



**Town of Milton – Selectboard Meeting
43 Bombardier Road, Milton VT 05468
In Person and/or via Zoom – Community Room
Monday, July 10, 2023 at 6:00 p.m.**

MINUTES

Selectboard Members Present: Darren Adams, Chair; Michael Morgan, Vice Chair; Brenda Steady, Clerk; Leland Morgan, Member;

Selectboard Members Absent: Chris Taylor, Member

Staff Members Present: Don Turner Jr., Town Manager; Brittany Tradup, Executive Assistant to the Town Manager; Michaela Foody, Public Safety Director; Amber N. Baker, Finance Director; Lisa Schaeffler, Public Works Director (remote); Justin Bergeron, Animal Control Officer; Kristin Beers, Town Clerk

Others Present: Monique Ziegler, Erich Ziegler, Starr McCarthy, Michael W. McCarthy, Regina Boucher, Jerry Boitz, Abigail Fisher, Shawn Fisher, Tracy Fisher, Jennifer Lee, Debbie Crowley, Raymond Crowley, Timothy Agan, Michael Boivin, Aaron Peters, Danielle Kuhns, Scott Kingsland, June Plankey, Gretchen Baker (remote), Diane Barrows (remote), Mike Schlegel (remote), Holly Godfrey (remote),

I. Call to Order

D. Adams called the meeting to order at 6:02 p.m.

II. Flag Salute

D. Adams led the attendees in the Pledge of Allegiance.

III. Agenda Review

D. Adams noted the Emergency evacuation recommendation update, and reviewed the wording of the notice that went out. D. Turner provided a brief overview of the flooding status and what actions the Town has taken so far. D. Adams added to the agenda: “Authorization to exceed purchasing rules related to emergency response” before the consent agenda. D. Adams stated that there is no need for executive session and that the Selectboard would postpone the Grange visit to another night.

D. Adams requested a moment of silence for Jessica Ebbighausen, the officer who was killed on Friday. Attendees recognized the moment of silence.

IV. Public Forum

None

V. Authorization to Exceed Purchasing Rules Related to Emergency Response

Motion made by L. Morgan to authorize the Town Manager to exceed purchasing rules as needed for emergency response. Second by B. Steady. Motion approved unanimously.

VI. Consent Agenda

- Approval of Selectboard Meeting Minutes of 6/19/2023
- Approval of CIP Public Hearing Minutes of 6/19/2023
- Approval of Warrant #1
- Approval of Supplemental Warrant Quarterly Water/Sewer Bills

Motion made by M. Morgan to approve the Consent Agenda as presented, with a second by L. Morgan. Motion approved unanimously.

VII. Public Hearing for Vicious Dog Complaint Pursuant to 20 V.S.A. § 3546

Don Turner, Jr., Town Manager; Michaela Foody, Public Safety Director

D. Adams opened the hearing by reading the public notice. He then read the complaint from June 13, 2023 aloud. After swearing in, the complainant, Monique Ziegler, shared what happened and responded to questions from the Selectboard.

D. Adams and M. Foody reviewed the exhibits. D. Adams asked if the respondents were present and received no response.

D. Adams asked for witnesses. Each of the following witnesses was sworn in before speaking.

- Abigail Fisher provided a summary of multiple encounters between the dogs in question and her service dog.
- Michael McCarthy described personal encounters with the dogs.
- Tim Hagan described what he has witnessed with the dogs living across the street.
- Regina Boucher expressed concern for her dogs.
- Debbie Crawley described what she has witnessed from her home next door. She expressed concern about her grandchildren who are often at the house.
- Scott Kingsland described his experiences with the dogs and expressed his concerns.
- Aaron Peters described his experiences.

The Selectboard asked some questions to which attendees responded.

D. Adams reviewed the options that the Selectboard could explore. M. Foody clarified these options and discussed the process depending on the action that the Selectboard chooses to take.

