



Town of Milton
Regular Selectboard Meeting
Tuesday, January 22, 2019 at 6:00 p.m.
43 Bombardier Road, Milton VT 05468

MINUTES

Selectboard Members Present: Darren Adams, Chairman; Kenneth Nolan, Vice-Chairman; John Palasik, Clerk; Chris Taylor, Member; Brenda Steady, Member

Staff Members Present: Don Turner, Jr., Town Manager; Sheila Mooney, TM Executive Assistant; Jessica Morris, Director of Finance; David K. Allerton, Director of Public Works; Taylor Yeates, Director of Public Safety; Kym Duchesneau, Recreation Coordinator; John Bartlett, Director of Administration/Human Resources/Facilities; Victor Sinadinowski, Director of Planning and Economic Development

Others Present: Fred Duplessis; David Heath; Elaine Heath; William Heath, Jr.; Judith Kinner; Courtney Lamdin; David Ross; Wayne Elliott; Joseph Krupa; Dina Atwood

I. Call to Order

The meeting was called to order by D. Adams at 6:03 p.m.

II. Flag Salute

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

III. Agenda Review

Addition of Wayne Elliott of Aldrich & Elliott to give an overview of the River Street/Lake Road/Railroad Street water distribution system improvements.

IV. Public Forum

None.

V. Business

A. Sullivan, Powers & Co., P.C. FY18 Financial Audit *Fred Duplessis, CPA*

Fred Duplessis, CPA at Sullivan, Powers & Co., P.C. gave an overview of the Auditor's Report for the year ended June 30, 2018.

B. Eagle Scout Project – Benches for Dog Park

David Heath, Eagle Scout Candidate

Kym Duchesneau, Recreation Coordinator

Eagle Scout candidate, David Heath gave an overview of his proposed project to build benches for the Dog Park.

Motion made by B. Steady to approve David Heath, Eagle Scout candidate’s Eagle Scout project to build benches for the Dog Park with a second by C. Taylor. Approved Unanimously.

C. Resolution to Accept Milton Winter Festival “Party in the Park” Fireworks In-Kind Donation

Kym Duchesneau, Recreation Coordinator

Motion made by C. Taylor to accept 2019 Milton Winter Festival “Party in the Park” fireworks in-kind donation in the amount of \$2,000 with a second by B. Steady. Approved Unanimously.

D. Reappointment of Judith Kinner to the Conservation Commission

Judith Kinner

Motion made by B. Steady to reappoint Judith Kinner to the Conservation Commission for a four (4) year term with a second by C. Taylor. Approved Unanimously.

E. Emerald Ash Borer Grant Application

Victor Sinadinovski, Director of Planning and Economic Development

Motion made by C. Taylor to approve the Emerald Ash Borer Grant with a second by B. Steady. Approved Unanimously.

F. Set Ambulance Billing Rates for CY2019

Taylor Yeates, Director of Public Safety

Taylor Yeates, Director of Public Safety gave an overview of three alternatives for the ambulance billing rates for CY2019.

Alternatives 1

The town could choose to hold billing rates at the calendar year 2018 levels. These rates generated \$245,000 in the 2018 fiscal year and are projected to raise \$266,000 in the current fiscal year.

Alternative 2

The town could increase rates using the Ambulance Inflation Factor (AIF) rate published by the Centers for Medicare and Medicaid Services (CMS). This year the rate is 3.3%, accounting for general inflation and changes in the CPI-U “productivity” calculation. This rate also aligns with

the Boston-Cambridge-Newton, MA-NH CPI-U for the calendar year 2018. Under this alternative it is estimated revenues would rise by 3.3% of our current budgeted rates to approximately \$257,000.

Alternative 3

The town could update our rates to more closely reflect those of our neighbors. Our rates are currently well below the Town of Colchester. The strategy for raising the rates significantly is to gamble on capturing additional insurance revenue. Each private insurer has set a rate they are willing to pay for ambulance services. For non-hospital affiliated ambulance providers this rate is generally a mystery. In response, agencies and towns like Colchester have raised their rate above what they estimate is the insurer's reimbursement. The belief is we would be more likely to capture 100% of what an insurance company is willing to pay, versus our current rates which likely leave money on the table. It is difficult to project exactly how much revenue we could gain with this alternative. If we assume \$100 is left on the table with private insurance companies, making up approximately 50% of our billing revenue we may be able to collect an additional \$4,000 in revenue.

