



**Town of Milton – Selectboard Meeting  
43 Bombardier Road, Milton VT 05468  
In Person and/or via Zoom – Community Room  
Monday, February 6, 2023 at 6:00 p.m.**

**MINUTES**

**Selectboard Members Present:** Darren Adams, Chair (joined the meeting during Executive Session); Michael Morgan, Vice Chair; John FitzGerald, Clerk; Brenda Steady, Member; Chris Taylor, Member;

**Selectboard Members Absent:** None

**Staff Members Present:** Don Turner Jr., Town Manager; John Bartlett, HR and Operations Director (remote); Brittany Tradup, Executive Assistant to the Town Manager; Michaela Foody, Public Safety Director; Steve Laroche, Police Chief; Amber N. Baker, Finance Director (remote); Cymone Bedford, Planning & Development Review Director (remote); Cathy LaClair, Milton on the Move Coordinator; Lisa Schaeffler, Public Works Director (remote); Sean McCann, Rescue Chief

**Others Present:** Michael Joseph; Gregory Rhoades (remote); Diane Barrows (remote); Paul Vansleet (remote); Sue Schlom (remote)

**I. Call to Order**

M. Morgan 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 a few additions: 1) Certification of No Appeal from the assessor; 2) Maplewood Avenue Extension; 3) Milton on the Move Grant Acceptance for a Town Planning Charrette. M. Morgan added these items just before the updates.

**IV. Public Forum**

None.

**V. Consent Agenda**

- Approval of Selectboard Meeting Minutes of 01/17/2023
- Approval of Warrant #17

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

**VI. Reappoint Economic Development Commission Members: Michael Joseph and Lindsey Ruhl  
*Don Turner, Jr., Town Manager***

D. Turner introduced the applicants stating that they both resubmitted their applications requesting to be reappointed to the EDC.

**Motion made by C. Taylor to reappoint Michael Joseph and Lindsey Ruhl to the Economic Development Commission for 3 year terms, with a second by B. Steady. Motion approved unanimously.**

**VII. Permission to Apply for the RAISE Grant**

*Cymone Bedford, Planning and Development Review Director*

Cymone Bedford introduced the background on this item as per the following memo:

To: Milton Select Board  
Date: February 6, 2023  
From: Cymone Bedford, AICP, Planning Director  
CC: Don Turner, Town Manager  
Re: Department of Planning and Zoning – Chittenden County Regional Planning Commission RAISE Grant

The Chittenden County Regional Planning Commission (CCRPC) is soliciting interest from municipalities along the regional rail lines to engage in Transit-Oriented Development (TOD) Planning to develop compact, connected, and walkable communities in Northwest Vermont. The CCRPC has been awarded a federal RAISE planning grant in the amount of \$2,100,000 to develop Transit-Oriented Development (TOD) Plans for Northwest Vermont and evaluate ways to improve transit service. The grant scope is intended to allow participating municipalities the opportunity to plan for increased transit-oriented development (TOD) in our centers with more housing and employment that will improve opportunities for convenient public transportation services, more walking and biking, and address climate goals.

The grant scope includes collaboration between the regional planning commissions and up to 12 communities across a five-county region. This collaboration is intended to support municipal efforts to:

1. Create a TOD Master Plans for municipal downtown and village centers; and
2. Draft municipal bylaws/development regulations to implement the TOD Master Plans.

The Town of Milton Planning and Zoning Department would like to apply for the RAISE Grant through the Chittenden County Regional Planning Commission in order to complete a bylaw update for the project area Main Street to Bombardier Road which will encompass our Village Designation Area and Downtown Business District. The estimated cost of the project is \$75,000 which we propose would be covered by the grant.

We respectfully request the Select Board to authorize applying for this grant and for the Town Manager, or his designee, to execute the Grant Agreement if we are awarded funding.

There was a discussion as C. Bedford and D. Turner responded to questions from the Selectboard members.

