



**Town of Milton – Selectboard Meeting  
43 Bombardier Road, Milton VT 05468  
In Person and/or via Zoom – Community Room  
Monday, October 3, 2022 at 6:00 p.m.**

**MINUTES**

**Selectboard Members Present:** Darren Adams, Chair; Michael Morgan, Vice Chair; John FitzGerald, Clerk (remote); Brenda Steady, Member; Chris Taylor, Member

**Selectboard Members Absent:** None

**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; Amber N. Baker, Finance Director; Cathy LaClair, Milton on the Move Coordinator; Eric Gallas, Highway Superintendent; Nicholas Prussock, Public Works Engineer

**Others Present:**

Rod Moore; Ken Robie, Project Engineer; David Nappi; Mike H. Thompson; Kym Duchesneau; William McSweeney; Crystal Gingras; Jeff Mase; Lori Donna; Diane Barrows; Peggy Heak; Randy LeBeau; Michael Frett, The Islander; Alek Fleury, Milton Independent; Amanda Stevens (remote); Jada (remote); 802-316-6509 (remote); Hockey Mom (remote); Jessica Groeling (remote); Google Pixel 6 (remote); Shelley (remote)

**I. Call to Order**

D. Adams called the meeting to order at 6:00 p.m.

**II. Flag Salute**

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

**III. Agenda Review**

D. Turner requested to add the purchase of 3 hydrants. D. Adams added it to the end of the agenda.

**IV. Public Forum**

None.

**V. Consent Agenda**

- **Approval of Selectboard Meeting Minutes of 09/19/2022**
- **Approval of Warrant #7**
- **Approval of Supplemental Warrant: Quarterly Town Water and Sewer Bills**

**Motion made by B. Steady to approve the Consent Agenda, with a second by M. Morgan. Motion approved unanimously.**

**VI. Report from Committee for Evaluating Suitability of Existing Town Property and 10-Acre Parcel Owned by the Brault Family Trust for a Multipurpose Recreation Facility**

*Don Turner, Jr., Town Manager*

D. Turner provided background information on the committee and their charge. Committee Chair Rod Moore presented the committee's report and recommendations. There was further discussion with input from Selectboard members, the town manager, committee members and residents in attendance. Resident and committee member Diane Barrows read through letters of support for a multipurpose recreation facility.

**VII. VTrans Hourglass Project Update**

*Ken Robie, Project Engineer*

Ken Robie presented an update, including a brief history on the project. He provided an updated cost estimate of \$5.3M, with \$1.1M in town share. Next steps are to review the plans, updated the right of way plans and title relations and move into the acquisition process. The confident goal is construction in 2024, and it will be advertised at some time in the winter of 2023.

**VIII. All Hazard Mitigation Plan Approval**

*Michaela Foody, Public Safety Director*

M. Foody presented the updated All Hazard Mitigation Plan with the following resolution:

**CERTIFICATE OF ADOPTION 2022  
Chittenden County, Vermont Multi-Jurisdictional Hazard Mitigation Plan**

WHEREAS, the Town of Milton has historically experienced severe damage from natural hazards and it continues to be vulnerable to the effects of the hazards profiled in the 2022 Chittenden County, Vermont Multi-Jurisdictional Hazard Mitigation Plan, which result in loss of property and life, economic hardship, and threats to public health and safety; and

WHEREAS, the Town of Milton has developed and received conditional approval from Vermont Emergency Management (VEM) for its 2022 Chittenden County, Vermont Multi-Jurisdictional Hazard Mitigation Plan (Plan) under the requirements of 44 CFR 201.6; and

WHEREAS, the Plan specifically addresses hazard mitigation strategies, and Plan maintenance procedures for the Town of Milton; and

WHEREAS, the Plan recommends several hazard mitigation actions (projects) that will provide mitigation for specific natural hazards that impact the Town of Milton with the effect of protecting people and property from loss associated with those hazards; and

WHEREAS, adoption of this Plan will make the Town of Milton eligible for funding to alleviate the impacts of future hazards;

NOW THEREFORE BE IT RESOLVED by the Town of Milton Selectboard: 1. The 2022 Chittenden County, Vermont Multi-Jurisdictional Hazard Mitigation Plan is hereby adopted as an official plan of the Town of Milton; 2. The respective officials identified in the mitigation action plan of the Plan are hereby directed to pursue implementation of the recommended actions assigned to them; 3. Future revisions and Plan maintenance required by 44 CFR 201.6 and FEMA are hereby adopted as part of this resolution for a period of five (5) years from the date of this resolution; and 4. An annual report on the process of the implementation elements of the Plan will be presented to the Selectboard by the Emergency Management Director or Coordinator.