Motion made by B. Steady to adopt the EMS fee adjustments Alternative 3 and further direct town staff to execute the necessary documents as it relates to the amendment of these fees with any vendors or partners with a second by C. Taylor. Approved Unanimously.

G. Administrative Code Edits

John Bartlett, Director of Administration/Human Resources/Facilities

Motion made by K. Nolan to adopt Policy 19-01 amendment to Administrative Code, Article XIV Work Place Health and Safety, Section 2. Tobacco Use with a second by C. Taylor. Approved Unanimously.

Motion made by K. Nolan to adopt Policy 19-02 amendment to Administrative Code Article XV, Health, Dental and Life, Vision, Section 1. Medical and Hospitalization with a second by C. Taylor. Approved Unanimously.

H. Warning for the March 5, 2019 Annual Town Meeting

Don Turner, Jr., Town Manager

Wayne Elliott, Vice President of Aldrich & Elliott

Wayne Elliott gave an overview of the River Street/Lake Road/Railroad Street water distribution system improvements.

Motion made by J. Palasik to accept the Resolution Certificate; Declaration of Official Intent of the Town of Milton to Reimburse Certain Expenditures from Proceeds of Indebtedness; and Town Meeting Day Warning as follows:

The legal voters of the Town of Milton are hereby notified and warned that there will be a Public Hearing at the Milton High School Auditorium in said Town on Monday the 4th of March, 2019 at 6:00 o'clock in the afternoon to discuss the following Australian Ballot items pursuant to Section 806 A/B of the Town of Milton Charter; that the Annual Meeting

of the Town of Milton will be held at the Milton Municipal Building in said Town on Tuesday the 5th of March, 2019 to vote for the Town Officers and transact any business involving Australian Ballot; said voting by Australian Ballot to begin at 7:00 o'clock in the forenoon and close at 7:00 o'clock in the afternoon.

ARTICLE I

Shall the voters of the Town of Milton accept the reports of the Town Officials as presented in the Town Report?

ARTICLE II

To elect all Town/School Officers as required by law and Charter. List of offices and terms to be voted on are as follows:

| | |
|---|--------|
| Moderator | 1 year |
| Selectboard | 3 year |
| Selectboard | 1 year |
| Selectboard | 1 year |
| Library Trustee | 3 year |
| Library Trustee | 2 year |
| School Trustee | 3 year |
| School Trustee | 1 year |
| Champlain Water District Representative | 3 year |

ARTICLE III

Shall the voters of the Town of Milton approve the budget for the Fiscal Year 2020 in the amount of Seven Million Nine Hundred Seventy-Nine Thousand Sixty Dollars (\$7,979,060) of which it is estimated that Five Million Nine Hundred Seventy-Nine Thousand Nine Hundred and Sixty Dollars (\$5,979,960) will be raised by local property taxes?

ARTICLE IV

Shall the voters of the Town of Milton exempt from real estate taxes, pursuant to 32 V.S.A., section 3840, the property of the Milton Family Center, located at 23 Villemaire Lane, in the Town of Milton, Vermont for a period of five (5) years?

ARTICLE V

Shall general obligation bonds or notes, of the Town of Milton in an amount not to exceed Eight Hundred and Four Thousand Dollars (\$804,000), subject to reduction from available state and federal grants-in-aid and the application of capital reserves be issued to finance the cost of certain improvements, namely, the water main replacement on Lake Road, the estimated cost of such improvements being Eight Hundred and Four Thousand Dollars (\$804,000)?

ARTICLE VI

Shall general obligation bonds or notes, of the Town of Milton in an amount not to exceed One Hundred Ninety-Eight Thousand Dollars (\$198,000), subject to reduction from available state and federal grants-in-aid and the application of capital reserves be issued to finance the cost of certain improvements, namely, the new pressure sustaining valve on

River Street, the estimated cost of such improvements being One Hundred Ninety-Eight Thousand Dollars (\$198,000)?

ARTICLE VII

Shall general obligation bonds or notes, of the Town of Milton in an amount not to exceed One Million Dollars (\$1,000,000), subject to reduction from available state and federal grants-in-aid and the application of capital reserves be issued to finance the cost of certain improvements, namely, the paving of portions of North Road, East Road, Lake Road, Bear Trap Road, Everest Road, Cooper Road, Quarry Lane and other road improvements if funding remains, the estimated cost of such improvements being One Million Dollars (\$1,000,000)? with a second by B. Steady. Approved Unanimously.

