



**Town of Milton – Selectboard Meeting  
43 Bombardier Road, Milton VT 05468  
In Person and/or via Zoom – Community Room  
Monday, June 6, 2022**

**at 6:00 p.m. (immediately following Joint School Board / Selectboard Meeting)**

**MINUTES**

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

**Selectboard Members Absent:** Michael Morgan, Vice Chair

**Staff Members Present:** Don Turner Jr., Town Manager; John Bartlett, Director of HR/Administration/Buildings & Grounds; David Allerton, Public Works Director; Brittany Tradup, Executive Assistant to the Town Manager; Kirsten Jensen, Public Works Engineer; Michaela Foody, Public Safety Director; Steve Laroche, Police Chief; Amber N. Baker, Finance Director; Cymone Haiju, Planning & Development Review Director (remote); Jenna Tucker Eugair, Recreation Director (remote); Cathy LaClair, Milton on the Move Coordinator

**Others Present:** Kimberly Thompson (remote); Alyson Humphrey (remote); Pamela Ann Sandoval; Richard Saunders; Diane Barrows (remote); Crystal Gingras; Rod Moore; Kim Duchesneau; Jeffrey Morse; Mike Thompson; Sean Tatro; Lauren Rolandini (remote); Janet and Terry Richards; William Kaigle

**I. Call to Order**

D. Adams called the meeting to order at 7:29 p.m.

**II. Agenda Review**

No changes

**III. Public Forum**

None

**IV. Consent Agenda**

- **Approval of Selectboard Meeting Minutes of 05/16/2022**
- **Approval of Warrant #26**

**Motion made by C. Taylor to approve the Consent Agenda, with a second by J. FitzGerald.  
Motion approved unanimously. B. Steady was not present for vote.**

**V. Appoint Recreation Commission Board Member: Kimberly Thompson, and Student Member:  
Alyson Humphrey**

*Jenna Tucker Eugair, Recreation Director*

Jenna Tucker Eugair introduced the applicants, and recommended them to the board. Aly Humphrey would serve a 1-year term as a student representative and Kimberly Thompson would serve a 3-year term.

B. Steady reentered the room at 7:31 p.m.

**Motion made by C. Taylor to appoint Aly Humphrey to a 1-year term on the Recreation Commission and Kimberly Thompson to a 3-year term on the Recreation Commission, with a second by B. Steady. Motion approved unanimously.**

**VI. Appoint Conservation Commission Member: Pamela Ann Sandoval**

*Cymone Haiju, Planning & Development Review Director*

Pamela Sandoval introduced herself to the Selectboard, providing her background and experience with other conservation boards. There are two vacancies on the Conservation Commission, and Pamela would fill one of the vacancies with a 3-year term.

**Motion made by B. Steady to appoint Pamela Ann Sandoval to a 3-year term on the Conservation Commission, with a second by C. Taylor. Motion approved unanimously.**

**VII. Appoint Economic Development Commission (EDC) Board Member: Richard Saunders**

*Don Turner, Jr., Town Manager*

D. Turner introduced Richard Saunders and provided his history as a member of the EDC. This is a 3-year term.

**Motion made by C. Taylor to appoint Richard Saunders to a 3-year term on the Economic Development Commission, with a second by J. FitzGerald. Motion approved unanimously.**

**VIII. Appoint Committee to Evaluate the Suitability of Existing Town Property as well as a 10-acre Parcel of Land Owned by the Brault Family Trust for a Multipurpose Recreation Facility**

*Don Turner, Jr., Town Manager; John Bartlett, Human Resources and Operations Director*

D. Turner introduced the history of the reason this committee is being formed. The Town was involved with the Brault family to subdivide the 42 acre property adjacent to the Town-owned Bombardier Park property, but the subdivision was appealed by an adjoining property owner. On April 19, the Town and the appellant came to an agreement to resolve the appeal, and the agreement required the Town to form a committee. To clarify the purpose of the committee, D. Turner read the following portion of the settlement agreement out loud:

