



Town of Milton – Selectboard Meeting
43 Bombardier Road, Milton VT 05468
In Person and/or via Zoom – Community Room
Monday, August 21, 2023 at 6:00 p.m.
Immediately following Cannabis Control Board Meeting

MINUTES

Selectboard Members Present: Darren Adams, Chair; Brenda Steady, Clerk; Leland Morgan, Member; Chris Taylor, Member

Selectboard Members Absent: Michael Morgan, Vice Chair;

Staff Members Present: Don Turner Jr., Town Manager; John Bartlett, HR and Operations Director; Brittany Tradup, Executive Assistant to the Town Manager; Michaela Foody, Public Safety Director; Steve Laroche, Police Chief; Jenna Tucker Eugair, Recreation Director; Matthew Davis, Library Director; Kristin Beers, Town Clerk; Lisa Schaeffler, Public Works Director

Others Present: Corey Parent, Consultant; Corrina Thurston; Gary Trombly; Sharon Trombly; Addie Rublee; Missie Thurston; Sandy Thurston; Judy Hayes; Brian Clifford; Julie Jones; Ray McClure; Joe Duquette; Allison Duquette; Padrick Wright; Lisa Trombly; Bruce Trombly; Zach Blodgett; John and Bonnie Whitlak; Shannon Gunderson; Diane Barrows; Wayne Elliott, Aldrich & Elliott; Thomas Hughes; Lori Donna; Denise Hughes; Chuck Wilton; Kathy N. Whiting; Charles A. Whiting; Mary Ann Duffy Godin; Julie Jones; Liz Reardon; Jessica Groeling (remote); Kat Salemno (remote); Julia Pfaff (remote)

I. Call to Order

D. Adams called the meeting to order at 8:07 p.m.

II. Flag Salute

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

III. Agenda Review

No changes

IV. Public Forum

None

V. Corrected Highway Pickup Truck Resolution

Lisa Schaeffler, Public Works Director; Don Turner, Jr., Town Manager

D. Turner explained some errors that were made on the original resolution that was presented and signed at the Selectboard meeting on July 31, 2023. The corrected resolution is as follows:

2023 Pick Up Truck Purchase Approval for Department of Public Works Highway Division

WHEREAS, the Administrative Code Purchasing Policy duly adopted by the Selectboard of the Town of Milton and amended October 5, 2020 requires competitive bidding and Selectboard approval for purchases over \$15,000 by the Town; and,

WHEREAS, the Town of Milton 2023 Pick Up Truck Purchase was prepared to be put out to bid as of July 2022; and, WHEREAS, due to lack of supply chain the Public Works Department was unable to obtain three (3) qualified bidders, known to supply trucks and/or specified equipment at one consecutive time to hold a competitive bid. The Town received the following three (3) quotes from supplied vendors over the last year:

Springfield Buick, GMC	\$70,645.00	February 7, 2023
Nucar Ford of St. Albans	\$61,285.00	November 7, 2022
Heritage Ford	\$60,037.00	August 1, 2023

WHEREAS, the lowest qualified vendor being Heritage Ford has produced a quote of \$60,037.00 for a 2023 Ford F-350 pick-up truck.

THEREFORE, BE IT RESOLVED, that the Selectboard of the Town of Milton authorize the Town Manager, or their designee to execute all necessary documents to purchase a 2023 Ford F-350 pick-up truck from Heritage Ford from the Capital Improvement Plan (CIP) for an amount not to exceed \$60,037.00.

Motion made by C. Taylor to authorize the Town Manager, or their designee to execute all necessary documents to purchase a 2023 Ford F-350 pick-up truck from Heritage Ford from the Capital Improvement Plan (CIP) for an amount not to exceed \$60,037.00, with a second by L. Morgan. Motion approved unanimously.

VI. Consent Agenda

- Approval of Selectboard Meeting Minutes of 7/31/2023
- Approval of Warrant #3

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

VII. American Public Works Association, New England Chapter: Special Achievement Award – Bruce Trombly

Lisa Schaeffler, Public Works Director

Zach Blodgett from the City of Montpelier and the Board of Directors for the New England Chapter of APWA presented the Special Achievement Award to Bruce Trombly. He reviewed the eligibility requirements and read the following statement aloud before presenting the award to Bruce Trombly, Supervising Equipment Operator of the Town of Milton Highway Department.