**Motion made by C. Taylor to allow the Milton Planning and Zoning Department to apply for the RAISE Grant in an amount not to exceed \$75,000, with a second by J. FitzGerald. Motion approved unanimously.**

**VIII. Milton on the Move Grant Acceptance for a Town Planning Charette**

D. Turner provided background information on this item. Milton on the Move applied to the Chittenden County Regional Planning Commission (CCRPC) about a year ago for a Community Design Charette and Downtown Core Master Plan. Since then, the scope of the project has been adjusted with advice from the CCRPC. Selectboard approval is needed for next steps. This item will be added to the agenda for the February 21<sup>st</sup> meeting.

**IX. EMS Recovery Fee Adjustment**

*Sean McCann, Rescue Chief*

S. McCann presented the background on this request with the following resolution:

**EMS Recovery Fee Adjustment**

WHEREAS, the last adjustment to the EMS Recovery Fee structure was effective 1 January 2022; 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 Ambulance Inflation Factor for 2023 is 8.7%, 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 2023, as follows:

	Prior Rate (CY'21)	Current Rate (CY'22)	Recommended Rate (CY'23)
Basic Life Support	\$937.00	\$939.81	\$1,021.57
Advanced Life Support 1	\$1,350.33	\$1,354.38	\$1,472.21
Advanced Life Support 2	\$1,712.63	\$1,717.77	\$1,867.22
Mileage	\$27.07	\$27.15	\$29.51

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 J. FitzGerald to adopt 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, with a second by B. Steady. Motion approved unanimously.**

**X. Authorization to Purchase a Police Cruiser**

*Stephen Laroche, Chief of Police*

S. Laroche presented this request as per the following resolution:

**AUTHORIZATION TO PURCHASE A POLICE CRUISER**

WHEREAS, the Milton Police Department seeks authorization to purchase one (1) Ford utility police cruiser with funds from the FY23 capital improvement budget; and

WHEREAS, there is \$56,604.00 in the capital improvement budget pay to replace an existing patrol cruiser and equipment; and

WHEREAS, there are adequate funds in the budget to purchase a 2023 or 2024 Ford utility police cruiser to replace an existing patrol cruiser and equipment; and

WHEREAS, the total cost of the cruiser and equipment will not exceed \$62,004.00, \$56,604.00 from the capital improvement budget and approximately \$5,400.00 from the trade in value of the cruiser; and

WHEREAS, the time it takes to order, manufacture and take delivery of the cruiser has historically been anywhere from 6-12 months; and

WHEREAS, the current cruiser has 101,000 miles. It is estimated it will have 110,000-120,000 miles by the time the new cruiser is manufactured and equipped.

WHEREAS, by purchasing a new cruiser, it will NOT add a cruiser to our existing fleet.

NOW, THEREFORE, BE IT RESOLVED, by the Milton Selectboard that the Town Manager, or his designee is authorized to execute the necessary documents to purchase one (1) 2023 or 2024 Ford utility police cruiser and necessary equipment for a total cost not to exceed \$62,004.00

There was a brief discussion regarding the lead time.

**Motion made by B. Steady to authorize the Town Manager or his designee to execute the necessary documents to purchase one (1) 2023 or 2024 Ford utility police cruiser and necessary equipment for a total cost not to exceed \$62,004.00, with a second by C. Taylor. Motion approved unanimously.**

#### **XI. Permission to Apply for Assistance to Fire Fighter Grant**

*Michaela Foody, Public Safety Director*

M. Foody presented this item with background information as per the following memo:

To: Milton Selectboard  
From: Michaela Foody, Public Safety Director  
Date: February 3, 2023

Re: Request to Apply for the Assistance to Firefighters Grant

The Milton public safety departments are anticipating establishing a joint Rescue Task Force (RTF) operation in order to be able to bring emergency medical care to victims of a violent incident quickly but safely. The goal of an RTF is to treat, stabilize, and rapidly remove casualties from the scene of a violent incident while wearing ballistic protection and under the protection of law enforcement.

Per Vermont Statewide Emergency Medical Services Protocol, EMS is allowed to participate in operations in a "warm zone" or an area of indirect threat that can be considered clear but not secure (i.e. Law Enforcement has either cleared or isolated the threat to a level of minimum or mitigated risk) if the personnel are specially trained to do so and are equipped with the proper personal protective equipment. Otherwise, EMS personnel must remain in an area where no significant danger or hazard can be reasonably anticipated. The Milton Public Safety Department is requesting permission from the Selectboard to apply for a grant that will help fund the training and equipment costs in order for Milton Police, Fire, and Rescue Departments to be able to establish an RTF in order to participate in "warm zone" operations.

