. The motion passed 5-0.

New Business Board to meet with Lyle Jepson from the Rutland Chamber of Commerce

1. Mr. Jepson provided the board an update on the efforts between the newly combined Rutland Economic Development Corporation and the Rutland Chamber of Commerce. They are now the Chamber and Economic Development of the Rutland Region.
2. They have been providing a variety of support services to the Rutland Region.
3. The Regional Marketing Initiative is still moving forward, working to bring residents and business to the Rutland Region.
4. The Town has given over \$4000 a year to support these initiatives.
5. They continue to work to support new residents for the state and the county.
6. Mr. Jepsen is asking the town to again donate \$1 per town resident. This is typically included on the March ballot for appropriations.
7. Ms. Ashcroft asked for the presentation to be sent out so the board members that called in can see it. Mr. Jepsen will send it to Mr. Sweet for him to send to the board.
8. Ms. Ashcroft asked about the special appropriation done in the past specifically for REDC. It has been \$2500 in the past. Mr. Jepsen said the dues being asked for this year for the combined organization is \$200 less than what it has been in the past for them separately. The Chamber dues in the past have been a general budget item and the REDC appropriation has been a ballot item. The board discussed adding the cost for dues to the general budget and leaving the Regional Marketing Initiative cost to the appropriations. This will be discussed further at the special budget meeting.

Old Business Town to discuss naming of town road past the end of Blueberry Lane:

1. Town Lister Howard Burgess was on the call and stated he has spoken with representatives from the state E911 board. Their initial suggestion was to name it Blueberry Lane PVT. Indicating it is a private road. They were not opposed to having it also say extension. The town of Pittsford Select Board has asked for it to be Blueberry Lane Extension. Mr. Burgess read a statement from the Livak Partners saying they support the name of Blueberry Lane Extension.
2. It is a private road and in the direct vicinity is the Town of Rutland, the Town of Pittsford and the Town of Chittenden. This creates issue primarily with emergency services and properly locating the house. Mr. Burgess felt it was our decision.
3. Mr. Denardo discussed an incident over the summer where there was a forest fire up near the new development and Pittsford was called first to it.
4. Mr. Hathaway expressed his concerns again with it being thought of as a town highway. He does not want it to be the responsibility of the town to maintain.
5. There is 1 house up there currently which is under construction. The proposed number of it is 1195 Blueberry Lane. The last number in town is 449.
6. Mr. Faignant asked why the town was getting involved in placing a name on a private road. Ms. Ashcroft and Ms. Russell had the same question. The town does not have to but this is an opportunity to have input in the discussion and the decision.
7. Mr. Denardo moved to support the name being Blueberry Lane Extension PVT and that the developer be responsible of the cost of signs, signposts, and installation. Mr. Faignant seconded the motion. The motion passed 5-0.

Mr. Burgess updated the board on the availability of the water supply in their fire district. The water table is very low and their supply tank is refilling slowly. Mr. Denardo asked if they have the capability of supplying the district from the West Rutland line. Mr. Burgess said they can, but it has to be closely monitored so it does not overflow if being refilled.

New Business Board to discuss next steps for the Northwood park shared use path:

1. Mr. Hathaway provided a proposal from Otter Creek Engineering for the work to engineer the path. The proposal totaled \$18,000.
2. Ms. Ashcroft stated that due to it being over \$5000 it is classified as a major purchase and would need to go out to bid. Otter Creek Engineering is a preferred vendor and could be awarded the contract based on that status.
3. Ms. Ashcroft moved to put the engineering service for the shared use path out to bid using the specification from Mr. Hathaway. Mr. Denardo seconded the motion. The motion passed 5-0.

Byron Hathaway Rutland Town Road Commissioner:

1. Two grant applications were submitted. One was for a new salt shed and the other for the Town Line Road culvert project. Both were denied. Mr. Hathaway said there were approximately \$7M in applications statewide for just over \$1M in available funds.
2. The Highway Committee met, and the budget is ready for the meeting next week.
3. Bill Bauer has approached him about an easement for maintenance for a culvert and drainage near Traverse Place. This is going to be discussed with the Highway Committee.
4. Ms. Ashcroft discussed a topic from the committee meeting where there are stormwater expenses and budget lines from different departments and would like to discuss combining these to 1 account at the budget meeting.
5. The extra 25 MPH sign for the school zone was installed recently.

Barbara Noyes-Pulling Rutland Town Planning Commission Chair:

1. A 3-lot subdivision hearing is scheduled for Thursday the 19<sup>th</sup> at their next regular meeting for Mark Benetatos.
2. Scott Dillon from the VT Div. of Historic Preservation will be attending to discuss a parcel of land off Route 7 North owned by the Thomas family specifically regarding the archaeological significance of the property and the challenges developers face in using that land.
3. Ms. Ashcroft asked about the status of the Harbor Freight store application.
  - a. Mr. Terenzini said there has been a lot of communication going around. There is still an issue with the sidewalk requirement. Mr. Terenzini has reached out to a variety of people to help and we are waiting to hear back.
  - b. Mr. Terenzini expressed concern over losing the entire project due to this sidewalk requirement.
  - c. Ms. Ashcroft discussed the possibility of the town taking over this section of road which could aid the developer in getting the sidewalk constructed and then taking over the sidewalk so the liability would be with the town and not with the property owners.
  - d. Mr. Faignant suggested the board allowing Ms. Ashcroft to contact the developer with this suggestion.
  - e. Mr. Denardo asked if this additional road and sidewalk would be any issue. Mr. Hathaway said it would not cause any issues with winter maintenance.
  - f. Mr. Faignant moved to authorize Ms. Ashcroft to advise the Act 250 board the town's willingness to take over the road and sidewalk in connection with the Harbor Freight development. Mr. Denardo seconded the motion. After discussion, the motion was amended to allow Ms. Ashcroft to advise the developer. Mr. Denardo seconded the amended motion. The motion passed 5-0.