The Special Achievement Award acknowledges the excellence of performance of public works personnel up to and including the title of foreman and supervisor. Often it is the accomplishments of many, particularly in the face of adversity, the elements, and sometime tragedy that exemplify excellence and commitment in what they do.

Bruce Trombly is a dedicated public works professional that has served Milton for 35 years. Bruce is dependable, trustworthy and an all-around good person. He is a proficient operator of all of the

Town's equipment and leads the department when the supervisor is away. The Town of Milton is very grateful for Bruce's loyalty and commitment.

Bruce is an example of the people who work quietly behind the scenes, doing the essential work necessary to keep our roads and communities happy, healthy and safe, improving the quality of life for all. Please join me in congratulating supervising equipment operator for the Milton, Vermont highway department Bruce Trombly for the New England Chapter 2023 Special Achievement Award.

VIII. Recreation Commission Appointment – Julia Pfaff

Jenna Tucker Eugair, Recreation Director

J. Tucker Eugair introduced Julia and provided background on her participation with the Recreation Commission. Julia responded to questions from the Selectboard and provided information about why she is interested in becoming a student representative on the Recreation Commission.

Motion made by B. Steady to approve that Julia Pfaff be appointed to the Recreation Commission for a 1-year term as a student representative, with a second by C. Taylor. Motion approved unanimously.

IX. Milton Artists Guild FY24 Allocation Request

Corrina Thurston, Milton Artist Guild Executive Director

Corrina Thurston stated that she is requesting Town appropriations for the 2024 fiscal year. She provided an overview of the offerings provided by the Milton Artists' Guild and summarized the purpose of the organization. Individual Selectboard members expressed their personal positions on the request. C. Thurston responded to questions from the Selectboard. The following residents provided public comments: Mary Ann Duffy Godin; Julie Jones, Secretary on the Board of MAG; Kathy Newton Whiting; Missie Thurston; Ray McClure; Judy Hayes; Liz Reardon, Director of MAG; and Chip Whiting.

Motion made by L. Morgan to vote whether or not to allocate the \$2500 appropriation to the Milton Artists' Guild for the FY24 budget, with a second by B. Steady. Motion failed, with a majority of members voting "nay".

X. Recommendation to Award Contract for Market Feasibility Study for Indoor Recreation Community Facility

Don Turner, Jr., Town Manager

D. Turner provided background information on this item, reviewing the process as outlined in the following resolution:

Market Feasibility Study for Indoor Multipurpose Recreation Facility

WHEREAS, the Administrative Code Purchasing Policy duly adopted by the Selectboard of the Town of Milton requires competitive bidding and Selectboard approval for purchases over \$10,000 by the Town ; and

WHEREAS, in February of 2023, the Selectboard appropriated \$200,000.00 for a Town-managed feasibility study of a multi-purpose recreational facility; and

WHEREAS, the Town issued a request for proposals on June 22, 2023, for a Market Feasibility Study for an Indoor Multipurpose Recreation Facility, with bids due on July 21, 2023; and

WHEREAS, the Town received the following proposals:

1. HVS Convention, Sports & Entertainment Facilities Consulting, \$143,200 plus out-of-pocket expenses not expected to exceed \$13,400
2. BerryDunn, \$197,220
3. Victus Advisors LLC, \$109,900
4. Wiemann Lamphere Architects / Pinnacle Indoor Sports, \$68,000 plus \$5,500 in estimated reimbursable expenses
5. MacLaughlin Management & Design, \$25,000 (specific to ice skating arena)

WHEREAS, each proposal presented a thoughtful approach to achieving the objectives identified in the proposal and demonstrated the experience necessary to successfully complete the project; and

WHEREAS, due to the scale of the project and the diversity of the proposals submitted, the review committee requested that each company respond to a set of eight (8) questions designed to provide further insight into each respondent's approach, methodology, expertise and understanding of the objective. All companies sent responses by the requested deadline; and

WHEREAS, one company, HVS, provided exceptionally insightful, knowledgeable and detailed responses to the follow-up questions that demonstrated the expertise and ability to complete the project successfully as well as a clear understanding of the objective and the desired outcome of the project; and

WHEREAS, the project quote from HVS is within an acceptable price range for the project, leaving budget for additional work as may be determined necessary; and

WHEREAS, after thorough analysis and with consensus by the members of the review committee, consisting of Town Staff and Milton on the Move chairpersons, the committee recommends that the contract be awarded to HVS Convention, Sports & Entertainment Facilities Consulting, in an amount not to exceed \$156,600.00; and

THEREFORE, BE IT RESOLVED, by the Selectboard of the Town of Milton, that the Town Manager, or his designee, is authorized to execute the necessary documents to award the Market Feasibility Study for an Indoor Multipurpose Recreation Facility to HVS Convention, Sports & Entertainment Facilities Consulting for an amount not to exceed \$156,600.00.