VI. Town Manager's Update

Don Turner, Jr., Town Manager

- Appraisal of 214-218 Route 7 South – Met with Sotos Papaseraphim and spoke with the second appraiser. Will need to proceed with a sketch plan design of Papaseraphim property to finish appraisal.
- Environmental Assessments of 214-218 Route 7 South and 204-210 Route 7 South – Working on wrapping up environmental assessments for both properties.
- Salt – Received salt from both vendors but there is still a shortage.
- Budget Presentation – Working on budget presentations on cable, website and social media.
- Dispatch Agreement – In process with Saint Albans.
- Opening roads to ATVs – Asked the Selectboard to consider this request at an upcoming meeting.
- Vacuum Truck – We will be submitting a waiver to Federal Highway requesting relief from the “Buy American” provision.
- Shelving Unit in the Town Clerk's Office – The new shelving unit has been installed in the Town Clerk's Office. The Town Clerk's Office was able to sell the old shelving units and received \$275 per section. Five sections will be picked up by next Friday with nine sections still remaining.
- Planning Commission – Attended the January 15th Planning Commission meeting to review the 262 Middle Road settlement. The Planning Commission will update the Selectboard in March and then regularly after that meeting.
- Town Commissions Summit – A Town Commissions Summit will be held on April 29th after the Joint School Board/Selectboard meeting in the Community Room.
- Fire Truck – A fire truck was put on the Auctions International site. The highest bid was \$10,100. A broker has estimated that it could be sold for \$20,000 - \$25,000 with a 10% commission. The goal is to get the highest offer for the truck.
- Greenleaf Forestry – Scott Moreau of Greenleaf Forestry is meeting with the Conservation Commission and the Town Tree Warden to inform them of his upcoming work on the Lamoille River Trail area as well as to finish Bombardier Park.
- Heating System in Community Room – Chuck's Heating & Air Conditioning was called to come in and thaw out the frozen vent in the Community Room.
- Milton Emergency Food Shelf - 88 pounds of food was donated to the food shelf by staff during the holiday party.

- Highway Department – The Highway Department worked 209.5 hours and were called in 12 times in December. The Highway Department worked 13 hours on January 20th and 10 hours on January 21st.
- Vacation – The Town Manager will be gone the week of February 11th through the 15th

VII. Supplemental Warrant – Water and Sewer Bills

Motion made by J. Palasik to approve Supplemental Warrant – Water and Sewer Bills in the total amount of \$1,817.51 with a second by B. Steady. Approved Unanimously.

VIII. Supplemental Warrant – Wastewater Treatment Facility Plant Upgrades

Motion made by J. Palasik to approve Supplemental Warrant – Wastewater Treatment Facility Plant Upgrades in the total amount of \$258,208.31 with a second by C. Taylor. Approved Unanimously.

IX. Warrant #16

Motion made by J. Palasik to approve Warrant #16 in the total amount of \$263,863.19 with a second by B. Steady. Approved Unanimously.

X. Approval of Minutes of January 7, 2019 Regular Selectboard Meeting

Motion made by J. Palasik to approve the Minutes of January 7, 2019 as presented with a second by C. Taylor. Approved Unanimously.

XI. Executive Session

- A. Personnel**
- B. Contracts**

Motion made by J. Palasik at 8:00 p.m. that premature public knowledge about personnel and contracts would cause the Town or person to suffer a substantial disadvantage with a second by C. Taylor. Approved Unanimously.

Motion made by J. Palasik at 8:01 p.m. that the Selectboard enter into executive session to discuss personnel and contracts under the provisions of 1 VSA 313 (a)(1) of the Vermont Statutes to include all five members of the Selectboard present tonight and Don Turner, Jr., Town Manager; John Bartlett, Director of Administration/Human Resources/Facilities; Taylor Yeates, Director of Public Safety; and Stephen Laroche, Police Chief with a second by C. Taylor. Approved Unanimously.

XII. Action as a Result of Executive Session

Motion by J. Palasik at 9:53 p.m. to close executive session with a second by C. Taylor. Approved Unanimously.

