



**Town of Milton – Selectboard Meeting
43 Bombardier Road, Milton VT 05468
In Person and/or via Zoom – Community Room
Tuesday, January 3, 2023
at 6:00 p.m. (Immediately following the public hearing)**

MINUTES

Selectboard Members Present: Darren Adams, Chair; Michael Morgan, Vice Chair; John FitzGerald, Clerk; Brenda Steady, Member; Chris Taylor, Member

Selectboard Members Absent: None

Staff Members Present: Don Turner Jr., Town Manager; Brittany Tradup, Executive Assistant to the Town Manager; Amber N. Baker, Finance Director; Cymone Bedford, Planning & Development Review Director (remote); Amanda Pitts, Zoning Administrator

Others Present: Kirt Mayland (remote); Sotos Papaseraaphim; William Heath; Elaine Heath; Chuck Wilton; Alek Fleury, Milton Independent; David Rue; Seth Duchesneau; Tony Micklus; Diane Barrows (remote); “Alice’s iPad” (remote); Unidentified phone caller 802-598-6324 (remote); “M Sheldrick” (remote)

I. Call to Order

D. Adams called the meeting to order at 6:24 p.m.

II. Agenda Review

No changes.

III. Public Forum

None.

IV. Consent Agenda

- Approval of Selectboard Meeting Minutes of 12/19/2022
- Approval of Selectboard Special Meeting Minutes of 12/21/2022
- Approval of Warrant #15

Motion made by C. Taylor to approve the Consent Agenda, with a second by B. Steady. Motion approved unanimously.

V. Vote on Proposed Changes to 2022 Town Plan, Unified Development Regulations (UDR) and Zoning Map Amendments

Cymone Bedford, Planning & Development Review Director

Motion made by M. Morgan to approve the proposed changes to the 2022 Town, Unified Development Regulations (UDR) and Zoning Map Amendments, with a second by J. FitzGerald. Motion approved unanimously.

VI. Discussion Regarding Site Visit to 70 Westford Rd.

Don Turner, Jr., Town Manager

D. Turner provided a brief overview of this discussion item and presented the information outlined in the following memo from Friday, December 30. He also provided additional updates from research and conversations since then.

Memo: Lafayette-Heath Town of Milton Properties Westford Road

To: Milton Selectboard

Date: December 30, 2022

From: Don Turner, Jr., Town Manager

Re: Lafayette-Heath Town of Milton Properties Westford Road

12/26/22 -Selectboard Chair Adams, Clerk FitzGerald and I met with Bill and Elaine Heath at their property on Westford Rd. They provided some documentation and photos, which were scanned and provided in SLB packet.

Concerns expressed at site visit:

- Surface water flooding backyard of their property when the big water storage tanks are drained. Ditch has not be cleaned by the Town as indicated in the Heath's deed.
- The Town did not install a water connection-curb stop for future use by the Heath property as indicated in the deed.
- They are disputing the property lines common with the Town, to include the Town's ownership of the open field between their property, the Remillard property and the Town's property.

Proposed resolutions to these concerns:

- Provide a copy of Champlain Water Districts drain/fill guidelines. We have also requested that CWD notify the Heath's along with the Town when they plan to drain tanks. We are also requesting that CWD implement safety devices to restrict the flow when draining tanks. We cannot clean the ditch behind Hunting Ridge as Bill requested. At this point, we do not have a legal easement or right of way to access the area on the former Triggs property. I confirmed this information by calling Dan Triggs who acknowledged that he never finalized the subdivision and thus did not convey the proposed easements.
- After reviewing all deeds the Town will install a future water curb-stop when weather and ground conditions are conducive to such work. The curb stop has to be constructed in accordance to all state regulations pertaining to municipal water systems. We will coordinate with Bill or Elaine prior to doing this work.
- We have conducted an extensive review of all deeds related to the original eight and one half acres purchased by Wayne and Mary Lafayette from Vernon and Elizabeth Duffy. The Lafayette's sold approximately three acres to Lloyd and Sandy Gilbert in 1972; two and a half acres to Ewing (Remillard) in 1977, sold two and a half acres to the Town of Milton in 1981 and the remaining lands to Donald and Janet LeGrand (Heath) in 1999. The Heath's own the remainder of this parcel. All of the deeds refer to the concrete markers located by Krebs and Lansing last year. I believe there is sufficient evidence that the Town's property boundary lines are accurately depicted on the Krebs and Lansing boundary map and that there is no need for the Town to spend \$8500 on a new survey. If the Heath's continue to question, the boundary lines that it is their responsibility to hire their own independent

surveyor. Furthermore, we were able to recreate the approximate boundary locations by utilizing the deeds and the concrete monuments located on the property. This depiction is part of the Selectboard packet.