**2. The Property.** Upon the Court's entry of the Stipulated V.R.C.P. 58 Judgment Order (Exhibit A) and it becoming final and unappealable, the Town agrees as follows:

- a. Within fifteen (15) days of the Court's approval of the Stipulated V.R.C.P. 58 Judgment Order, the Town agrees to hold a publicly noticed Selectboard meeting where it will discuss evaluating the suitability of existing Town-owned properties, as well as a ten-acre, more or less, parcel of land that the Town may consider acquiring from the Brault Family Trust that is adjacent to Lot 2 shown on the Plat for the construction of an indoor multi-purpose recreation facility that may include an ice rink and/or swimming pool in accordance with the Town's existing Master Recreation Plan. At this meeting, the Selectboard shall also organize a committee of Town voters with at least one Town staff person to study, evaluate and make a recommendation to the Selectboard on suitable Town-owned property or properties, as

well as the suitability of the aforesaid 10-acre portion of the Brault Family Trust Property, for the site an indoor multi-purpose recreation facility that that may include an ice rink and/or swimming pool. The committee shall take minutes of its proceedings that will be publicly available, and said committee shall have between sixty (60) to ninety (90) days from the date of its formation to report back to the Selectboard with its findings. If the committee's findings conclude that existing Town-owned property is suitable for the site of an indoor multi-purpose recreation facility, as opposed to property(ies) owned by others, the committee's findings will be publicly available.

1. If it is identified by the Selectboard or the committee organized pursuant to Section 2(a), above, the Town agrees to use its best efforts and proceed in good faith to acquire an additional ten acres, approximately, of land adjacent to Lot 2 of the subdivision shown on the Plat for a price not greater than that agreed to by the Parties from the Brault Family Trust Property for the purpose of constructing an indoor municipal multi-purpose recreation facility that may include an indoor ice rink and/or swimming pool. The Town's acquisition of such property is contingent upon a number of prerequisites, including but not limited to the Town's completion of its own due diligence and voter approval of financing or indebtedness sufficient to cover the costs of the acquisition of the additional ten acres of land from the Property. Without limiting the foregoing but by way of clarity, this Agreement does not bind the Town to acquire the additional land from the Brault Family Trust, but rather, it commits the Town to proceed in good faith and use its best efforts to attempt to acquire additional portions of the Property adjacent to Lot 2 in order to construct the aforesaid multi-purpose recreational facility, if it's recommended by the Selectboard or by the committee organized under Section 2(a) hereof.
2. In conjunction with the transaction contemplated in Section 2(a)(1), the Town agrees that its Town Attorney will provide a confidential update to Counsel for the Appellant on the status of the Town's negotiations to acquire an additional ten acres of land from the Brault Family Trust, subject to the conditions in Section 2(a)(1), every 45 days until either the Town and the Brault Family Trust have reached an agreement on the Town's purchase of such land, or until negotiations have concluded.
3. If the Town and the Brault Family Trust have reached an agreement on the Town's purchase of the additional approximately 10 acres of the Brault Family Trust Property adjacent to Lot 2 as shown on the Plat by December 1, 2022, the Town agrees to put the question of whether the Town should incur indebtedness to acquire the property and construct a multi-purpose recreation facility before the Town's voters on Town Meeting Day 2023.
4. In addition to Section 2(a)(3), if the Town and the Brault Family Trust are unable to reach an agreement on the Town's purchase of the additional land per the conditions of this Section 2(a), the Town agrees to include on the agenda for a duly warned public Selectboard meeting within 45 days of an unsuccessful conclusion of negotiations, discussion and consideration of whether the Town should continue to pursue constructing an indoor multi-purpose recreation facility.

The Town received 6 applications, and all of the applicants are present, in person or remotely. The Town advertised the committee to have 4 vacancies. There was some discussion about the option to appoint all of the applicants, and there was additional discussion about the 60-day timeline.