Motion by J. Palasik at 9:53 p.m. to authorize Don Turner, Jr., Town Manager to sign all necessary documents presented to proceed with the Southern Gateway Project with a second by C. Taylor. Approved Unanimously.

Motion by J. Palasik at 9:54 p.m. to authorize Don Turner, Jr., Town Manager to sign all necessary documents to proceed with emergency dispatching for Milton Police, Fire and Rescue for a three (3) year contract starting July 1, 2019 with Saint Albans Police Department with a second by C. Taylor. Approved Unanimously.

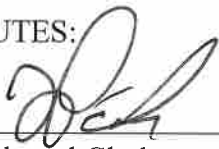
XIII. Motion to Adjourn

Motion made by C. Taylor at 9:54 p.m. to adjourn the meeting with a second by B. Steady. Approved Unanimously.

D. Adams adjourned the meeting at 9:54 p.m.

Respectfully Submitted,
Sheila Mooney

APPROVED MINUTES:


_____ Date: 2/4/19
John Palasik, Selectboard Clerk

Filed with the Milton Town Clerk's Office on this 5 day of FEB, 2019.

ATTEST: 
_____, Milton Town Clerk ^{Asst}

WARNING – TOWN OF MILTON, VERMONT
2019 ANNUAL MEETING

The legal voters of the Town of Milton are hereby notified and warned that there will be a Public Hearing at the Milton High School Auditorium in said Town on Monday the 4th of March, 2019 at 6:00 o'clock in the afternoon to discuss the following Australian Ballot items pursuant to Section 806 A/B of the Town of Milton Charter; that the Annual Meeting of the Town of Milton will be held at the Milton Municipal Building in said Town on Tuesday the 5th of March, 2019 to vote for the Town Officers and transact any business involving Australian Ballot; said voting by Australian Ballot to begin at 7:00 o'clock in the forenoon and close at 7:00 o'clock in the afternoon.

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ARTICLE VI

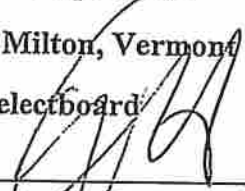
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ARTICLE VII

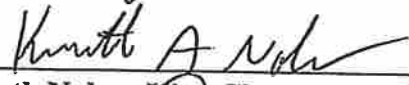
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Dated at Milton, Vermont this 22nd day of January, 2019.

Milton Selectboard:



Darren Adams, Chairperson



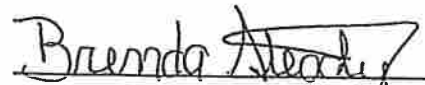
Kenneth Nolan, Vice-Chairperson



John Palasik, Clerk




Chris Taylor, Member



Brenda Steady, Member

Filed with the Milton Town Clerk's Office this 23 day of January, 2019.

ATTEST:



Milton Town Clerk

RESOLUTION CERTIFICATE

I, Sheryl L. Prince, certify that I am the duly elected and qualified Town Clerk of the Town of Milton, a municipal corporation located in the County of Chittenden, State of Vermont (the "Town"); that I have custody of the books, records and seal of the Town; and that the following is a true and exact copy of a Resolution adopted at a meeting of the Selectboard of the Town, duly called, noticed and held on January 22, 2019, at which a quorum of members was present and voting; and that the same remains in full force and effect, and has not been amended, rescinded, abridged, modified or contested in any way;

WHEREAS, the public interest and necessity demand that certain improvements be made, namely, highway resurfacing at an estimated cost of \$1,000,000, and water distribution system improvements at an estimated cost of \$1,002,000; and

WHEREAS, the cost of completing such improvements, after application of available state and federal grants-in-aid, will be too great to be paid out of the annual revenue of the Town;

THEREFORE, BE IT RESOLVED, that proposals for providing such improvements, issuing general obligations bonds or notes of the Town in the aggregate amount not to exceed \$2,002,000 to pay for its cost of the same, should be submitted to the legal voters of the Town at the annual meeting thereof to be duly called and held on March 5, 2019; and

BE IT FURTHER RESOLVED, that all acts relating to the proposition of incurring bonded indebtedness and the issuance of general obligation bonds or notes of the Town for the purpose of financing such improvements, as well as the construction, maintenance and operation of such improvements within the corporate limits of the Town, be in accordance with the provisions of No. M-14 of the Acts of 2003, as amended, and Chapter 53, 89 and 120 of Title 24, Vermont Statutes Annotated; and

BE FURTHER RESOLVED, that the propositions for incurring general obligation debt for the above-stated purposes shall be in substantially the following form:

ARTICLE V

Shall general obligation bonds or notes, of the Town of Milton in an amount not to exceed Eight Hundred and Four Thousand Dollars (\$804,000), subject to reduction from available state and federal grants-in-aid and the application of capital reserves be issued to finance the cost of certain improvements, namely, the water main replacement on Lake Road, the estimated cost of such improvements being Eight Hundred and Four Thousand Dollars (\$804,000)?