The following attendees asked questions and/or made comments: Kathy N. Whiting; Chuck Wilton; Joseph Duquette; and Lori Donna, Milton on the Move. There were additional clarifying comments from Selectboard members and D. Turner.

Motion made by C. Taylor to allow the Town Manager or their designee to execute the necessary documents to award the Market Feasibility Study for an Indoor Multipurpose Recreation Facility to HVS Convention, Sports & Entertainment Facilities Consulting for an amount not to exceed \$156,600.00, with a second by L. Morgan. Motion approved unanimously.

XI. Flanders Water System Replacement – Loan

Wayne Elliot, Aldrich & Elliot; Corey Parent

D. Turner introduced the background on this item by providing history on the project, including scope changes since its inception. Wayne Elliot and Corey Parent discussed the next phases of the project and reviewed the proposed amendment to the Owner-Engineer Agreement. There was discussion between the Selectboard, the Town Manager and W. Elliot.

Motion made by B. Steady to amend the water project loan #WPL-300-1.0 in the amount of \$170,300.00, making the total now \$192,850.00 for the replacement of the existing water lines in the Flanders Development and extension of new water lines on Middle Road and into the Sunny Acres Development to replace an existing community water system, with a second by C. Taylor. Motion approved unanimously.

XII. Library Courier Grant

Matthew Davis, Library Director

M. Davis provided background information on this grant, as provided in the following memo.

To: Milton Selectboard
Date: 8/02/2023
From: Matthew Davis
Re: Courier Grant Information

Below is the information for the Courier Grant:

The purpose of this grant is to make it possible for public libraries to provide interlibrary loan services to their communities without the rising costs of postage limiting service access.

This year, we anticipate being able to offer a grant to public libraries that will cover half the cost of one stop per week for the federal fiscal year. The grant amount will be \$650.00.

General Information (will be updated when the grant application opens)

Each eligible library with one courier stop per week will receive a grant of covering half the cost of one stop per week to be used toward payment(s) to the courier service vendor. Libraries are not authorized to use grant funds for any other purpose. The courier contract is currently going through the state procurement process, so the amount of the grant for federal fiscal year 2023 is estimated based on previous increases in costs.

Eligible costs include one or more weekly stops by the courier service vendor.

The library programs supported with this grant must take place between October 1, 2023 and September 30, 2024. All grant funds must be expended by September 30, 2024.

Libraries must acknowledge funding support from IMLS through the Vermont Department of Libraries in program publicity and press releases.

Eligibility

Vermont public libraries may receive grants under this program. For this grant cycle the grant will be considered non-competitive.

Eligibility for this grant award includes grantee compliance with assurances required by previous Courier grants.

Eligible grantees are those that are not currently suspended or debarred by the Federal government and are current in submissions of the Subrecipient Annual Report and Single Audit Reports for at least the past three years and must pass a pre-award risk assessment.

Application Period

The Courier Grant application period will open on August 1, 2023 and will close on August 31, 2023. Both the grant application and supporting documents must be submitted before the application period closes.

Applying for the Grant

Method of submission: The online application is open from August 1, 2023 - August 31, 2023.

Applications must be completed online by the deadline listed on the application and this website. Any applications completed past that date will not be considered.

Award letter and grant administrative documents will be sent to the Library Director.

NOTE: Your application is not considered complete until both the application and the supporting documents are submitted.

Prior to beginning your application, please review the information needed (on the first page) and make sure you have the following documents ready to upload:

A W9 that has been hand-signed (no electronic signatures) within the last six months

A valid Certificate of Insurance

Motion made by C. Taylor to give permission to the Library director to apply for the Courier Grant and to accept the Courier Grant in the amount of \$650.00, with a second by L. Morgan. Motion approved unanimously.