**Motion made by M. Morgan that we approve the All Hazards Mitigation Plan, to include: 1) the 2022 Chittenden County, Vermont Multi-Jurisdictional Hazard Mitigation Plan is hereby adopted as an official plan of the Town of Milton; 2) The respective officials identified in the mitigation action plan of the Plan are hereby directed to pursue implementation of the recommended actions assigned to them; 3) Future revisions and Plan maintenance required by 44 CFR 201.6 and FEMA are hereby adopted as part of this resolution for a period of five (5) years from the date of this resolution; and 4) An annual report on the process of the implementation elements of the Plan will be presented to the Selectboard by the Emergency Management Director or Coordinator. Second by C. Taylor. Motion approved unanimously.**

**IX. Municipal Highway and Stormwater Mitigation Program Grant: Authorization to Apply**

*Nicholas Prussock, Public Works Engineer*

N. Prussock presented background information on the Munson Hill area of West Milton Road slope, as presented in the following memo:

To: Milton Select Board  
Date: October 3, 2022  
From: Nicholas Prussock, Public Works Engineer  
CC: Don Turner, Town Manager  
Re: Submission of Municipal Highway and Stormwater Mitigation Program Grant for Munson Hill Area of West Milton Road Slope

In 2017, the Town of Milton contracted with Hamlin Consulting Engineers (HEC) to complete a design for the slope and road repair for the area known as Munson Hill on West Milton Road. DPW has been in possession of a bid ready set of plans and specs for the project since then, just no funding for the project. At the time, the estimated cost for this work was around \$700,000, adding resident engineering costs to the project brings it up closer to \$800,000. Using an inflation factor of 4%, the cost of the project today is over \$900,000.

For the past three years, DPW has applied for a \$300,000 Transportation Alternatives Program (TAP) Grant through the Vermont Agency of Transportation, and been denied each time. These grants require a \$75,000 local match. DPW would like to submit again for a Municipal Highway and Stormwater Mitigation Program Grant (previously known as TAP) this year; applications are due on October 7, 2022. This application will request a federal award of \$800,000 (80% of the total projected cost of the project) and local match of \$200,000 (20% of the total projected cost of the project).

Dave Allerton and myself have gone out to the site to perform a differential leveling survey on the portion of the road which is failing, with the intent of comparing the data to those obtained when the project was initially designed five years ago, and determine if, and how much the slope has moved in the past five years. As of the writing of this memo, more data needs to be collected and it is not completely evaluated yet. I suggest and recommend that surveying this portion of the road be done at least twice a month so that more information may be given to the Select Board in future meetings.

DPW has put the entire project cost of \$1,000,000 into the draft Capital Improvement Plan (CIP) budget this year for discussion with the Select Board during the FY2023 budget development process. It is a fact the condition of the road is worsening and the existing guardrails are leaning more than before. An asphalt shim coat was put on the road last in the hopes of making it safer for a snow plow this winter.

It is difficult, if not impossible, to determine if or when the road may fail completely. DPW sees the following options for discussion moving forward, depending on the information gathered from the survey:

1. Get the project approved in the CIP for construction in summer 2023.
  - a. Apply for the MHSM grant, in the hopes of getting some funding to assist with construction of the project. If we don't get the grant, the project still needs to move forward next year.
  - b. Apply for a FEMA Hazard Mitigation Award. It is my understanding that this award was given to DPW in the past, however nobody followed through with accepting it.
2. Opening the road to one lane only, with temporary traffic signals at the top and bottom of the hill to control traffic. Munson Hill/West Milton Road, TAP Grant Application Request 2
3. Closing the road to through traffic. While this would be a drastic move, we don't want to lose a truck over the embankment, with the possibility of loss of life.

For now, DPW respectfully requests the Select Board to authorize the Town Manager, or his/her designee to submit the MHSM Grant Application requesting an amount of \$800,000, with a \$200,000 local match.

