



**Town of Milton – Selectboard Meeting
43 Bombardier Road, Milton VT 05468
In Person and/or via Zoom – Community Room
Monday, April 18, 2022 at 6:00 p.m.**

MINUTES

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

Selectboard Members Absent: Darren Adams, Chair

Staff Members Present: Don Turner Jr., Town Manager; John Bartlett, Director of HR/Administration/Buildings & Grounds (remote); Kirsten Jensen, Public Works Engineer; Brittany Tradup, Executive Assistant to the Town Manager

Others Present: Michael Frett, The Islander; Elizabeth Conte (remote); Diane Barrows (remote); Jessica Groeling (remote)

I. Call to Order

M. Morgan called the meeting to order at 6:00 p.m.

II. Flag Salute

M. Morgan led the attendees in the Pledge of Allegiance.

III. Agenda Review

B. Steady requested adding a discussion about Selectboard computers as part of the update at the end of the meeting.

IV. Public Forum

B. Steady stated that The Islander, the Town's paper of record, is now available in the Municipal Building, in addition to its other locations of distribution.

V. Consent Agenda

- **Approval of Selectboard Meeting Minutes of April 4, 2022**
- **Approval of Warrant #23**

D. Turner stated that an item in the amount of \$49,741.00 to Key Chevrolet Buick GMC Cadillac for a GMC Sierra was removed from the warrant because the truck was inadvertently sold to another party by the dealer. The new total for Warrant 23 is \$143,337.29.

Motion made by J. FitzGerald to approve the Consent Agenda with the revised amount for Warrant 23, with a second by C. Taylor. Motion approved unanimously.

VI. Paving Bid Acceptance

Kirsten Jensen, Public Works Engineer

K. Jensen provided background on this item, and presented the following resolution.

Resolution: 2022 Roadway Resurfacing Projects: Recommendation of Award

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 \$10,000 by the Town,

WHEREAS, The 2022 Roadway Resurfacing Project was put out to bid February 18, 2022, with bids due on March 15, 2022; and,

WHEREAS, the Town received the following bids for the resurfacing of Racine, Forbes and Legion Road, with the Engineers Estimate, including contingencies being \$190,870.00,

- 1. Pike Industries, Inc.: \$197,910.25
- 2. F.W. Whitcomb: \$200,580.00
- 3. S.D. Ireland: \$216,010.00
- 4. Premier Paving: \$215,659.71 (non responsive bidder)

WHEREAS, after DPW review and a bid analysis performed by our engineering consultant, Hamlin Consulting Engineers, DPW Staff recommends the contract be awarded to Pike Industries, Inc., in the amount not to exceed \$197,910.25; and,

NOW, 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 2022 Roadway Resurfacing Project to Pike Industries, Inc., for a not to exceed amount of \$197,910.25 related to the award of this contract.

Motion made by B. Steady to authorize the Town Manager, or his designee, to execute the necessary documents to award the 2022 Roadway Resurfacing Project to Pike Industries, Inc., for a not to exceed amount of \$197,910.25 related to the award of this contract. Second by J. FitzGerald. Motion approved unanimously.

VII. Bombardier Sidewalk Concrete Bid Acceptance

Dave Allerton, Public Works Director; Kirsten Jensen, Public Works Engineer

K. Jensen introduced the background on this item, and presented the following resolution:

Resolution: 2022 Bombardier Sidewalk Project Concrete Work: Recommendation of Award

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,

WHEREAS, the Highway Department has completed the required excavating and subgrading prior to concrete work,

WHEREAS, the Department of Public Works was awarded the VTrans Small Scale Bicycle & Pedestrian Grant in the amount of \$30,000 with \$15,000 local match,

WHEREAS, an Invitation to Bid for the Bombardier Sidewalk Project was put out to bid on March 16, 2022, with bids due on March 30, 2022; and,

WHEREAS, the Town received the following bids for concrete work on the Bombardier Sidewalk Project,

1. Munson Earth Moving \$19,971
2. CP Site Construction \$24,450
3. Poulin Landscaping \$31,500
4. All Seasons Excavating \$34,545

WHEREAS, after bid review, DPW Staff recommends the contract be awarded to Munson Earth Moving, in the amount not to exceed \$19,971; and,

NOW, 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 contract for the Bombardier Sidewalk Project to Munson Earth Moving Corporation, for a not to exceed amount of \$19,971.

Motion made by C. Taylor to authorize the Town Manager, or his designee, to execute the necessary documents to award the contract for the Bombardier Sidewalk Project to Munson Earth Moving Corporation, for a not to exceed amount of \$19,971. Second by J. FitzGerald. Motion approved unanimously.

VIII. Class 2 Paving Grant Permission to Apply

Kirsten Jensen, Public Works Engineer

D. Turner introduced this item. The Town received late notification of the grant opportunity due to a communication error. Turner authorized the Public Works Department to apply for this grant, in order to avoid missing the submission deadline.