The FEMA Assistance to Firefighters Grant Program (AFG) on behalf of the Rescue Department. The AFG is a well-known federal grant program which provides grant funding to fire and non-affiliated EMS departments annually for projects like "critically needed equipment, protective gear,

emergency vehicles, training and other resources necessary for protecting the public and emergency personnel from fire and related hazards.”

Pending voter approval, there is \$8,000 allocated in the FY24 CIP for implementing an RTF. This money is intended to be used for a grant match to help fund the total cost of the project, including training (both cost of classes and personnel time), equipment, and medical supplies. The AFG requires a 5% grant match for a town of Milton’s population. With the overall project cost of approximately \$45,000, the \$8,000 in the proposed FY24 budget will be sufficient in covering the Town’s grant match.

I respectfully request the Selectboard to authorize the Public Safety Department to apply for the Fiscal Year 22 Assistance to Firefighters Grant for no more than \$45,000.

There was a discussion as M. Foody responded to questions from the Selectboard Members.

**Motion made by J. FitzGerald to authorize the Public Safety Department to apply for the Fiscal Year 22 Assistance to Firefighters Grant for an amount not to exceed \$45,000, with a second by C. Taylor. Motion approved unanimously.**

## **XII. Emergency Health Order Termination**

*Michaela Foody, Public Safety Director*

M. Foody presented the background on this item as presented in the following memo:

To: Milton Selectboard  
From: Michaela Foody, Deputy Town Health Officer  
Date: February 3, 2023

Re: Emergency Health Order Termination

On December 15, 2022 I issued an Emergency Public Health Order (attached “Emergency Health Order\_58 Middle Road”) through my authority as a Deputy Town Health Officer in accordance with 18 V.S.A. § 127. On January 24, 2023, Amanda Pitts, Milton Town Health Officer, and I conducted the follow-up inspection and found the landlord had complied with the Emergency Health Order, resolving the emergency health issue.

Per 18 V.S.A. § 127, the Selectboard (aka Local Board of Health) has the authority to affirm, modify, or terminate the emergency health order. I am requesting the Selectboard sign the attached “Emergency Public Health Order Termination” stating that it finds the Emergency Health Order issued on December 16, 2022 to be resolved and terminated.

**Motion made by B. Steady to sign the attached “Emergency Public Health Order Termination” stating that the Selectboard finds the Emergency Health Order issued on December 16, 2022 to be resolved and terminated, with a second by C. Taylor. Motion approved unanimously.**

## **XIII. Vermont Economic Progress Council (VEPC) Tax Increment Financing (TIF) Update**

*Amber N. Baker, Finance Director*

A. Baker presented the annual Tax Increment Financing (TIF) report and provided a brief explanation of the report. There was a discussion as A. Baker and D. Turner responded to questions from the Selectboard members.

**Motion made by C. Taylor to authorize the Town Manager to certify the Annual TIF report on behalf of the Selectboard, with a second by B. Steady. Motion approved unanimously.**

**XIV. Appoint Town Moderator: Michael Morgan**

*Don Turner, Jr., Town Manager*

D. Turner stated that although Michael Morgan was elected as Town Moderator in 2022, the revised Town Charter, which passed later in the year, changed the position to be appointed by the Selectboard. The Charter does not specify a term for this position.

**Motion made by C. Taylor to appoint Michael Morgan as the Town Manager, with a second by J. FitzGerald. Motion approved unanimously.**

**XV. Certificate of No Appeal or Suit Pending**

*Don Turner, Jr., Town Manager*

D. Turner stated that the Form PVR-4155 is a document that is sent to the Vermont Department of Taxes. It certifies that: *“on this date there are not any appeals pending from action of the Listers nor suits pending to recover taxes paid under protest relating to the April 1, 2022 grand list of Milton, Vermont. Given under our hands at Milton in the County of Chittenden, State of Vermont, this 6<sup>th</sup> day of February, 2023.”*

The Listers have attested to this statement that there are no appeals or pending suits. Now the Selectboard must affirm this.