ARTICLE VI

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ARTICLE VII

Shall general obligation bonds or notes, of the Town of Milton in an amount not to exceed One Million Dollars (\$1,000,000), subject to reduction from available state and federal grants-in-aid and the application of capital reserves be issued to finance the cost of certain improvements, namely, the paving of portions of North Road, East Road, Lake Road, Bear Trap Road, Everest Road, Cooper Road, Quarry Lane and other road improvements if funding remains, the estimated cost of such improvements being One Million Dollars (\$1,000,000)?

BE IT FURTHER RESOLVED, that the attached Warning and form of Ballot be adopted for use in connection with consideration of the above-stated propositions of making said public improvements and incurring indebtedness therefor.

DATED: January 23, 2019

ATTEST:

SEAL


Milton Town Clerk

Received for record and recorded this 23 day of January, 2019, in the records of the Town of Milton.


Milton Town Clerk

**DECLARATION OF OFFICIAL INTENT
OF THE TOWN OF MILTON
TO REIMBURSE CERTAIN EXPENDITURES
FROM PROCEEDS OF INDEBTEDNESS**

WHEREAS, the Town of Milton, Vermont (the "Issuer") intends to make public highway resurfacing and water distribution system improvements to be considered by the Issuer at the annual meeting thereof to be held on March 5, 2019 (the "Project"); and

WHEREAS, the Issuer expects to pay certain capital expenditures (the "Reimbursement Expenditures") in connection with the Project prior to the issuance of indebtedness for the purpose of financing costs associated with the Project on a long-term basis;

WHEREAS, the Issuer reasonably expects that for that part of the Project consisting of design, permitting, engineering, acquisition and construction costs, debt obligations in an amount not expected to exceed \$2,002,000 will be issued and that certain of the proceeds of such debt obligations will be used to reimburse the Reimbursement Expenditures; and

WHEREAS, the Issuer declares its reasonable official intent to reimburse prior expenditures for the above-described part of the Project with proceeds of a subsequent borrowing:

NOW, THEREFORE, the Issuer declares:

Section 1. The Issuer finds and determines that the foregoing recitals are true and correct, and that all of the capital expenditures covered by this Resolution were or will be made not earlier than 60 days prior to the date of this Resolution.

Section 2. This declaration is made solely for the purposes of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations. This declaration does not bind the Issuer to make any expenditure, incur any indebtedness, or proceed with the Project.

Section 3. The Issuer hereby declares its official intent to use proceeds of indebtedness to reimburse itself for Reimbursement Expenditures, within 18 months of either the date of the first expenditure or funds by Issuer for such Project or the date that such Project is placed in service, whichever is later (but in no event more than three years after the date of the original expenditure of Issuer funds for such Project), and to allocate an amount not to exceed (\$2,002,000 of the proceeds thereof to reimburse itself for its expenditures in connection with the Project.

Section 4. The Issuer's debt obligations for the aforementioned purpose will not be "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986.

Section 5. All prior actions of the officials and agents of Issuer that are in conformity with the purpose and intent of this Resolution and in furtherance of the Project shall be and the same hereby are in all respects ratified, approved and confirmed.

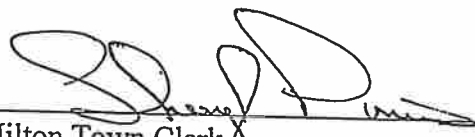
Section 6. All other resolutions of the legislative body of the Issuer, or parts of resolutions, inconsistent with this Resolution are hereby repealed to the extent of such inconsistency.

Section 7. It is hereby found that all discussions and deliberations of the legislative body of the Issuer leading to the adoption of this Resolution occurred at one or more meetings of the legislative body conducted pursuant to public notice and open to public attendance.