K. Jensen introduced further background on this grant, as provided in the following memo. She also stated that the Town has already been notified that the VTrans representative for the Town has recommended the grant for approval.

To: Milton Select Board

Date: April 18, 2022 From: Kirsten Jensen, Public Works Engineer

CC: Dave Allerton, Director of Public Works, and Don Turner, Town Manager

Re: Department of Public Works, Submission of Class 2 Paving Grant for Paving of Westford Road

Background:

The Department of Public Works has submitted an application for the VTrans Class 2 Paving Grant for the paving of one mile of Westford Road. The pavement on Westford Road has aged past its useful life and has numerous potholes and cracks. The DPW was notified late of the grant's due date, so we were unable to bring this item to the Select Board prior to the submission deadline.

The project is estimated to cost a total of \$210,000. The grant will provide a maximum of \$175,000 with \$35,000 match. The TA60 Form, attached in the Select board packet, confirms the Town's ability to meet the grant match requirements and was signed by Don Turner.

We are requesting belated Select Board approval to apply for the VTrans Class 2 Paving Grant in the amount of \$175,000, with a local match of \$35,000 for a total of \$210,000 in funding for the paving of one mile of Westford Road.

Motion made by J. FitzGerald to grant approval for the submission of the VTrans Class 2 Paving Grant for Westford Road Paving Project in the amount of \$175,000 with a \$35,000 local match, with a second by B. Steady. Motion approved unanimously.

IX. PTA Color Run Entertainment Permit

Jenna Tucker Eugair, Recreation Director

Elizabeth Conte, a representative of the Milton VT PTA, provided background on the event and answered questions from the Selectboard.

Motion made by J. FitzGerald to approve the application for an entertainment permit for the PTA Color run, with a second by B. Steady. Motion approved unanimously.

X. Little League Opening Day Entertainment Permit

Jenna Tucker Eugair, Recreation Director

On behalf of Little League, Jessica Groeling provided background on the event and answered questions from the Selectboard. There was some discussion about the attendance possibly totaling closer to 250 people.

Motion made by C. Taylor to approve the application for an entertainment permit for the Milton Little League Opening Day on Saturday, May 7 from 9 a.m. to 3 p.m., with a second by B. Steady. Motion approved unanimously.

XI. Tax Sale Resolution

Don Turner, Jr., Town Manager

D. Turner presented the background as presented in the following resolution:

Resolution: 2022 Tax Sale

WHEREAS, the Milton Selectboard recognizes a need for the Town Manager, or his agent, acting as the Delinquent Tax Collector for the Town of Milton to pursue collection of delinquent real estate taxes through the 2021-22 fiscal year through tax sale; and

WHEREAS, the Selectboard further recognizes that such action may be necessary on a case-by-case basis.

NOW, THEREFORE BE IT RESOLVED: the Milton Selectboard hereby authorizes the following:

The Town Manager, Donald Turner, may engage the Town Attorney to prepare for and to conduct tax sales pursuant to Title 32 V.S.A., Chapter 133 for the purpose of collecting delinquent real estate taxes as provided under subchapter 9 of Title 32 V.S.A., Chapter 133;

The Town Manager, Donald Turner, may take tax sale action, pursuant to Title 32

V.S.A., Chapter 133, subsections 5258 and 5259, and in the same manner as provided by law under subchapter 9 of Title 32 V.S.A., Chapter 133, on a case-by-case basis for and on behalf of the Town of Milton;

The Tax Sale shall not include properties where the amount owed is less than \$500 in more than one fiscal year or less than \$5,000 in any single year.

The Town Manager, and/or his agent, acting as the Delinquent Tax Collector, is authorized to sign necessary document related to the tax sale and disposal of such property.

The Town Manager, and/or his agent, acting as the Delinquent Tax Collector, shall cause the names and amounts of delinquent tax accounts, as of December 31, 2022 to be included in the 2023 Town Annual Report.

Motion made by J. FitzGerald to approve the tax sale resolution as presented, with a second by C. Taylor. Motion approved unanimously.

XII. ARPA Reporting

Don Turner, Jr., Town Manager

D. Turner presented an update on ARPA reporting as presented in the following memo:

To: Town of Milton Selectboard

From: Jaclyn B. Dodge, Finance Department

Subject: ARPA Standard Allowance

Date: 4/11/2022

I have viewed several webinars on ARPA reporting including those from U.S. Dept. of Treasury and Vermont League of Cities and Towns (VLCT) and the key task for this first year is to decide whether or not to make the one-time irrevocable decision to take the "Standard Allowance" election.

This election would be for the total amount of our ARPA award and is due with the Project & Expenditure Report on 4/30/22. All webinars viewed suggest taking the "Standard Allowance" for simplified reporting under the Expenditure Category 6 – Revenue Replacement which includes two subcategories for Government Services and Non-federal Match for Other Federal Programs. As noted in the attached information from the most recent webinar from VLCT, government services generally include any service traditionally provided by a government. Please review and let me know if you have any questions or need additional information.