Ed Dumas Rutland Town Police Chief:

1. Recent calls for service were provided and discussed briefly.
2. Mr. Denardo asked about the speed cart and its settings when it does and does not display the speed. Chief Dumas said he would have Deputy Chief Washburn follow up.

Kari Clark Rutland Town Clerk/Treasurer:

1. Thanked everyone who came out for election. There was about 81% turnout from town voters.

Bill Sweet Administrative Assistant to the Select Board:

1. Provided an updated meeting schedule and list of committee agenda items.
2. Provided a quote for repairing and repainting the hallway from Racine Painting and Sealing for \$2500. This would include painting the wall if and when the water fountain is replaced. Mr. Denardo moved to accept the quote. Mr. Faignant seconded the motion. The motion passed 5-0.
3. A quote from the Granite Group was given to purchase a replacement water fountain for the office. The total cost is \$1154.11. A cost to install is still needed. Chris Clark is going to look at it and give us an estimate. Mr. Terenzini suggested purchasing the unit now and work on installation in the future. Mr. Denardo moved to approve the purchase. Ms. Russell seconded the motion. Ms. Ashcroft asked if there is enough left in the budget. Mr. Terenzini said there is, and this was checked at the committee meeting. The motion passed 5-0.
4. Provided an invoice from Rosenbauer Inc for the initial 90% payment on the new fire truck. The initial payment is for \$629,065. The funds will come from the Fire Department depreciation account. Mr. Denardo moved to approve the payment. Mr. Faignant seconded the motion. Ms. Ashcroft asked if the specifications for the truck were included. Mr. Terenzini said they are. The motion passed 5-0.
5. Provided correspondence regarding the Harbor Freight approval issues. Updated plans were emailed out yesterday and it will be forwarded to the whole board.
6. Provided an invoice to be paid to Masterson Excavating for \$156,141.60 towards the work on Randbury Road. A large portion of the project is done. 10% of the total is withheld pending paving being completed and final details being wrapped up. Ms. Ashcroft moved to approve the payment. Mr. Denardo seconded the motion. Ms. Ashcroft asked Mr. Hathaway if the 10% withheld is enough to cover the costs left. Mr. Hathaway said the paving was a unit item, but he will go down soon and make sure everything is wrapped up. Mr. Denardo asked if the hydrants were flushed. Mr. Hathaway said they have. The motion passed 5-0.
7. Provided a copy of the state statute on town lease lands. The statute says as of January 1, 2020 if the town did not vote to retain them, the lease land would belong to the

occupant at the time. Town Attorney Kevin Brown said he was not aware of any towns who took action to retain their lands and gave background information on why this happened. The ownership has reverted to the occupants as of January 1<sup>st</sup>, 2020 and no action needs to be taken by the town.

8. Provided an agreement on behalf of the Delinquent Tax Collector Jim Scholtz.
9. Gave an update on PNW Solar, who were to have representatives attend this meeting, recently sent a letter to Town Hall saying the archaeological aspect of the proposed site was larger than anticipated and they were withdrawing their project at this time. This is the reason behind the Planning Commission meeting with someone to discuss this.
10. There is a conflict for the planned budget meeting next week on the 17<sup>th</sup>. Mr. Terenzini asked if it could be moved to Monday the 16<sup>th</sup> at 6PM instead. All board members indicated they can make this change. Once all the departments have given Bill their drafts, he will forward this out for everyone to have a copy for the meeting. Ms. Ashcroft asked if all the departments under the General Budget were contacted about their section (i.e. The Planning Commission, the Listers Office, etc.). Mr. Terenzini said Bill and Kari have done some work on the general budget already. Mr. Sweet said those involved with the general budget have been contacted and it should be ready for Monday.
11. Mr. Terenzini came back to the agreement present by Mr. Scholtz. He asked if it needed to be discussed in executive session. Ms. Ashcroft asked if it should be reviewed by our town attorney. Mr. Denardo pointed out discrepancies in the language identifying the parties. Mr. Terenzini asked it to be reviewed by Kevin Brown and bring it up again in 2 weeks. Mr. Russell moved to send the agreement to our town attorney for review. Mr. Denardo seconded the motion. The motion passed 5-0. Mr. Scholtz said after it is reviewed and approved by the Select Board it will need to go back to the Fire District for the signature and approval, they had already signed the document.

Ms. Ashcroft updated the board on the progress of restarting The Circle publication. Ms. Ashcroft has been in contact with Carol Bam and Janelle Faignant. The purchase of new software was approved, and a late December / early January issue is expected.

Mr. Terenzini commented on his recent election to the State Senate. This schedule will not allow him to fulfill his obligation to the Town specifically. He will plan an exit strategy from the board and will discuss this with his board colleagues. His seat is up for reelection this coming March.

Mr. Russell moved to enter executive session to discuss litigation with town council Kevin Brown and Bill Sweet attending. Ms. Ashcroft seconded motion. The motion passed unanimously. The board entered executive session at 7:32 PM.

11/10/2020

The board came out of executive session at 7:58 PM. Upon leaving executive session, with no action being taken, Ms. Ashcroft moved to adjourn. Mr. Denardo seconded the motion. The motion passed unanimously. The meeting was adjourned at 7:58 PM.

Respectfully submitted, Mr. Bill Sweet

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Joshua C. Terenzini, Chairman

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Mary Ashcroft, Clerk

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John Paul Faignant

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Joseph Denardo

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Sharon Russell

Center Rutland, VT.