Motion made by M. Morgan to close the hearing, with a second by L. Morgan. Motion approved unanimously.

Motion made by M. Morgan to immediately remove both dogs from the premises to be evaluated professionally for disposition, and never be returned to the current owners. Second by B. Steady. Motion approved unanimously.

VIII. Economic Development Commission (EDC) Reappointment: June Plankey

Don Turner, Jr., Town Manager

D. Turner introduced June Plankey and noted that she played an instrumental role in the creation of the Milton Business Guide. He also noted that she is a Colchester resident but still does business in Milton. There was a brief discussion between the Selectboard and June Plankey.

Motion made by M. Morgan to reappoint June Plankey to the Economic Development Commission for a 3-year term, with a second by L. Morgan. Motion approved unanimously.

IX. MS4 Community Formula Grant

Lisa Schaeffler, Public Works Director

D. Turner introduced this item as per the following memo. There was a brief discussion and no action was taken by the Selectboard.

Memo: State of Vermont MS4 Funding

To: Milton Selectboard
Date: July 7, 2023
From: Corey Parent
Re: State of Vermont MS4 Stormwater Funding

This memo informs the Milton Select board of new funding available to the Town of Milton to assist in compliance with the Town's MS4 stormwater permit. The Vermont Legislature dedicated funding sources to MS4 communities to help them come into compliance with their MS4 requirements. The funds need to be spent to assist in bringing the Town into compliance with its MS4 permit - meaning it needs to be spent on engineering and building projects identified in the Phosphorus Control Plan.

The Town of Milton is projected to receive approximately \$720,000 to do this work. The State of Vermont requires 50% leverage. "Leveraging" is defined as a grant recipient's financial commitment toward the project costs from a source other than the State of Vermont's tax revenues or capital dollars that DEC is not using to meet DEC's match or significant contribution obligations on federal awards. Leveraging may only be committed to one project and cannot be committed to multiple projects. All expenses covered through leveraging must be incurred within the duration of the grant or contract agreement."

We understand that the projects this funding can pay for need to be completed by September 2026.

The Town of Milton signed the letter of intent to apply for the funds, allowing us to place a claim on our designated funding. The next step will be fully apply for funding with permission of the select board.

Feel free to let us know if you have any questions or concerns with the Town of Milton working to accept this funding to meet our Stormwater MS4 requirements.

X. Arrowhead Avenue Sewer Expansion

Don Turner, Jr., Town Manager

D. Turner introduced this item as per the following memo.

Memo: Arrowhead Avenue Sewer Expansion

To: Milton Selectboard
Date: July 10, 2023
From: Don Turner, Town Manager
Re: Arrowhead Avenue – Municipal sewer collection system for the remaining houses not currently served by municipal sewer.

Project update:

On Monday June 26, 2023, Corey Parent and I met with a group of Arrowhead Avenue residents to discuss the information we presented to the Selectboard on April 17, 2023. After some discussion, I informed the residents that I would propose to the Selectboard that the Town move to the next stage of design (90% engineering plans). I am empathetic to the residents' desire to connect to municipal sewer. The Town is also in need of additional users. However, at this time it is not financially feasible to build this project.

I believe it is prudent to make the investment in the plans at this time to ensure the project is ready should a funding source become available in the near future. Upon completion of the design, the project would be considered shovel ready should any State or Federal funds become available for this type of project.

Motion made by L. Morgan to authorize the Town Manager or designee to complete necessary loan documents to apply for a \$45,000 interest free loan for up to five years to develop 90% engineering plans for the gravity collection system connecting on at Ritchie Avenue, with a second by M. Morgan. Motion approved unanimously.