**Motion made by B. Steady to approve Diane Barrows, Crystal Gingras, Rod Moore, Kim Duchesneau, Jeffrey Morse, and Mike Thompson to serve on the Committee to Evaluate the Suitability of Existing Town Property as well as a 10-acre Parcel of Land Owned by the Brault**

**Family Trust for a Multipurpose Recreation Facility, with a second by J. FitzGerald. Motion approved unanimously.**

**IX. Central Tower Contract CIP Repeater Purchases**

*Michaela Foody, Public Safety Director*

M. Foody stated that the purpose is to relocate the Town's emergency services communications equipment to a taller tower, so the Town can gain much needed coverage through some areas of town. The new tower has been built and the City of St. Albans will allow Milton to house communications equipment in a section of the tower. Milton will be responsible for maintenance and all costs associated with Milton's equipment. Milton will not pay any rent/lease unless the City of St. Albans is no longer the dispatching service for Milton. Upon transitioning the equipment, Milton will purchase the new Fire and Rescue repeaters that are included in the capital budget. The agreement would be perpetual, but the Town would have to enter into another agreement if Milton were to change the Town's public safety dispatching service.

D. Turner added that the Town is not giving up space on the current tower. Use of that space is under consideration for other uses. M. Foody responded to questions from the Selectboard.

**Motion made by J. FitzGerald to approve the Emergency Services Communications Equipment Agreement as presented, with a second by B. Steady. Motion approved unanimously.**

**X. Lamoille Terrace Guardrail Replacement Contract**

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

D. Allerton introduced this item with the background info provided in the following memo.

To: Milton Select Board  
Date: May 18, 2022  
From: David K. Allerton, P.E., Director of Public Works CC: Don Turner, Town Manager  
Re: Lamoille Terrace Guardrail Replacement Project, Contract Approval

The old cable guardrail on Lamoille Terrace has been hit numerous times in the distant past, and is in need of replacement. There is only one company around who replaces guardrail, and we have used them on all guardrail replacements and improvements in Milton. The project will include using rail and posts in DPW's stockpile. The quote we received for this project is as follows:

1. Lafayette Highway Specialties; \$17,170.00.

There is funding available for this project using the Capital Guardrail Replacement, DPW Highway Guardrail, and DPW Highway Contracted Services budget line items.

D. Allerton and D. Turner responded to questions from the Selectboard.

**Motion made by J. FitzGerald to authorize the Town Manager or their designee to execute the contract with Lafayette Highway Specialties in a not to exceed amount of \$17,170.00, for the installation of guardrails on Lamoille Terrace, with a second by C. Taylor. Motion approved unanimously.**

**XI. Grants-In-Aid Grant: Authorization to Apply**

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

D. Allerton introduced this item with the background info provided in the following memo.

To: Milton Select Board  
Date: June 3, 2022  
From: David K. Allerton, P.E., Public Works Director  
CC: Don Turner, Town Manager  
Re: FY 2023 VTrans Grants-in-Aid Program for Hydrologically Connected Roads

The notice for the annual VTrans Grants-in-Aid Program to provide funding assistance for improvements to hydrologically connected roads came out on May 25, 2022. All towns applying will get the grant. This year VTrans is offering Milton \$37,500 in grant money, requiring a 20% local match which would be \$9,375. This results in a total of \$46,875 available for road ditching and stormwater improvements in Milton. The local match for the project will come from the Stormwater Reserve line item of the Capital Reserve funds. A letter of intent from Milton is required to be submitted by June 24, 2022.

