

**Town of West Rutland  
Selectboard Meeting  
Monday, July 10, 2006  
West Rutland Town Hall; 6:00 p.m.**

**Present:** Sean Barrows, Pete Bianchi, Dick Daley, and Chris Mathewson.

**Also Present:** Mr. McDevitt, John Berryhill, Tom Yennerell and Judi McCullough.

**Item 1) Call Meeting to Order:** The meeting was called to Order at 6:06 p.m. by Sean Barrows.

**Item 2) Approve Minutes from the Previous Meeting:** A Motion was made by Pete Bianchi and seconded by Chris Mathewson to approve the Minutes of the June 26, 2006 meeting as written. The Motion carried unanimously.

**Item 3) Public Concerns:** Regarding the flooding from Mead Brook, Mr. McDevitt stated that he had permission to have a culvert put in to prevent the flooding. Mr. Yennerell stated that the Town had permission from the State to raise one bank in the area where the farm equipment crosses Mead Brook and that should eliminate the problem. An adequate culvert would cost tens of thousands of dollars.

**Item 4) Action Items:**

**A) Set Municipal Tax Rate:** Since the Tax Rate was set at the last Board Meeting, the Grand List decreased due to the old Post Office now being owned by a Church, and an error was found when the tax bills were being setup, making it necessary to reset the Tax Rate. A Motion was made by Pete Bianchi to reset the Municipal Tax Rate at 1.1074%. The Motion was seconded by Chris Mathewson and it carried unanimously. A suggestion was made to a note in the June 26 minutes that the tax rate set at that meeting was changed at the July 10<sup>th</sup> meeting

**B) Award Fire Station Construction Contract:** Naylor and Breen do their own concrete work as well as other things, which helped them as far as being low bidder. Mr. Berryhill's estimate was at \$950,000 and there would like a contingency of \$75,000 included for anything that is unforeseen. The unit price is \$50/cubic yard and is given in the event that ledge is encountered. Discussion as to whether the Town should perform the work on alternate #3 which is the sewer, storm drain and water connections. Mr. Berryhill's recommendation is to award the contract to Naylor & Breen and that a letter of intent be sent to them. A Motion was made by Pete Bianchi to award the contract to Naylor & Breen for the fire department project for the base bid amount of \$950,000. Dick Daley seconded the Motion. The Motion carried unanimously.

Mr. Berryhill stated that the total construction time frame is 180 days with no penalty cause.

**C) Consider Amended Law Enforcement Contract:** A revised contract was sent to the Board from Sheriff Benard together with a letter that stated the previous contract (which had already been signed) had errors in it. Specifically, the holiday and Christmas per hour rates differed. A Motion was made by Dick Daley to accept the revised contract in the amount of \$50,897.00/year; \$33.72/hour for holidays; and \$44.96/hour for Christmas as presented. Seconded by Pete Bianchi.

The Motion carried unanimously.

**D) Consider Animal Control Contract:** One Town has backed out of the group, but there is one interested in coming in. A Motion was made by Chris Mathewson to approve the Animal Control Contract as presented. Seconded by Dick Daley. The Motion carried unanimously.

**E) Consider Easement for Church:** A Motion was made by Pete Bianchi to authorize Tom Yennerell to sign the Easement Deed between the Town and the First Church of Christ Scientist Rutland, on behalf of the Board of Selectmen, after having it reviewed by the Town's attorney. Seconded by Dick Daley. The Motion carried unanimously.

**F) Appoint Regional Planning Commissioners:** A Motion was made by Dick Daley to recommend Ed Jones, as a regular member, and Steve Martin, as an alternate member, to the Rutland Region Planning Commission. The Motion was seconded by Chris Mathewson and it carried unanimously.

**G) Appoint Regional Transportation Councilors:** A Motion was made by Pete Bianchi to appoint Sean Barrows to the Rutland Region Transportation Council, and Tom Yennerell as alternate. Dick Daley seconded the Motion and it carried unanimously.

**H) Consider Access Permit Application:** A Motion was made by Dick Daley to approve the Application for Access and/or Right of Way Permit from David A. Mason, for Hiram Lodge #101, F&AM at 63 Franklin Street. The Motion was seconded by Pete Bianchi and it carried unanimously.

#### **Item 5) Discussion Items:**

##### **A) Managers Report:**

- A verbal request was received from Ted Wenta to have a curb cut put in on Ross Street. Tom met with the engineers and it is not in a good location to have it done. Tom has left a message for Mr. Wenta.
- Clarendon Avenue curb stops may not get completed before the sidewalks go in. If so, they will be cast in the sidewalk a practice that many systems prefer to do.
- The Main Street strip of pavement from Marble Street almost to the school driveway is in really bad condition. This section is part of the State project, so Tom is going to check into getting this repaired at the same time. If it cannot be incorporated into the project the Town should consider funding this work.
- The Fiscal year ended with about an excess of \$14,000 in the budget.
- The Grant application for the Vermont Housing Conservation Board for \$150,000 for the Town Hall has been completed.

#### **Item 6) Board Member Concerns:**

**Pete Bianchi** - Can trucks run from the stone pit on Route 133/Clarendon Avenue on the weekends? Act 250 would need to be checked to find out. The permit would need to be checked as well.

- Laurie Pilch asked Pete about the tree that is supposed to be trimmed. Tom said it was done and he will send a copy of the bill to Ms. Pilch to let her know that it has been done.

**Dick Daley** - Is the Town expecting to do a reappraisal soon? Yes, a letter is expected from the State at any time and RFPs will be sent after that.

- Jim Jeffords will be donating \$2,000,000 of his campaign money to various projects in Vermont and we might want to pursue this with his office for the Town Hall project. Tom and Dick will follow up on this.

- Mrs. Beckett from Pittsford works on fund raising for projects such as the Town Hall and someone should follow up with her to see what she can do.

- Rutland Regional Rec almost lost their land deal, but have that worked out. There is a meeting Wednesday, at 5:30 p.m., at the Dana Center.

**Chris Mathewson** - None.

**Sean Barrows** - On Clarendon Avenue is the sidewalk being done on the South bound lane? Yes, and a new curb will be set on 400 feet of the northbound lane. There are trees being put in at select locations during this project as well.

- Has there been any interest in the Rec. Committee or Town Hall. Dave O'Rourke and Jim Mumford, as well as Tammy English and Ms. Eddings. Tom will be getting some letters together to go out on this.

**Item 7) Approve Orders:** The Board reviewed and approved Orders as presented.

**Executive Session:** The Board entered into Executive Session at 8:15 p.m. for a legal issue by Motion from Pete Bianchi. Seconded by Dick Daley and approved unanimously.

**Exit Executive Session:** The Board exited Executive Session at 8:30 p.m. for a legal issue by Motion from Dick Daley. Seconded by Chris Mathewson and approved unanimously.

A motion from Dick Daley to authorize Tom to sign the easement, neighbor agreement and construction contract for the new fire station. Seconded by Chris Mathewson and approved unanimously.

**Item 8) Adjournment:** A motion to adjourn was made by Pete Bianchi at 8:30. Seconded by Chris Mathewson and approved unanimously.

Respectfully submitted,  
Judi McCullough