



**Town of Milton – Selectboard Meeting
43 Bombardier Road, Milton VT 05468
In Person and/or via Zoom – Community Room
Tuesday, January 18, 2022 at 6:30 p.m.**

MINUTES

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

Selectboard Members Absent: None

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

Others Present: Krista Washburn; Joe Mester (remote); Fred Duplessis, Sullivan, Powers & Co. (remote); Michael Sheldrick (remote); Alice's iPad (2) (remote); Dustin (remote)

I. Call to Order

D. Adams called the meeting to order at 6:31 p.m.

II. Flag Salute

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

III. Agenda Review

D. Turner pointed out that there is a resolution included as a part of the warning.

IV. Public Forum

None

V. Consent Agenda

- **Approval of Selectboard Meeting Minutes of 01/03/2022**
- **Approval of Selectboard Special Meeting Minutes of 01/06/2022**
- **Approval of Warrant #16**
- **Approval of Supplemental Warrant – Quarterly Town Water and Sewer Bills**

Motion made by M. Morgan to approve the Consent Agenda as aforementioned, with a second by J. FitzGerald. Motion approved unanimously.

VI. Appointment of Representatives for Northwest Fiberworx – Erik Brieland and Joe Mester

Don Turner, Jr., Town Manager

D. Turner provided a brief background on Northwest Fiberworx and the Selectboard's prior appointment of Erik Brieland as the interim representative for the Town of Milton. Joe Mester introduced himself, explained his qualifications and expressed why he is interested in representing the Town for this effort.

Motion made by M. Morgan to appoint Erik Breiland as primary and Joe Mester as alternate for representatives to Northwest Fiberworx, with a second by B. Steady. Motion approved unanimously.

VII. FY21 Audit Report Presentation

Fred Duplessis, Sullivan, Powers & Co.

F. Duplessis provided an overview of the audit report, including a description of the different parts. He then provided a brief analysis and pointed out various items of note throughout the report. He responded to some follow up questions from the Selectboard. D. Turner closed this discussion by thanking Jessica Morris, the Town's Finance Director, and the rest of the finance team for their work in getting the finances in good order.

VIII. Customer Refund Policy

Jessica Morris, Finance Director

J. Morris presented the refund policy, how it was created and the circumstances for which this policy is needed. She answered some clarifying questions and concerns.

CUSTOMER REFUND POLICY

Town of Milton

PURPOSE

This policy establishes the parameters and procedure for issuing customer refunds outside of the regular accounts payable warrant process to provide better customer service by returning funds to customers in a more timely manner.

PROCEDURE

A customer can request a refund of various fees paid to the Town. The following is a list of refunds that may be issued to customers outside of a regular AP warrant upon review/approval by the Finance Director and Treasurer:

- recreation program fees
- facility/equipment rental fees
- purchase price and interest related to the redemption of property purchased at tax sale
- property tax overpayments (overpayments of total annual amount due made by the property owner or escrow agent-refund will only be issued when credit is unable to be applied to a future property tax bill; overpayments as a result of a State payment must be issued through the regular AP warrant process)

The regular process to request a refund must be followed, to include backup detailing the refund amount requested. The department manager must present the request to the Finance Director for review and approval. The Finance Director will coordinate with the Treasurer and finance staff to

produce an off-cycle warrant and check. Off-cycle warrants will be produced once per week on the weeks that the Selectboard does not have a scheduled meeting only.

The Treasurer will have full authority to review, approve and sign the warrant and refund check(s) on behalf of the Selectboard. The warrant will be presented at the next regular Selectboard meeting for post-approval by the Selectboard.

Motion made by M. Morgan to accept the Town's customer refund policy as briefed by Finance director, Jessica Morris, with a second by J. FitzGerald. Motion approved unanimously.

IX. Public Infrastructure Review of Rowley Fuels – Waterline/Hydrant

Dave Allerton, Public Works Director

D. Allerton presented the background on the Bartlett Rd. hydrant and water line and requested that the Selectboard accept the irrevocable offer of dedication, and reduce the surety to 10% of the original value, which is \$785.00. He addressed clarifying questions from the Selectboard.

Motion made by M. Morgan to accept the irrevocable offer of dedication and reduce the surety to the amount of \$785.00, with a second by C. Taylor. Motion approved unanimously.

X. Funding Application for CCRPC UPWP – Allen Brook Environmental Assessment

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

K. Jensen presented the request. The Department of Public Works is requesting permission to apply for the Chittenden County Regional Planning Commission's Unified Planning Work Program (CCRPC UPWP) funding to contract a water quality assessment of Allen Brook. Jensen and D. Allerton addressed questions from the Selectboard regarding the scope.