**Motion made by C. Taylor to authorize the Town Manager or their designee, to submit the required letter of intent for the FY2023 Grants-in-Aid Program, and to execute the grant agreement and accept the \$37,500 VTrans Grant through the VTrans Grants-in-Aid Program for stormwater improvements to hydrologically connected road segments in Milton, with a second by B. Steady. Motion approved unanimously.**

## **XII. MARC Grant for AB-3 Stormwater Project: Authorization to Apply**

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

D. Allerton introduced this item with the background info provided in the following memo.

To: Milton Select Board  
Date: June 3, 2022  
From: David K. Allerton, P.E., Public Works Director  
CC: Don Turner, Town Manager

Re: FY 2023 Clean Water Design & Implementation Block Grant through the Mount Ascutney Regional Commission (MARC)

Last year the Department of Public Works (DPW) completed the design of a stormwater project near the top of Allen Drive (identified as AB-3) utilizing a Clean Water Design & Implementation Block Grant (CWDIBG) through the Mount Ascutney Regional Commission (MARC). This year we would like to apply for a grant for the construction of the project. The project cost estimate last year was \$47,115. With inflation, the cost is projected to be closer to \$50,000 now.

The DPW would like to apply for the construction funding for the project through the same program, for the amount of \$50,000. The CWDIBG program provides a 50% grant, and requires a 50% local match.

Local match would come from the Stormwater Reserve budget line item. Applications are due on July 7, 2022.

**Motion made by B. Steady to authorize the Town Manager or their designee, to submit a Clean Water Design & Implementation Grant application to the Mount Ascutney Regional Commission for the construction of a stormwater improvement project on Allen Drive (AB-3), in the amount of \$50,000, with \$25,000 of this being grant, and \$25,000 of this coming from the Stormwater Reserve budget line item, with a second by J. FitzGerald. Motion approved unanimously.**

## **XIII. Engineering Services Amendment, DPW Highway Garage Project**

D. Allerton introduced this item with the background info provided in the following memo.

To: Milton Select Board  
Date: June 3, 2022  
From: David K. Allerton, P.E., Public Works Director  
Re: DPW Highway Facility Project, Engineering Services Agreement – Amendment No. 2

The Town of Milton entered into an Engineering Services Agreement (ESA) with Krebs & Lansing Consulting Engineers (K&L) on August 2, 2021 for preliminary engineering work in support of the DPW Highway Facility Project. We subsequently approved Amendment No. 1 for additional survey work for the project. The project is now entering the design phase for completing construction documents for the driveway, road, utilities and earthwork for the project site, without the building. We are now seeking authorization from the Select Board to execute Amendment No. 2 with K&L (attached). Existing contracts and amendments in place are as follows:

<b>Contract</b>	<b>Date</b>	<b>Amount</b>
Original ESA	August 2, 2021	\$35,250
Amendment No. 1	September 16, 2021	\$1,900
Amendment No. 2 – Proposed	TBD	\$27,500
	<b>TOTAL</b>	<b>\$64,650</b>

Original funding for the preliminary engineering work was being paid for through the Capital Improvement Plan budget. With the \$5.5M bond passing in March 2022, there is now a bond anticipation note in place to fund the project.

D. Turner added that the Town has learned that an Act 250 Permit may be required for the new facility, but this will need to be verified by legal counsel. This is not expected to delay the project beyond the planned timeline.

**Motion made by J. FitzGerald to authorize the Town Manager or their designee, to execute Amendment No. 2 in a not-to-exceed amount of \$27,500 with Krebs & Lansing Consulting Engineers for continued engineering services for the DPW Highway Facility Project, with a second by C. Taylor. Motion approved unanimously.**

#### **XIV. GIS Update**

*Kirsten Jensen, Public Works Engineer*

K. Jensen presented a slideshow defining and demonstrating GIS in relation to the Town's infrastructure. She discussed the benefits and functionality of the system, both in the field and from a central location. In her presentation, she also discussed programs, including Adopt-a-Drain, and provided information about where the public can find information on current projects (link follows): <https://storymaps.arcgis.com/stories/bd4ac2ab971d45fd8b52abe09736becc>

#### **XV. ARPA Parameters and Application Process**

*Don Turner, Jr., Town Manager*

D. Turner provided information on ARPA (American Rescue Plan Act) funding allocated to this point and reiterated the Selectboard's previously stated desire to appropriate funds to projects that will provide a long term benefit to the Town. The proposed application process introduces a scoring system to assist

in the process of allocating funds. The Selectboard provided feedback on the presented application and scoring guidelines. At the public hearing, scheduled for June 20, 2022, the Selectboard will take public comment on the application process and will set timelines for the selection process.