Section 8. This declaration shall take effect from and after its adoption.

The undersigned, Town Clerk of the Issuer, hereby certifies that the foregoing is a full, true and correct copy of the declaration of the legislative body of said Issuer duly made at a meeting thereof held on the date, specified below, and that said declaration has not been amended, modified or revoked.

DATED: January 23, 2019


Milton Town Clerk



Policy 19-01

TO: Milton Selectboard
FROM: Don Turner, Jr., Town Manager
RE: Revision of Administrative Code, Article XIV Work Place Health and Safety, Section 2. Tobacco Use
DATE: January 22, 2019
EFFECTIVE DATE: Immediately

PURPOSE:

The following Administrative Code, Article XIV Work Place Health and Safety, Section 2. Tobacco Use, shall be amended to read:

Section 2. Tobacco Use

In recognition of the hazards that tobacco poses to the health of employees and others, and in accordance with 18 V.S.A. §§ 1421 et seq. and §§ 1741 et seq., the Town hereby prohibits use of tobacco in any form, including electronic cigarettes, in all publicly-owned buildings, offices and enclosed areas, in all Town vehicles and on all Town worksites.

This policy applies to all employees, clients, contractors and visitors within and around all municipal owned buildings, structures, vehicles and worksites. It shall also be prohibited in all entranceways and anywhere an outside air intake is located.

Smoking may only occur at a reasonable distance (e.g., 30 feet or more) outside any enclosed area where smoking is prohibited. Any employee's failure to comply with this tobacco use policy shall constitute cause for disciplinary action, and the failure of the Town to implement or enforce the policy shall be grounds for a grievance procedure by the aggrieved employee, and any violations shall be promptly rendered.

The Town Human Resources Director is designated as the person to enforce all rules and regulations in accordance with 18 V.S.A. and this policy.

POLICY:

The Milton Selectboard, acting in regular session on January 22, 2019 voted in favor of the following:

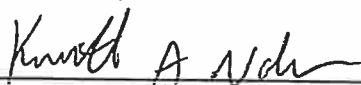
“Voted in favor of the revised Administrative Code, Article XIV Work Place Health and Safety, Section 2. Tobacco Use, as outlined in Policy 19-01 above. Further, that this referenced Policy shall be part of the permanent record of the attachment of the same to the Minutes of the aforementioned Meeting.”

Dated at Milton, Vermont this 22nd day of January, 2019.

MILTON SELECTBOARD



Darren Adams, Chairman



Kenneth Nolan, Vice-Chairman



John Palasik, Clerk



Chris Taylor, Member



Brenda Steady, Member

Filed with the Milton Town Clerk's Office this 23 day of January, 2019.

ATTEST: _____


Milton Town Clerk



Policy 19-02

TO: Milton Selectboard
FROM: Don Turner, Jr., Town Manager
RE: Revision of Administrative Code, Article XV, Health, Dental and Life, Vision, Section 1. Medical and Hospitalization
DATE: January 22, 2019
EFFECTIVE DATE: Immediately

PURPOSE:

The following Administrative Code Article XV, Health, Dental and Life, Vision, Section 1. Medical and Hospitalization, shall be amended to read:

Section 1. Medical and Hospitalization

- A. Effective July 1, 2018, and reviewable effective July 1 of each year, employees shall pay 1.5% of base pay as a contribution to health insurance. This aligns with the contributions paid by both the AFSCME and NEPBA bargaining units.

****NOTE**** All other items in Section 1. Medical and Hospitalization. shall remain in effect.

POLICY:

The Milton Selectboard, acting in regular session on January 22, 2019 voted in favor of the following:

“Voted in favor of the revised Administrative Code Article XV, Health, Dental and Life, Vision, Section 1. Medical and Hospitalization as outlined in Policy 19-02 above. Further, that this referenced Policy shall be part of the permanent record of the attachment of the same to the Minutes of the aforementioned Meeting.”

Dated at Milton, Vermont this 22nd day of January, 2019.

MILTON SELECTBOARD



Darren Adams, Chairman



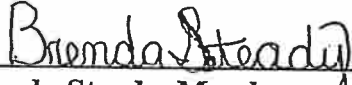
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John Palasik, Clerk



Chris Taylor, Member



Brenda Steady, Member

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Milton Town Clerk