Motion made by M. Morgan that the Town Manager or his designee is authorized to apply for the Chittenden County Regional Planning Commission Unified Planning Work Program for a Water Quality Assessment of Allen Brook, with a second by J. FitzGerald. Motion approved unanimously.

XI. Ambulance Fee Adjustment

Michaela Foody, Public Safety Director

M. Foody presented the following resolution:

EMS Recovery Fee Adjustment

WHEREAS, the last adjustment to the EMS Recovery Fee structure was effective 1 January 2021; and,

WHEREAS, it is customary and usual to review and make adjustments with regard to the EMS Recovery Fee structure for the Milton Rescue Department; and,

WHEREAS, the Medicare inflation rate for 2022 is 0.3%, as set by the Centers for Medicare and Medicaid Services; and,

WHEREAS, after review of the Fee Structure, it is recommended the Selectboard adjust the EMS Recovery Fee Structure according to the Medicare inflation rate, retroactive to 1 January 2022, as follows:

	Prior Rate (CY'19)	Current Rate (CY'21)	Recommended Rate (CY'22)
Basic Life Support	\$934.20	\$937.00	\$939.81
Advanced Life Support 1	\$1,346.29	\$1,350.33	\$1,354.38
Advanced Life Support 2	\$1,707.51	\$1,712.63	\$1,717.77
Mileage	\$26.99	\$27.07	\$27.15

THEREFORE, be it resolved, the Milton Selectboard adopts the EMS Recovery Fee adjustments as stated in this resolution and further directs town staff to execute the necessary documents as it relates to the amendment of these fees with any vendors or partners.

Motion made by M. Morgan to increase the ambulance fee by 0.3% as briefed by Michaela Foody, our Public Safety Director, with a second by B. Steady. Motion approved unanimously.

XII. COVID Policy

Michaela Foody, Public Safety Director

D. Turner introduced that this policy is only being presented for discussion at this time. It will need to be reviewed by collective bargaining units prior to enacting it.

M. Foody presented the policy, which is a 2-part system. The policy says that the town has certain procedures to follow should an employee test positive. The policy also lays out the benefits that an employee can receive if they need to quarantine or if they contract COVID. Procedures can be updated anytime that the state updates COVID guidelines. The procedures document, referenced in the policy, is being developed.

M. Foody addressed clarifying questions from the Selectboard. D. Adams suggested that the document may need to address that Fire & Rescue may follow separate policies/guidelines.

This document is still under review by other parties. The Selectboard did not take action on this policy.

XIII. Approval of Town Meeting Warning

Don Turner, Jr., Town Manager

D. Turner presented the Town Meeting Warning and provided clarification on why the January 31 joint school board and Selectboard meeting is not included in the warning. He also explained that the article regarding the Public Works Facility also requires an accompanying Necessity Resolution for a Capital Construction Project, which has been included in the meeting packet. D. Turner also reminded M. Morgan that he was elected Moderator last year.

Motion made by M. Morgan to approve the Town Meeting Warning for this year's Town Meeting, with a second by J. FitzGerald. Motion approved unanimously.

D. Turner also presented the following resolution:

Resolution of Necessity for Capital Construction Project

RESOLVED, at a regular meeting of the Selectboard of the town of Milton duly warned and held on January 18, 2022, it was determined that the public interest and necessity demand that the Town of Milton (the "Town") undertake construction of a new Town highway garage (approx. 30,000 sq. ft.) and associated improvements on a +/-6.7-acre parcel of land to be acquired by the Town

located westerly of Park Place, (the "Project") at an aggregate estimated cost of Six Million Five Hundred Thousand Dollars (\$6,500,000); and

BE IT FURTHER RESOLVED that the costs of the Project after the application of available state and federal construction grants-in-aid, appropriations, reserves, and other funds are too great to be paid out of the ordinary annual income and revenue of the Town; and

BE IT FURTHER RESOLVED that a proposal for construction of a new Town highway garage and the issuance of general obligation bonds or notes of the Town in an aggregate principal amount not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000) to pay for the Project, subject to reduction from available state and federal grants-in-aid and other financial assistance, should be submitted to the legal voters of the Town at the annual meeting thereof to be duly warned and held on March 1, 2022; and

BE IT FURTHER RESOLVED that the Town will hold a public informational meeting on the bond issue proposition and all other Australian ballot articles on Monday, February 28, 2022, commencing at six o'clock (6:00) in the afternoon (p.m.) at Milton High School Library and electronically on the Zoom platform and by telephone, the specific details and dial-in numbers shall be as specified in the Warning for the Annual Meeting and the warning for the public information meeting; 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 the Project be in accordance with the provisions of Chapters 53 of Title 24, and Chapter 129 of Title 24A, of the Vermont Statutes Annotated; and

BE IT FURTHER RESOLVED that the attached Warning and form of Ballot is specifically adopted for use in connection with consideration of the above-stated proposition of making public improvements and incurring bonded indebtedness therefor.