William Heath restated his concerns to the Selectboard.

There was a brief discussion regarding developing a process for inspecting other property owned by the Town.

VII. **Public Infrastructure Acceptance – Clearview Phase IV**

Amanda Pitts, Zoning Administrator

A. Pitts provided a brief overview of this discussion item and presented the information outlined in the following memos. She also answered questions from the Selectboard and there was further discussion regarding maintenance of the road.

To: Milton Select Board
Date: November 15, 2021
From: Amanda Pitts, Zoning Administrator
CC: Nicholas Prussock, Public Works Engineer; Thomas Elwood, Water & Wastewater Superintendent; Eric Gallas, Highway Superintendent
Re: Public Infrastructure Acceptance – Clearview Phase IV

Clearview Estates, aka extension of Horseshoe Circle, has constructed the public infrastructure for the second portion of their project. At this time, we are requesting the acceptance of the irrevocable offer of dedication, to enter the two-year warranty period, and to reduce their surety amount to 10% of the original cost estimate (from \$471,418.00 to \$47,141.80).

Location of Infrastructure/Project Name: Horseshoe Circle/Clearview Estates

Description of Infrastructure: Water, sewer, stormwater in right of way, sidewalk, and road from Station 14+20 to Station 25+75.

After final inspections completed by Nicholas Prussock, Public Works Engineer; Thomas Elwood, Water & Wastewater Superintendent, and Eric Gallas, Highway Superintendent; and review of the final legal documents, staff has determined that the following project located at Horseshoe Circle is in acceptable condition to enter the two-year warranty period as of the date of the original inspection of September 22, 2022.

We respectfully request that the Selectboard accept the Irrevocable Offer of Dedication, Enter the two-year warranty period, and reduce the surety amount to \$47,141.80; 10% of the original cost estimate.

To: Milton Select Board
Date: December 21, 2022
From: Department of Public Works
CC: Amanda Pitts, Zoning Administrator; Nicholas Prussock, Public Works Engineer; Thomas Elwood, Water & Wastewater Superintendent; Eric Gallas, Highway Superintendent
Re: Public Infrastructure Final Inspection Report to Enter Warranty Period – Clearview Estates Phase IV

Location of Infrastructure/Project Name: Horseshoe Circle/Clearview Estates

Description of Infrastructure: Water, sewer, stormwater in right of way, sidewalk, and road from Station 14+20 to Station 25+75.

Final Inspection Date: September 22, 2022 and December 15, 2022. The project has been inspected by Nicholas Prussock, Town Engineer; Eric Gallas, Town Highway Superintendent; Tom Elwood, W/WW Superintendent.

Record Drawings: Submitted by Doug Goulette from Trudell Consulting Engineers on November 4, 2022 and Accepted by staff.

Conditions for Warranty Period: See Public Works Specifications Section 110.

1. The developer shall be responsible for all maintenance during the two (2) year warranty period, including the plowing of the new road (The Town of Milton will not be plowing the roads during the warranty period).
2. It is understood by all parties the top wearing course of pavement has not been placed, and will be placed after more homes have been constructed.
3. Prior to end of the warranty period, all valves, curb stops, catch basins, and manholes, must be set to final grade.

Recommendation:

All infrastructure has been constructed according to plans and DPW Specifications, and has reached the point of substantial completion. I recommend the public infrastructure enter the two year warranty period.

Motion made by M. Morgan to accept the Irrevocable Offer of Dedication for the water, sewer, sewage pumping station, stormwater in right of way, sidewalk, and road from 14+20 to Station 25+75; enter the two-year warranty period, and reduce the letter of credit surety to the amount of \$47,141.80, with a second by B. Steady. Motion approved unanimously.

VIII. Solar Lease Option Agreement

Kirt Mayland; Don Turner, Jr., Town Manager

D. Turner provided a brief history on the efforts the town is making to solicit proposals from solar energy providers to design, install, finance, own, operate and maintain photovoltaic systems at certain Town sites. K. Mayland provided a brief explanation of the proposed agreement with Norwich Solar and the status of other possible agreements.

There was further discussion and K. Mayland responded to questions from the Selectboard.

Motion made by C. Taylor to allow the Town Manager, Don Turner, to sign and enter into a two-year lease option agreement with Milton Lamoille Solar LLC, with a second by M. Morgan. Motion approved unanimously.