XI. Reappropriate Remaining FY23 Paving Funds Previously Approved to Capital Projects (Weather Prevented Completion)

Don Turner, Jr., Town Manager

D. Turner introduced this item as per the following memo.

**Memo: Paving of Sections of Roads & Grange Parking Lot
REAPPROPRIATION**

To: Milton Selectboard
Date: July 7, 2023
From: Amber Baker

Project: Paving of Sections of Roads and the Grange Parking Lot with remaining FY23 funds

At the Town of Milton Selectboard meeting on Monday, June 19, 2023 spending of the FY23 paving surplus was approved with the amount not to exceed \$75,000.00. Due to inclement weather, the paving of various road and the Grange parking lot was not completed as of June 30, 2023.

Since the work could not be completed as of June 30th, it is being requested that the approved \$75,000.00 be reappropriated to the Capital Improvement Fund for this work to be completed in FY24.

Proposed Motion: Motion to reappropriate the FY23 paving surplus of \$75,000.00 to the Capital Improvement Fund, with \$48,200.00 towards paving a portion of School Street and the Route 7 aprons of Barnum Street and Villemaire Lane and \$26,800.00 towards paving the Grange parking lot.

Motion made by M. Morgan to reappropriate the remaining funds as presented, with a second by B. Steady. Motion approved unanimously.

XII. Update from Town Manager and Board Members

Don Turner, Jr., Town Manager

- The Grange Hall open house had over 50 people attend on Saturday. Thank you to the Selectboard members who attended.

- The installation of a new water curb stop and the drainage improvements at the old water plant have been substantially completed by the highway department.
- Circus Smirkus arrived today but had cancelled first two shows due to the weather.
- Water/Wastewater staff member Steve Edgerly resigned as of Friday 7/7/23. Department is currently down three employees. An offer has been made to one candidate. The Town is in need of licensed individuals.
- Route 7 paving has started. VTrans altered the function of the Southern Gateway traffic signal to accommodate paving project.
- The VTrans bridge project was nearly finished on Saturday. A small amount of paving remains to be completed, but all traffic devices were removed.
- The Town is still awaiting the Act 250 permit for the new Public Works Facility.
- Ten (10) contractors attended a mandatory pre-bid meeting for the infrastructure expansion project from Bombardier Road to the new Public Works Facility.
- The Town plans to have Highway leadership complete the excavating for the site to get the project closer to within budget. Estimated savings amount to \$400-450,000 from current estimates. The Town will use sand and earth burrow that is stockpiled at the old landfill site. As a result of the delays in schedule, the Town does not plan to truck in additional winter sand this fall. Therefore the tandem trucks can be hauling material from old landfill to new site. The Town has a talented crew that can do this job while maintaining the roads.
- Responses to the RFP for the Multi-purpose recreational facility feasibility study are due on Friday, July 21, 2023.
- The new police cruiser has arrived and is awaiting some equipment to be installed.
- The Town will be picking up the new water/wastewater electric vehicle tomorrow.
- K9 Officer Noi Jones was promoted to Corporal.
- Police and Rescue are reporting high call volumes; mental health issues dominate.
- D. Turner will be out of town Tuesday, July 18 through Thursday, July 20.
- D. Turner will update the Selectboard on the flooding as it impacts Milton.

D. Adams stated that he will not be present the first week of August and would miss the August 7 meeting. M. Morgan also stated that it will be difficult for him to attend. There was discussion about the next few meetings. The Selectboard decided to change the July 24th meeting to July 31st and to cancel the August 7th meeting.

XIII. Adjournment

**Motion made by L. Morgan to adjourn the meeting at 7:34 p.m., with a second by M. Morgan.
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/24flf12zrxj0hxzx4mifesp1h2kfnn42>

A video recording of this meeting can be found at the following location:
<https://miltonvt.box.com/s/qy12hssadnmpk3g9pvka4uchp0bmhmyr>

Respectfully Submitted,

Brittany Tradup

APPROVED MINUTES:

Brenda Steady Date: 7/31/23
Brenda Steady, Clerk

Filed with the Milton Town Clerk's Office on this 1st day of August, 2023.

ATTEST: Kristi Bees, Milton Town Clerk