XIII. Stump Removal and Grinding Services – DJ's Tree

Don Turner, Jr., Town Manager

D. Turner provided background information on this request, as presented in the following resolution:

Stump Removal and Grinding Services by DJ's Tree

WHEREAS, the Town has begun the infrastructure portion at the site of the new public works facility, for which the first step is tree cutting, clearing and stump removal; and

WHEREAS, the contract for the cutting and forestry work was under \$15,000 and therefore did not require Selectboard approval to be contracted by the Town Manager; and

WHEREAS, the Town received a proposal from DJ's Tree on July 21, 2023, for \$22,750 to pull stumps and process them with a grinder, leaving the grindings on site; and

WHEREAS, the Administrative Code Purchasing Policy duly adopted by the Selectboard of the Town of Milton and amended October 5, 2020 requires competitive bidding and Selectboard approval for purchases over \$15,000 by the Town; and

WHEREAS, the cost for this proposal exceeds \$15,000, and therefore requires board approval; and

WHEREAS, the combined process of removing the stumps, grinding them and leaving the grindings on site is a specialized service that will not only clear the site but will also provide chipping material that the Town will use for berms around the site. This process will save the Town disposal and trucking fees. No other known contractor in Town provides this specialized, combined service; and

WHEREAS, timing is an important consideration, as the remaining construction season is limited, and seeking bids at this stage would halt progress and hinder the project timeline; and

THEREFORE, BE IT RESOLVED, that the Selectboard of the Town of Milton authorizes the Town Manager, or their designee to execute all necessary documents to hire DJ's Tree to pull and grind the stumps at a cost not to exceed \$22,750.

Motion made by L. Morgan to authorize the Town Manager, or their designee to execute all necessary documents to hire DJ's Tree to pull and grind the stumps at a cost not to exceed \$22,750, with a second by C. Taylor. Motion approved unanimously.

XIV. Preservation of Record Books

Kristin Beers, Town Clerk

K. Beers provided background on this item, as presented in the following resolution:

Preservation of Four Record Books - 2023

WHEREAS, the maintenance of the Town of Milton Land Records is an essential responsibility of the government of the Town of Milton, as required by Vermont state law; and,

WHEREAS, the staff recommends that the long term best interest of the Town of Milton is well served by fully preserving the Records of the Town of Milton; and,

WHEREAS, Map Books Volume 1 and Volume 2 are in need of preservation, as well as two of the Property Transfer Tax Return books, 1986 and Jan – June 1988; and,

WHEREAS, Kofile, the sole, local vendor that provides this preservation service, has provided a price quote of \$29,707.00 for this project; and,

WHEREAS, the Town Staff ensures there are sufficient funds in the Restoration of Records Fund to complete this project; and,

WHEREAS, the Town Staff requests the Milton Selectboard to authorize the preservation of the aforementioned record books; and,

THEREFORE BE IT RESOLVED, the Milton Selectboard hereby authorizes the Town Clerk to sign the necessary documents for Kofile to preserve the aforementioned record books at an amount not to exceed \$29,707.00.

Motion made by B. Steady to authorize the Town Clerk to sign the necessary documents for Kofile to preserve the aforementioned record books at an amount not to exceed \$29,707.00, with a second by L. Morgan. Motion approved unanimously.

XV. Schedule Joint School Board Meeting to Discuss School Addition

Don Turner, Jr., Town Manager

The Selectboard discussed holding a joint meeting with the School Board on September 18, as part of the regular Selectboard Meeting. The chairs will meet prior to the joint meeting to review content.

XVI. Krebs & Lansing: Garage Construction Related Civil Consulting Services

Don Turner, Jr., Town Manager

D. Turner provided background on this item, and he presented the proposal from Krebs & Lansing for construction related civil consulting services for the public works facility project.

Motion made by C. Taylor to enter into contract with Krebs & Lansing for work on the Public Works Building in an amount not to exceed \$25,800.00, with a second by L. Morgan. Motion approved unanimously.

XVII. Update on Flooding

Don Turner, Jr., Town Manager

D. Turner provided an update on the current status of flood cleanup. He and Michaela Foody, Public Safety Director, responded to questions from the Selectboard.