IX. Personnel Recognition for Years of Service to the Town

Don Turner, Jr., Town Manager

D. Turner presented the following memo:

To: Town of Milton Selectboard
From: Town Manager Don Turner

Subject: Personnel Recognition for Years of Service
Date: December 29, 2022

The Town of Milton is grateful to have assembled a dedicated team of individuals who do a remarkable job of serving our community in their various roles. On behalf of the Town of Milton, I would like to take this opportunity to publicly recognize a group of Town employees who have reached milestone anniversaries in 2022.

- Steve Laroche, Police Department – 30 years
- Gordon Lafountain, Jr., Police Department – 20 years
- Jackie Dodge, Finance – 20 years
- Jim Bushey, Water/Wastewater – 15 years
- Amanda Pitts, Planning and Zoning – 10 years
- John Bartlett, Operations and HR – 5 years
- Michelle Desranleau, Library – 5 years
- Jason Scott, Water/Wastewater – 5 years
- Lori Frohock, Assessor – 5 years
- Noi Jones, Police Department – 5 years
- Kristin Beers, Town Clerk – 5 years

The many years of service these individuals have contributed are a true testimony to their dedication to the community. We would like to thank them for their contributions to the Town of Milton.

X. FY24 Budget

Amber N. Baker, Finance Director

During budget presentations, the Selectboard reserves the right to review, discuss and consider any and all aspects of the municipal budget, including both general and specific budget categories, line items, and the municipal budget as a whole and in its entirety.

A. Baker reviewed some modifications to the budget and information she has received since the last discussion regarding loan payoffs. She also reviewed the impact on the tax rate. There was a brief discussion. The Selectboard will schedule a special Selectboard meeting on Monday, January 9 at 6 p.m. to continue working on the budget.

XI. Update from Town Manager and Board Members

Don Turner, Jr., Town Manager

- The first Milton Business Guide has been produced and distributed to rest areas and businesses around town.
- The Catamount waterline project is substantially complete, pressure tested and chlorinated. ECI will be back in the Spring to fine grade and reseed disturbed areas. The Town has \$15,600 in retainage to insure this work is completed.
- The bio solids dryer we have been exploring is no longer available. This is the message we received from Steve Nurme at RMI on Friday, December 30, 2022: “Thanks very much for your interest in the Shincci 4800. Due to an inability to close a deal with Milton, VT; RMI has moved on to another opportunity for year end.”
- The Town had a meeting with the architects and construction management team last week. We were advised that costs of the new garage have risen substantially over the last year, and we may have to look at alternative designs or square footage. We will likely have to return the \$300,000 grant this year and reapply later in the project to avoid delays and additional costs.

- New Public Works Director Lisa Scheffler will start work on Monday, January 23, 2023.
- Mariia Hatseliuk started working part-time for the Town today in the public works/planning and zoning departments.

XII. Executive Session – Real Estate and Personnel

Motion made by J. FitzGerald to find that premature knowledge about Real Estate and Personnel would cause the Town or person to suffer a substantial disadvantage. Second by C. Taylor at 7:27 p.m. Motion approved unanimously.

Motion made by J. FitzGerald to move enter into executive session at 7:28 p.m. to discuss Real Estate and Personnel under the provisions of 1 VSA 313 (a)(1) of the Vermont Statutes; to include the following; Selectboard members: D. Adams, M. Morgan, C. Taylor, J. FitzGerald and B. Steady; Town Manager, Don Turner, Jr.; Public Safety Director, Michaela Foody; Finance Director, Amber Baker; Legal Counsel: David Rue, Bart Frisbie, and Warren Palm. Second by C. Taylor. Motion approved unanimously.

No action was taken as a result of the Executive Session.

Motion made by D. Adams to close executive session at 9:21 p.m., with a second by J. FitzGerald. Motion approved unanimously.

XIII. Adjournment

Motion made by D. Adams to adjourn the meeting at 9:21 p.m., with a second by C. Taylor. Motion approved unanimously. Meeting adjourned by D. Adams.

All documents pertaining to this meeting may be viewed using the following link:

<https://miltonvt.box.com/s/egg7vga8c13cyknb30z891t7t2fnvmg5>

A video recording of this meeting can be found at the following location:

<https://miltonvt.box.com/s/69qfl6p8ze8qg1a8ob4ergjbb6eqjyga>

Respectfully Submitted,

Brittany Tradup

APPROVED MINUTES:

 _____ Date: 1/17/2023

John FitzGerald, Clerk

Filed with the Milton Town Clerk's Office on this 18th day of January, 2023.

ATTEST: Kirsti Beas, Milton Town Clerk