**Motion made by B. Steady to authorize the Town Manager, or his/her designee, to submit a Municipal Highway and Stormwater Mitigation Program Grant Application to the Vermont Agency of Transportation, requesting an amount of \$800,000, with a \$200,000 local match, for the repair of the slope and road in the Munson Hill area on West Milton Road. Second by C. Taylor. Motion approved unanimously.**

**X. AB-3 Clean Water Block Grant Agreement**

*Nicholas Prussock, Public Works Engineer*

N. Prussock presented the background on this item, as stated in the following memo:

To: Milton Select Board  
Date: October 3, 2022  
From: Nicholas Prussock, Public Works Engineer  
CC: Don Turner, Town Manager  
Re: Department of Public Works – Execute Grant Agreement for Clean Water Block Grant for Construction of Infiltration Basin on Allen Drive (AB-3)

On June 6, 2022, the Select Board passed a motion allowing the Department of Public Works to apply for a Clean Water Block Grant (CWBG) through the Mount Ascutney Regional Commission (MARC) for the construction of an infiltration basin for stormwater treatment on Allen Brook. The design of the basin was funded under a previously awarded Clean Water Block Grant. The implementation project was selected for funding and the DPW was notified on August 9, 2022. We received the grant documentation on September 21, 2022.

The construction cost for the project was estimated at \$50,000, and is to be funded with a \$25,000 CWBG grant with the required 50% match of \$25,000 from the stormwater budget line item and in kind construction services.

The grant agreement is attached for your review, and we are seeking authorization for the Town Manager, or his designee, to execute the grant agreement and accept the grant for the Town of Milton.

**Motion made by B. Steady to authorize the Town Manager, or his designee, to execute the Mount Ascutney Regional Commission Clean Water Block Grant agreement for the Implementation of the Allen Brook Stormwater Infiltration Basin (AB-3) Project in the amount of \$50,000 with a local match of \$25,000. Second by C. Taylor. Motion approved unanimously.**

**XI. Winter Sand**

*Eric Gallas, Highway Superintendent*

E. Gallas presented the following resolution:

**Winter Sand Purchase for the Department of Public Works Highway Division**

WHEREAS, the Administrative Code Purchasing Policy duly adopted by the Selectboard of the Town of Milton and amended July 10, 2017 requires competitive bidding and Selectboard approval for purchases over \$15,000 by the Town; and,

WHEREAS, the Highway Division of the Department of Public Works needs to purchase winter sand; and

WHEREAS, there is \$30,400.00 in the Milton Department of Public Works Highway Division's FY2023 budget for the purchase of winter sand; and

WHEREAS, the Highway Department received two prices for sand that meets the Town specifications: Dale E. Percy, Inc. \$11.00 per ton and Hinesburg Sand and Gravel \$10.75 per ton; and

WHEREAS, the Hinesburg Sand and Gravel meets the Town's specifications for winter sand at a price of \$10.75 per ton.

NOW, THEREFORE, BE IT RESOLVED, by the Selectboard of the Town of Milton that staff has successfully satisfied the requirements of the Town of Milton Administrative Code and hereby awards Hinesburg Sand and Gravel the contract in an amount not to exceed \$30,400, and that the Town Manager, or his designee is authorized to execute the necessary documents related to the award of this contract.

**Motion made by C. Taylor to award Hinesburg Sand and Gravel the contract for our sand in an amount not to exceed \$30,400, and that the Town Manager, or his designee is authorized to execute the necessary documents related to the award of this contract. Second by B. Steady. Motion approved unanimously.**

**XII. Reappraisal Errors and Omissions**

*Amber N. Baker, Finance Director*

Amber presented the following resolution outlining the errors and omissions from the reappraisal:

**Errors and Omissions 2022**

WHEREAS, in accordance with the laws of the State of Vermont, (file 32, Section 4111 (f)), changes to the Grand List must be reviewed and approved by the Selectboard, and,

WHEREAS, the Errors and Omissions are present to the Selectboard for approval as follows:

Parcel ID:	2020013.000000
Owner Name:	Vermont Transco LLC
Correction:	from \$38,000,000 to \$38,747,000

Comments: Cama program rounded incorrectly  
Value change: increase of \$747,000

Parcel ID: 229031.011000  
Owner Name: Champlain Housing Trust Inc  
Correction: corrected land value grade  
Comments: from \$56,900 to \$41,600  
Value change: decrease of \$15,300

**Motion made by B. Steady to approve the changes in the Grand List as presented herein, with the Impact to the Grand List: increase of \$731,700, with a second by M. Morgan. Motion approved unanimously.**

### **XIII. Grange Purchase**

*Don Turner, Jr., Town Manager*

D. Turner provided a brief update, stating that he is still waiting on estimates on the repairs, and he is working with the Grange on the purchase price. He also stated that the option expires at the end of the month. There was some discussion about the purchase price and possible funding sources.