Motion made by C. Taylor that the Town of Milton make the one-time irrevocable decision to elect the "Standard Allowance" approach for our ARPA award in the amount of \$3,237,468.22, to spend on the provision of government services and/or non-federal match for other federal programs throughout the period of performance of the grant. Second by J. FitzGerald. Motion approved unanimously.

XIII. Update from Town Manager and Board Members

Don Turner, Jr., Town Manager

C. Taylor read aloud an email he sent over the weekend to other Selectboard members, regarding the new computers for Selectboard members. J. Bartlett updated the Selectboard on the current status of the laptops. The plan is to collect laptops at the first meeting in May and have the new ones to the Selectboard members by the following weekend. D. Turner added that the Town is due to revisit the technology policy, so this will be added to a future meeting agenda.

Update from D. Turner:

- An estimated 400 people attended the recreation department's Easter Egg Hunt on Saturday.
- The Town will be adding some additional fruit trees to the Fruit Grove in the coming weeks.
- The Rescue Department is continuing its work with the EMS district to advance Milton Rescue to a para-medicine service in the coming year.
- Food Trucks will be permitted for 7 weekends this summer without needing to modify the site plan or seek new permits.
- Mrs. Bombardier is recovering from the fall she took after tripping over a string line inadvertently left in her driveway of the new sidewalk construction area. She expressed her appreciation for the highway team after they delivered flowers and a get-well card the day after the accident occurred. The Town will be covering her out of pocket expenses incurred because of this incident.
- Milton on the Move's Inclusion Festival planning is proceeding nicely. A number of interactive events have been scheduled and food vendors have been contacted. The planning committee includes representatives from the Milton on the Move Community Initiative, the school district, the Recreation Department and a number of residents. A joint press release will be issued with the Milton Family Community Center, Milton Community Youth Coalition, Milton Artist Guild and the school district highlighting this event.
- The Town received three applications for the Milton on the Move coordinator position. After interviews were conducted last week by Jess Groeling, William Pikul, Brittany Tradup and Don Turner, Cathy LaClair has been selected to fill the position. Both of the other candidates are committed to ensuring the success of the initiative. Cathy will be meeting with us this week to get started in this position.
- The Town of Milton was awarded the \$175,000 class 2 paving grant for a portion of Westford Rd.
- The Vacuum Truck returned today after being refurbished in Florida. The contractor reported that the truck was in better condition than they anticipated. Work went well, and the manufacturer will be providing onsite reintroduction/training for proper operations in the coming weeks.
- The Department of Public Works had 105 (approximately 20%) of the Town's storm water catch basins cleaned last week. The Town plans to clean another 100 in late summer. There are approximately 500 catch basins total in town.
- The Town has received two applications and a number of other inquires to serve on the future of the Ice House Rd (old Town Garage) property.
- Kirsten Jensen will be leaving in late July to pursue her graduate degree.

XIV. Executive Session – Pending Civil Litigation

Motion made by J. FitzGerald to find that premature knowledge about Pending Civil Litigation would cause the Town or person to suffer a substantial disadvantage. Second by C. Taylor at 7:01 p.m. Motion approved unanimously.

Motion made by J. FitzGerald to move enter into executive session at 7:02 p.m. to discuss Pending Civil Litigation under the provisions of 1 VSA 313 (A)(1) of the Vermont Statutes; to include the following; Selectboard members: M. Morgan, C. Taylor, J. FitzGerald and B. Steady; Town Manager Don Turner, Jr.; and Town Attorney David Rugh. Second by B. Steady. Motion approved unanimously.

Motion made by J. FitzGerald to close executive session at 7:47 p.m., with a second by M Morgan.

Motion approved unanimously.

XV. Action as a Result of Executive Session

D. Turner made the following statement: “While I am employed by the Town, I will not personally participate in the sale, development or marketing of lots in the Brault Family Trust subdivision, other than to the extent that the Town is involved in acquiring portions of the Brault Family Trust property.”

Motion made by J. FitzGerald at 7:52 p.m. to approve the Settlement Agreement with Bob Brisson and the William Brisson Family Trust in the appeal of the Brault Family Trust subdivision approval and to authorize the Town Manager or designee to execute the Settlement Agreement. Second by C. Taylor. Motion passed with M. Morgan, J. FitzGerald and C. Taylor voting in favor, and B. Steady voting against.

XVI. Adjournment

Motion made by C. Taylor to adjourn the meeting at 7:53 p.m., with a second by B. Steady. Motion approved unanimously.

Meeting adjourned by M. Morgan.

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

<https://miltonvt.box.com/s/e1jk0636ls023pnrjmatzf2wipom4cgg>

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

<https://miltonvt.box.com/s/aeg3boyd1dllj2a6ynw6013r89w45gox>

Respectfully Submitted,

Brittany Tradup

APPROVED MINUTES:

_____ Date: _____

John FitzGerald, Clerk

Filed with the Milton Town Clerk’s Office on this _____ day of _____, 2022.

ATTEST: _____, Milton Town Clerk