**XVI. Authorize the Annual Audit**

*Don Turner, Jr., Town Manager*

D. Turner introduced this item and stated that every year, the Selectboard must authorize the annual audit. This will be the third year of a 3-year contract with Sullivan, Powers & Co., P.C.

**Motion made by C. Taylor to authorize Sullivan, Powers & Co., P.C. to complete the annual audit, with a second by B. Steady. Motion approved unanimously.**

**XVII. Declaration of Juneteenth Holiday**

*Don Turner, Jr., Town Manager*

D. Turner introduced the intent of the following resolution.

**Juneteenth Resolution**

WHEREAS, June 19 marks the anniversary of Union General Gordon Granger's public reading, in Galveston, Texas, of General Order No. 3, announcing the freedom of all previously enslaved persons in Texas, and

WHEREAS, June 19, now known as Juneteenth, is the holiday that commemorates the end of slavery in the United States, and the observance of Juneteenth serves as both a celebration of African-American culture and also as a powerful reminder of continued racial inequality, and

WHEREAS, in 2008, the Vermont General Assembly enacted 1 V.S.A. § 375, designating the third Saturday of June as Juneteenth National Freedom Day in Vermont, and

WHEREAS, Juneteenth was recognized as a federal holiday on June 17, 2021, when President Joe Biden signed the Juneteenth National Independence Day Act into law, and

WHEREAS, the Town of Milton currently recognizes all federal holidays with the exception of Inauguration day, and

WHEREAS, given that the Town has prioritized equity work within our community, the board may want to consider adding Juneteenth to the Town holiday schedule, and

WHEREAS, doing so would increase the number of paid holidays in the Town from 12 to 13, unless it (or other holidays) are offered as optional holidays, and would be potentially adding a benefit to our bargaining unit outside of the normal bargaining cycle.

THEREFORE, BE IT RESOLVED, that the Town of Milton Selectboard hereby recognizes Juneteenth as an official holiday in Milton, Vermont on June 19th.

BE IT FURTHER RESOLVED that the Town Manager will review the current paid time-off holiday policy for full-and part-time employees, and make recommendations to the Selectboard on possible edits to the policy, including ways to address inclusivity in observed paid holidays.

D. Turner and J. Bartlett responded to questions from the Selectboard.

**Motion made by J. FitzGerald to accept the Juneteenth Resolution as presented, with a second by C. Taylor. Motion approved unanimously. B. Steady was not present for the vote.**

## **XVIII. Reschedule Meeting Dates Due to Future Holidays**

*Don Turner, Jr., Town Manager*

D. Turner presented the information as presented in the following memo:

To: Town of Milton Selectboard  
From: Town Manager Don Turner  
Subject: Adjust Upcoming Selectboard Meeting Dates  
Date: June 6, 2022

Due to holidays, Town Offices are closed on the following regular Selectboard meeting dates.