### **XIV. Extend ARPA Deadline to October 17 at 4 p.m. and Decide on Selection Process**

*Don Turner, Jr., Town Manager*

#### **Memo: ARPA Application Scoring and Award Process**

To: Milton Selectboard  
Date: September 27, 2022  
From: Don Turner, Milton Town Manager  
Re: ARPA Application Scoring and Award Process

#### **Background:**

The Town of Milton will be receiving American Rescue Plan Act (ARPA) funds totaling \$3,237,504.22. The Selectboard has appropriated/encumbered \$1,049,553.00, which leaves \$2,187,951.22 remaining to be appropriated/encumbered.

At the Selectboard meeting on July 5, 2022, a process was adopted to assist the Selectboard in deciding how Milton's ARPA Funds will be spent. The process is intended to provide the Selectboard an objective and transparent format to compare possible uses for the funds, and to encourage individuals/organizations outside of the Town to present ideas. It leaves room for all members of the Selectboard to participate while still deciding on the use of the funds as a function of the board as a whole.

Entities seeking funds (outside of Town departments) were asked to complete and submit an application by a deadline of October 3rd at 4 p.m. Departments within the Town have also submitted proposals for project funding. As applications are received, they are to be compiled and scored, based on the scoring criteria outlined in an Applications Guidelines document which accompanied the application posted online.

#### **Proposed Next Steps:**

The Town currently has several active committees that are completing their assigned tasks and are interested in seeking ARPA funds. With this in mind, I propose extending the deadline to October 17th to allow these groups to complete and submit their applications.

In addition, I propose the following timeline and process for application review and scoring:

- October 17 at 4 p.m.: Extended deadline for applications to be received by Town staff
- October 24 (Regular Selectboard Meeting): All application packets will be compiled with a scoring spreadsheet and distributed to all Selectboard members for review. Each Selectboard member will be asked to review all applications.
- November 7 (Regular Selectboard Meeting): A public review of the applications will be held, during which Selectboard members will be given the opportunity to discuss each application and ask applicants questions. Following this meeting, each Selectboard member will use the information gathered to score each application in the scoring spreadsheet.
- November 21 (Regular Selectboard Meeting): A final scoresheet will be presented to the Selectboard, ranked in order of total consolidated scores. The Selectboard will use this as a guide to deliberate and decide on the use of the remaining funds.

There was a brief discussion about ensuring the Town staff has time to review the applications and provide feedback and recommendations. This step will be added to the process for the week of October 17<sup>th</sup>, before applications are provided to the Selectboard.

**Motion made by M. Morgan to extend the ARPA application deadline to October 17th at 4 p.m. and to accept the review and selection process as presented, with the intention of deciding on the use of funds by November 21, 2022. Second by C. Taylor. Motion approved unanimously.**

#### **XV. Beaudoin Town Concurrence Easement Amendment**

*Don Turner, Jr., Town Manager*

D. Turner presented a letter received by the Town from the State of Vermont Department of Environmental Conservation Waste Management and Prevention Division. It stated, in part:

“The Agency of Natural Resources (Agency) proposes to amend its interest in real property at 262 Middle Road, Milton, in Chittenden County, Vermont (Property). This amendment is limited to redefining the location of the Agency’s access to the Restricted Area on the Property to accommodate the newly installed solar array.

“This letter is to ask for the Town of Milton Selectboard’s consideration and concurrence that the Amended Grant of Environmental Restrictions, Right of Access, and Easement is acceptable to the Town of Milton. I also wish to use this letter to offer you the opportunity to meet on the proposed amendment and answer any questions you may have. Attached to this letter is a copy of the Amended and Restated Grant of Environmental Restrictions, Right of Access, and Easement.”

The letter provides further background and property information.