**Motion made by C. Taylor to accept the certificate of no appeal or suit pending as presented, with a second by B. Steady. Motion approved unanimously.**

**XVI. Public Infrastructure Acceptance – Maplewood Avenue Extension**

*Don Turner, Jr., Town Manager*

D. Turner presented this item as per the following memo:

To: Milton Select Board  
Date: February 6, 2023  
From: Amanda Pitts, Zoning Administrator  
CC: Lisa Schaeffler, Director of Public Works; Eric Gallas, Highway Superintendent

Re: Public Infrastructure Acceptance – Maplewood Avenue Extension

Maplewood Avenue Extension, aka Maplewood Phase II, was been built a number of years ago, and it appears that the appropriate legal documents were not accepted by the Town for formal acceptance into public infrastructure for the road and sidewalk. For our yearly Vtrans Mileage Certification, we are requesting the acceptance of the warranty deed to formalize that this portion of the road and sidewalk as public infrastructure.

**Location of Infrastructure/Project Name:** Maplewood Avenue from Lot 20 to the end of the road.

**Description of Infrastructure:** Road and sidewalk.

Eric Gallas, Highway Superintendent; has confirmed that the road and sidewalk are in acceptable condition. Dave Allerton reviewed the Record Drawings and found them satisfactory. David Rugh, Town Attorney, reviewed the title and has confirmed there are no outstanding issues. We respectfully request that the Selectboard accept the Warranty Deed for Phase II of Maplewood Avenue Extension.

**Motion made by C. Taylor to accept the Warranty Deed for Phase II of Maplewood Avenue Extension as presented, with a second by B. Steady. Motion approved unanimously.**

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

*Don Turner, Jr., Town Manager*

- Lisa Schaeffler started last week as the Public Works Director. She introduced herself and provided information on her background.
- Nick Prussock Engineer is leaving effective February 9, 2023.
- Turner submitted the Kienle Rd subdivision sketch plan paperwork today to planning.
- Michelle Noble was hired to fill the part-time position in the Clerk/Treasurers office. Her first day was Monday January 30, 2023.
- Keith Spaulding has been promoted to Lead Equipment Operator and Trevor Barrows to Maintenance Tech 2 position in Highway Dept.
- Turner met with Brian Bevins to discuss parking enhancements at the Grange. The Town has received two quotes for a handicap lift ranging from \$35,000 to \$39,600. A lift is essential to enhancing the functionality of the building.
- The sprinkler system here at the municipal building went into alarm in the early morning on Saturday. John Bartlett came down to find the air compressor cycling. Upon further inspection, it was determined that the lower portion of the irrigation system and piping connections had frozen. Upon resolving this issue, additional leaks were found in the piping above the Police Chief's office and in the sprinkler system in the area that has been temporarily repaired.
- Turner attended a meeting last Friday with representatives from Vermont Council on Rural Development (VCRD) and Milton on the Move to discuss how things are going and where they are headed. Overall, it was a positive meeting.
- Turner met with Bill Kaigle and members of the General Stannard committee to discuss how they were planning to proceed. There was a brainstorm of some ideas on how to see the project move forth.
- Concerning the budget, the process for building the FY24 budget started in November with a town wide joint school district mailing encouraging resident participation in the budget building process and outlining the cost drivers for the upcoming FY24 budget. This was followed by a series of public Selectboard meetings running through early January. The Selectboard finalized the budget in January and the proposed budget was uploaded to the Town website. The official Town Meeting Warning was posted per VT law (17 VSA 2641(a), (b) & 2642), which requires us to post between January 26 (40 days before town meeting) and February 5 (30 days before town meeting). This information will also appear in the upcoming editions of the Town's paper of record "The Islander." In addition, you will be receiving additional information in the mail later this week and video explanations on social media about the budget.
- The Town is continuing to work on plans to reduce the cost of the public works facility.
- The Town will be scheduling a public hearing regarding the Papaseraphim property soon.
- Turner will be out of town through Sunday. The acting Town Manager schedule will be: Tuesday-Thursday: Michaela Foody; Thursday-Sunday: John Bartlett.