- July 4, 2022 – American Independence Day
- September 5, 2022 – Labor Day
- January 2, 2023 – New Year's Day (Observed)
- January 16, 2023 – Martin Luther King Jr. Day
- February 20, 2023 – Presidents' Day

Proposed Motion: Motion to reschedule regular meeting dates that have conflicts with holidays through the 2023 Town Meeting as follows:

- Monday, July 4, 2022 to Tuesday, July 5, 2022
- Monday, September 5, 2022 to Tuesday, September 6, 2022
- Monday, January 2, 2023 to Tuesday, January 3, 2023
- Monday, January 16, 2023 to Tuesday, January 17, 2023
- Monday, February 20, 2023 to Tuesday, February 21, 2023

**Motion made by C. Taylor to reschedule the meeting dates that have conflicts with holidays through the 2023 Town Meeting as presented, with a second by J. FitzGerald. Motion approved unanimously.**

## **XIX. Update from Town Manager and Board Members**

*Don Turner, Jr., Town Manager*

- A significant drug raid in Milton last week resulted in \$195,247 in cash seized and numerous amounts of drugs. Case initiated by Officer Noel. Milton Police Department should receive a significant amount of this cash.
- Cally has given her notice and will be returning to the Division of Fire Safety office in Williston.
- On Saturday, June 4<sup>th</sup>, Pete Staniels accompanied by Tom Giffin of the Vermont Old Cemetery Association and 20-25 volunteers, including Town Clerk Kristin Beers and her children Samantha and Calvin, fixed 40 stones in West Milton Cemetery. Some were leaning, some fallen over, and some were broken. An additional crew just focused on cleaning stones. Some "first timers" asked when the group planned to do this again so they can be included. Jay & Pete arrived at 7:30 a.m. Most of the others were there by 8:00 a.m. The group wrapped up around 12:30 p.m.
- Saturday, June 4<sup>th</sup>, also marked the public reopening of the Museum with an Open House. They had a great turnout, and everyone really liked the "Reimagined Museum".
- New cleaning service, Cinderella's Cleaning Service, has started and is doing a great job so far.
- The Memorial Day Celebration was well-attended and went very well. Thank you Darren, Mike and Chris for attending and participating in the event. I also want to thank Rod Moore for planning and coordinating the event.



- The Economic Development Commission hosted a business social, which was attended by approximately 20-25 people at Green Mountain Animal LLC located at 75 Catamount Drive on Wednesday, June 25<sup>th</sup>, from 4-5:30 p.m. The commission conducted a short meeting and then attendees were given tours of the facility, wrapping up with a brief period of networking. Thank you Selectboard members Darren Adams and Chris Taylor for attending.
- The Town's IT contract with Tech Group has been extended for 2 years, effective July 1, 2022, to accommodate the necessary IT and storage updates required within that timeframe. We received very good pricing for this extension.

There was discussion about a cigarette receptacle on the warrant and how the seized money is handled.

C. Taylor disclosed that he was asked to sit in on interviews for the police lieutenant, but not in his capacity as a Selectboard member. There was discussion about the selection process for this.

**Motion made by C. Taylor to allow the Selectboard to extend the meeting past its 9 p.m. hard stop to enter in executive session for the amount of time needed, with a second by J. FitzGerald. Motion approved unanimously.**

## **XX. Executive Session – Legal / Attorney Client Privilege**

**Motion made by J. FitzGerald to find that premature knowledge about Legal / Attorney Client Privilege would cause the Town or person to suffer a substantial disadvantage. Second by C. Taylor at 8:52 p.m. Motion approved unanimously.**

**Motion made by J. FitzGerald to move enter into executive session at 8:52 p.m. to discuss Legal / Attorney Client Privilege under the provisions of 1 VSA 313 (A)(1) of the Vermont Statutes; to include the following; Selectboard members: D. Adams, C. Taylor, J. FitzGerald and B. Steady; Town Manager, Don Turner, Jr. Second by C. Taylor. Motion approved unanimously.**

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

**Motion made by J. FitzGerald to close executive session at 9:06 p.m., with a second by C. Taylor. Motion approved unanimously.**

## **XXI. Adjournment**

**Motion made by J. FitzGerald to adjourn the meeting at 9:08 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/v981b8aww6hj4wo9lfjxh6v5mb3dawyt>

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

<https://miltonvt.box.com/s/h7xfyrfduhx4p60w4u5sibzh0uf3ocp>

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

DRAFT