Motion made by M. Morgan to sign the Resolution of Necessity for Capital Construction Project as presented, with a second by C. Taylor. Motion approved unanimously.

XIV. Discussion of Creamery Complaint

Don Turner, Jr., Town Manager

D. Adams pointed out that this is not a public hearing and there will not be any action on this item. This is only a discussion.

D. Turner presented information about the history of the property and the Town's involvement, including recent meetings. The next step of the process is to identify possible contaminants in the building before we can proceed with additional steps, including cleanup and potential preservation/restoration.

Property owner Krista Washburn introduced herself, her history with the property, her vision for the future of the property and the limitations she faces to get to that point. D. Turner pointed out that the town continues to explore options for the Town to coordinate efforts with the owner, especially efforts to obtain resources, such as grant funding. K. Washburn addressed clarifying questions from the Selectboard.

The complainant Michael Sheldrick responded to K. Washburn's presentation and expressed interest in working further with the Town and the owner to work on the property.

XV. Update from Town Manager and Board Members

Don Turner, Jr., Town Manager

From Town Manager D. Turner:

- We received a compliment from Jim Ballard: “I just want to give you a note – a huge Thank You to the road crew for their work during the last storm. I have never seen Sanderson Road kept so well during a storm.”
- The weather has been relatively reasonable from a temperature standpoint; however, we have used about 3/4 of the winter sand we hauled in last fall. Fortunately, we have some left in the stockpile from past years. Additionally, to date, we have used 993 tons of the 2200 tons of salt this winter. The mild temperatures and rain events have caused us to expend many of our resources. One tandem truck had a transmission issue during the storm, but they were able to use another truck to finish the work.
- Police Officer Rick Corbin’s final day of work was last Friday. He is moving back to Massachusetts to take a job with a police department on the Cape.
- Water and Wastewater currently has two staff members out on sick leave. One will return early February, and the other will hopefully be back by next week. This has caused the remaining two staff to rotate every other weekend on call. We are working with our collective bargaining unit to insert Tom in the on-call rotation.
- We are going to miss our Finance Director. On February 2, we will have a “come and go” chance to say goodbye. We’ve communicated with an interim solution for a Finance Director.
- We have received a few applications for the Rescue Chief and Finance Director positions. We are working to formalize the interview process for these important positions.
- Ron Hubert will not be seeking re-election to the Champlain Water District Board to represent Milton after Town Meeting Day. We still have a vacancy with the Chittenden Solid Waste District as well. We are advertising these and all vacancies for Town committees online.
- We are anticipating a lot of activity for the Development Review Board in the coming months. We also have meetings with a number of parties interested in doing business in Milton – three on Friday morning alone.
- Milton Town Forest Grant – We anticipate the Commissioner’s funding decisions, and an announcement of ERSA grant awards, by early February.
- D. Turner will be out of town from 2/16-2/24/22. Dave Allerton, Michaela Foody and John Bartlett will rotate as Acting Town Manager during that time.
- The Ice Rink is open – As soon as the weather got cold enough, we filled it, and it should be ready to be used.

XVI. Executive Session –

Motion made by C. Taylor to find that premature knowledge about Potential Litigation would cause the Town or person to suffer a substantial disadvantage. Second by J. FitzGerald at 8:10 p.m. Motion approved unanimously.

Motion made by C. Taylor to move enter into executive session at 8:10 p.m. to discuss Potential Litigation under the provisions of 1 VSA 313 (A)(1) of the Vermont Statutes; to include the following; Selectboard members: D. Adams, M. Morgan, C. Taylor, J. FitzGerald and B. Steady; Town Manager Don Turner; Director of Administration & HR John Bartlett; Town Legal Counsel Joe McLean (by phone). Second by J. FitzGerald. Motion approved unanimously.

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

**Motion made by C. Taylor to close executive session at 8:55 p.m., with a second by J. FitzGerald.
Motion approved unanimously.**

XVII. Adjournment

**Motion made by C. Taylor to adjourn the meeting at 8:57 p.m., with a second by M. Morgan .
Motion approved unanimously.**

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

<https://miltonvt.box.com/s/xm13nfc1odt8pc6hczn6obj78eclgkq2>

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

<https://miltonvt.box.com/s/fa2gp64fhowe6lqcnfk5u7hxruv18pw9>

Respectfully Submitted,

Brittany Tradup

APPROVED MINUTES:

 Date: 1-31-22
Chris Taylor, Clerk

Filed with the Milton Town Clerk's Office on this 1st day of February, 2022.

ATTEST: Kristi Beers, Milton Town Clerk