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

**Motion made by J. FitzGerald to find that premature knowledge about Real Estate and Personnel would cause the Town or person to suffer a substantial disadvantage. Second by C. Taylor at 7:10 p.m. Motion approved unanimously.**

**Motion made by J. FitzGerald to move enter into executive session at 7:11 p.m. to discuss Real Estate and Personnel under the provisions of 1 VSA 313 (a)(1) of the Vermont Statutes; to include the following; Selectboard members: M. Morgan, C. Taylor, J. FitzGerald and B. Steady; Town Manager, Don Turner, Jr.; Public Safety Director, Michaela Foody. Second by C. Taylor. Motion approved unanimously.**

Darren Adams joined the meeting remotely during the executive session.

**Motion made by J. FitzGerald to close executive session at 7:31 p.m., with a second by C. Taylor. Motion approved unanimously.**

**XIX. Action as a Result of Executive Session –  
Ratify NEPBA Contract and Accept Real Estate Purchase and Sale Contract**

**Motion made by C. Taylor to enter into a real estate purchase sales contract for 3.9 acres of property, adjacent to the property owned by the Town at Bombardier, for the amount of \$500,000.00, inclusive of all terms and conditions of the contract; and to authorize the Town Manager to submit a \$500.00 deposit to enter into the contract, with funds coming from ARPA (American Rescue Plan Act). Second by B. Steady at 7:36 p.m. Motion approved unanimously.**

**Motion made by M. Morgan to ratify the collective bargaining agreement with NEPBA Local 411 as presented in the following resolution (*read aloud*). Second by B. Steady at 7:40 p.m. Motion approved unanimously.**

**Collective Bargaining Agreement with NEPBA Local 411**

WHEREAS, the collective bargaining agreement with the NEPBA Local 411 expired on June 30, 2022; and

WHEREAS, public support for the Milton Police Department has remained strong during some challenging years resulting in a fully staffed and thriving police department; and

WHEREAS, for the last year and a half negotiating teams representing both the bargaining unit and the Town have conducted numerous negotiating sessions; and

WHEREAS, Police staff vacancies have led to significant wage increases for police officers throughout the state, including police agencies comparable to Milton; and

WHEREAS, this agreement includes compensating officers retroactively to the beginning of the current FY23 fiscal year July 1, 2022 at an additional cost of \$131,000.00 in the Police Department's Regular Salaries line item; and

WHEREAS, the Selectboard had appropriated \$100,000 of ARPA funds to the Capital Improvement Plan for the purposes of renovating the Police Station; and

WHEREAS, to address this shortfall in the voter approved FY23 budget, the Selectboard will reappropriate \$91,000 from the Capital Improvement Plan-Police Station Renovation Project along with \$40,000 from the Contingency line item to the Police Department Regular Salaries line item to fulfill the contractual obligations of this agreement; and

THEREFORE, BE IT RESOLVED, the members of the Town of Milton Selectboard hereby agree to ratify the new collective bargaining agreement with the NEPBA Local 411 beginning July 1, 2022



continuing through June 30, 2027, as ratified on January 30, 2023 by the representatives of the NEPBA Local 411; and

BE IT FURTHER RESOLVED, that the Town of Milton Selectboard re-appropriates/transfers \$91,000 from the Capital Improvement Plan-Police Station Renovation Project along with \$40,000 from the Contingency line item to the Police Department Regular Salaries line item in order to fulfill the contractual obligations of this agreement.

**XX. Adjournment**

**Motion made by D. Adams to adjourn the meeting at 7:42 p.m., with a second by J. FitzGerald.**

**Motion approved unanimously.**

**Meeting adjourned by M. Morgan.**

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

<https://miltonvt.box.com/s/uv55hos36swra47e3r1uwsculz7wi6ap>

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

<https://miltonvt.box.com/s/01f70uwwa20yoff0iqzblshjm6kv3yg5>

Respectfully Submitted,

Brittany Tradup

APPROVED MINUTES:



John FitzGerald, Clerk

Date: 2/21/2023

Filed with the Milton Town Clerk's Office on this 22<sup>nd</sup> day of February, 2023.

ATTEST: Kirst Bees, Milton Town Clerk