XVIII. Update from Town Manager and Board Members

Don Turner, Jr., Town Manager

- Turner and Finance Director Amber Baker met with health insurance provider CIGNA last week. The Town has experienced a sharp increase in staff claims for prescriptions and health services. This could have a significant impact on the Town's health insurance premiums for FY25 should this trend continue for the rest of this fiscal year.
- The groundbreaking ceremony on August 15, 2023, went well for the new public works facility. Turner thanked the Selectboard for participating in the event.
- The Town will be sending Husky an invoice for \$12,833.92 for repairing a leak in their private water system that includes 1.1 million gallons of water loss at a cost of \$4,763.
- Tax bills were mailed the first week of August. A few people have reached out with concerns over the increasing tax burden.
- Tennis and Pickle ball courts look great. The Town has received a number of compliments and positive feedback about this work. The second set of basketball hoops were installed adjacent to the existing court. The court will be painted as soon as the contractor is in the area. Could not be done while they were here due to rain.
- Michaela will be Acting Town Manager and covering the September 5 Selectboard meeting in my absence. I will be away from Saturday, September 2 through Wednesday, September 6, 2023.
- The Town Forest Trail project will begin on September 18th. The parking lot and trailhead will be closed from September 17 through the first week in November for construction and safety purposes. The Town will work to reopen this area as quickly as possible.
- Update on the Old Creamery: The CCRPC awarded a town pass-through grant for materials assessment work at the old creamery. This work will start tomorrow and likely take an additional few days.
- Amanda Pitts is finishing the boundary line adjustment documentation for the 3.9 acres the Town will purchase from the Brault Family Trust. After talking with legal counsel, Turner is anticipating that the Town will be able to close on the property in September. The state portion was completed and the new property markers have been set.
- The Grange reopened last week for Milton Firefighters Association bingo on Tuesday and Thursday nights. Everything went well, and attendees were pleased with the renovations to the building. Turner spoke with Premier Paving, and they are tentatively planning to pave the parking lot later this week, subject to weather cooperating.
- Al's French Frys has requested to stay in their current location through first week in October, and they have offered to pay the same weekly rate that they paid throughout the summer.
- As a result of the vicious dog hearing, the dogs were removed from Meadow Lane and turned over to the Chittenden County Humane Society last week.
- Lisa will be attending the APWA conference in San Diego next week.
- Line painting on Route 7 is in progress and will be completed as weather allows.

- The Town hired Deb Rose in the Planning and Zoning department as an enforcement officer.

XIX. Executive Session – Litigation

Motion made by B. Steady to enter into executive session at 8:15 p.m. The Chair will entertain a motion that the Board make a specific finding pursuant to 1 VSA 313 (a)(1) (E) and (F), that premature general public knowledge concerning probable civil litigation involving *Isa Lamothe v. Town of Milton* would place the Town at a substantial disadvantage in that it involves attorney/client communications on matters of strategy and settlement or litigation options. Second by C. Taylor. Motion approved unanimously.

The Chair will entertain a motion that the Board enter into executive session pursuant to 1 VSA 313 (a)(1) (E) and (F), for the purposes of engaging in attorney/client communications made for the purpose of providing professional legal services to the Selectboard concerning probable litigation and potential settlement, and inviting in all present members of the Selectboard; Public Safety Director, Michaela Foody; Town Manager, Don Turner, Jr.; Attorney, Mick Leddy; Chief of Police, Steve Laroche. Second by C. Taylor. Motion approved unanimously.

Motion made by C. Taylor to close executive session at 8:46 p.m., with a second by L. Morgan. Motion approved unanimously.

XX. Action as a Result of Executive Session

Motion made by B. Steady to, based on advice from counsel, approve and consent to the proposed settlement of the matter with *Isa Lamothe v. Town of Milton* and authorize the Town Manager Don Turner to execute the settlement agreement on behalf of the Town of Milton. Second by C. Taylor. Motion approved unanimously.

XXI. Adjournment

Motion made by C. Taylor to adjourn the meeting at 8:50 p.m., with a second by L. 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/2o9xtqnnul68ehrsww2iqfn0cn1n181v2>

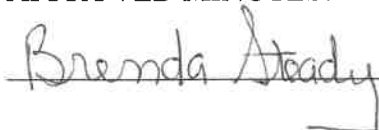
A video recording of this meeting can be found at the following location:

<https://miltonvt.box.com/s/lret24j2fdwbc0zcwwklmuc1sh3lxb7q>

Respectfully Submitted,

Brittany Tradup

APPROVED MINUTES:



Date: 9/5/23

Brenda Steady, Clerk

Filed with the Milton Town Clerk's Office on this 6th day of September, 2023.

ATTEST: Sammy Geary Asst, Milton Town Clerk