**Motion made by C. Taylor to accept the amendment to the grant of environmental restrictions, right of access and easement for the Boudoin property as presented, with a second by B. Steady. Motion approved unanimously.**

#### **XVI. Added item 3 hydrants**

*Don Turner, Jr., Town Manager*

D. Turner presented that the public works department has begun work in the Catamount Industrial Park area to tie the 10” fire main to the 4” water service unit. Some of the hydrants in that area are no longer

functional, and the contractor is proposing that three (3) hydrants be replaced as a part of this project. It's a change order of \$16,500.00. The total project was originally \$144,286.00. With this change order, the total comes to \$160,786.00. There is \$175,000 in the budget to do this project; \$100,000 of ARPA funds and \$75,000 for capital.

**Motion made by C. Taylor to approve the change order in the amount of \$16,500 for a total new contract of \$160,786.00, with the funding streams mentioned by Don Turner, with a second by B. Steady. Motion approved unanimously.**

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

*Don Turner, Jr., Town Manager*

- D. Turner provided an update on Stormwater 3-acre rule agreement to assist affected HOA's.
- Dylan Martell resigned from the Police Advisory Committee (PAC) effective immediately. The PAC now has two vacancies since Richard Edwards resigned to assist with a family member's ongoing health issue. Michaela has published the vacancy.
- Dave Allerton's final day was Wednesday, September 28, 2022. We recognized his contributions and had a nice send-off. So far, the Town has received four resumes from Indeed.com, none of which are qualified for the job to date.
- Town Treasurer John Gifford signed the transfer of taxes collected for the school as of September 15, 2022. The Town is working on creating a way to clearly document the process of transferring this money.
- The Town is still having challenges with our new bank, M&T Bank, after Peoples United sold. Treasurer John Gifford and his team are working to resolve issues but have been frustrated to date. He has also spoken to TD Bank about a potential future move of all Town and School Accounts. This would require Selectboard approval, so the Town will provide updates to keep the Selectboard informed.
- Turner had a request from a resident that needed to do 20 hours of community service. He completed 7 hours cleaning up trash along Route 7 and picking up the debris on Bombardier Park trails.
- VTRANS has acknowledged our requests for a reduction in speed on Route 7 and Route 2. The traffic Engineer responded stating that the data does not support a speed reduction but did recommend removing the passing lanes over the causeway. The traffic committee will make the final decision at a later meeting in which the Town will be invited.
- Chittenden Solid Waste District (CSWD) will hold a Special Meeting on November 8, 2022, for the purpose of asking voters to support a \$26,000,000 project for the building of a new materials recovery facility, bonding for \$22,000,000.
- Town staff had a meeting with the Town's health insurance provider and received positive news about employee health care costs for the FY24 budget.
- Turner will be out of the office on Saturday, October 8, 2022 – Tuesday, October 18. The acting Town Manager during his absence are as follows: John Bartlett: Saturday, October 8; Sunday October 9; Monday, October 10 & Monday, October 17; Michaela Foody: Wednesday, October 12; Thursday, October 13; Friday, October 14 and Saturday, October 15; Amber Baker: Tuesday, October 11; Sunday, October 16 and Tuesday, October 18 (Amber will be out of office October 17).

## **XVIII. Executive Session – Real Estate**



**Motion made by C. Taylor to find that premature knowledge about Real Estate would cause the Town or person to suffer a substantial disadvantage. Second by M. Morgan at 8:19 p.m. Motion approved unanimously.**

**Motion made by C. Taylor to move enter into executive session at 8:20 p.m. to discuss Real Estate under the provisions of 1 VSA 313 (A)(2) of the Vermont Statutes; to include the following; Selectboard members: D. Adams, M. Morgan, C. Taylor, J. FitzGerald and B. Steady; and Town Manager, Don Turner, Jr. Second by B. Steady. Motion approved unanimously.**

**Motion made by C. Taylor to close executive session at 8:56 p.m., with a second by M. Morgan. Motion approved unanimously.**

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

**XIX. Adjournment**

**Motion made by M. Morgan to adjourn the meeting at 8:58 p.m., with a second by B. Steady. 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/916e4oepnz9uubqhfvekyxd3eeghr1pa>

A video recording of this meeting can be found at the following location:  
<https://miltonvt.box.com/s/dhfkj392g0w729uk8ejyky76ya00qhc5>

Respectfully Submitted,

Brittany Tradup

APPROVED MINUTES:

  
John FitzGerald, Clerk

Date: 10/24/2022

Filed with the Milton Town Clerk's Office on this 25 day of Oct., 2022.

ATTEST: Krist Beers, Milton Town Clerk

