



**Town of Milton – Selectboard Special Meeting
43 Bombardier Road, Milton VT 05468
In Person and/or via Zoom – Community Room
Monday, March 27, 2023 at 6:00 p.m.**

MINUTES

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

Selectboard Members Absent: None

Staff Members Present: Don Turner Jr., Town Manager; Amber N. Baker, Finance Director

Others Present:

John FitzGerald; Robert Lombard; Nick Papaserafchim; Ken Robie, Dubois & King Inc./VTrans; Robert Brisson; Sotos Papaserafchim; Normand Stanislas; Roger Dickenson, TCE; Lori Donna; Randy Barrows (remote); Diane Barrows (remote); Michael Frett, The Islander; Christina Kalavrouziotis (remote); “J7jwz” (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. Hourglass Project – Project Review and Status Update

D. Turner reviewed the history of the project and the options for next steps, as provided in the following timeline (provided in the meeting packet):

Hourglass Project Timeline

The Town initiated what is now known as “The Hourglass Project” as a response to the very dangerous intersection that still exists today at Route 7, Railroad Street and Middle Road. This intersection has been identified as a high-crash location for nearly two decades.

2013

- A safety study was completed by the Chittenden County Regional Planning Commission (CCRPC) and RSG Incorporated. At the completion of this study, VTrans prepared various potential project solutions (4 options).
- The Selectboard at the time determined that the Hourglass option would best meet the Town’s needs with regard to safety, while at the same time providing additional economic development benefits and providing a town green.

2015

- Voters were asked to support \$800,000 to build the “Southern Leg” of the Hourglass. The vote passed by a wide margin.

2017

- The Town entered into an agreement with VTrans to build the Town portion, which is often referred to as the “Southern Leg”. Included in the terms of that contract, the Town agreed to pay \$75,000 in the event that the Town chooses to not move forward with having VTrans build the Town’s portion of this project.
- It was determined that the cost to build the Southern Leg with all the improvements, including the town green, landscaping and running utilities underground, the Town would need more funding for the project. The Town returned to the voters asking them to support an additional \$2 Million for the Hourglass Project. The vote passed by a wide margin.

2018

- The Town began the process of acquiring the properties needed to continue with the project as designed.
- 204-210 Route 7 South was owned at the time by Jamie Parent, and the Town successfully entered into an option agreement with Parent to purchase the property.
- The second property was 214-218 Route 7 South, which is owned by the Papaseraphim Family Trust. The Town entered into a Memorandum of Understanding (MOU) with the Papaseraphims. The purpose of the MOU was to acquire the land needed for the project. An MOU was selected over other forms of agreement because the amount of land needed was unknown, and therefore the value could not be determined.
- In accordance with the Papaseraphim MOU, the Town was directed to contract with Champlain Valley Appraisal Service to complete an appraisal of the portion deemed necessary for the project, approximately 1.5 acres and for the entire parcel. The Town made a verbal offer to the Papaseraphims to move forward with the purchase of the portion needed for the project based on the appraised value.
- The Town began ongoing discussions with the St. Anne’s Cemetery and Ernie Pomerleau, the owner of the Milton Shopping Center, for portions of their properties impacted by the project.

2019

- The Town completed an environmental analysis of both sites (204-210 and 214-218), which was paid for by the Town.
- VTrans met with all property owners impacted by the project.

2020

- The Papaseraphims requested that the Town hire Gammal Real Estate Services to perform a second appraisal of the same 1.5 acres and the entire parcel. The Town made a verbal offer to the Papaseraphims to move forward with the purchase based on the appraised value.
- The Town exercised the option and purchased the 204-210 Route 7 South property from Jamie Parent.
- The Town demolished both buildings on 204-210 Route 7 South.

2021

- In October, after numerous failed attempts to purchase the portion of the Papaseraphim property needed for the project, the Town made the decision to move forward with a highest and best offer of \$2.2 Million for the entire parcel of land based on the highest appraised value of \$1.925 Million. The Papaseraphims counter-offered at \$3.833 Million. At that point, the negotiations ceased.
- In November, the Town informed VTrans to proceed without the Southern Leg due to the inability to purchase the portion of land needed from the Papaseraphims. This removed the responsibility of VTrans to build the Southern Leg. According to contract with VTrans, the Town may be liable to pay \$75,000 to VTrans for this change.

To date, the Town has spent \$30,941 on appraisals, engineering, surveying and environmental studies for the Papaseraphim project.

Next Steps

The Selectboard must decide how to move forward, and there are 3 primary options.

1. Formally abandon the Southern Leg of the Hourglass project
 - Substantial modification to the approved TIF plan would be required. This would require hiring consultants to assist Town staff and navigate the process of making this amendment, which may have financial implications that are unknown at this time.
 - The Town will need to determine the legal ramifications of not proceeding with the voter-approved project.
2. Reopen negotiations with Papaseraphims – The Town has made the highest and best offer more than once in the last several years and has offered multiple incentives without success.
3. Move forward with legal remedy per the guidance of legal counsel, which may involve condemnation via eminent domain

There was discussion between the Selectboard and D. Turner regarding clarification about known potential financial implications associated with different options.

Ken Robie provided an update on the current status of the VTrans portion of the project (not including the Southern Leg). He stated that VTrans is currently in the process of acquiring rights of way that are needed, and negotiations for those acquisitions are currently expected to occur in fall/winter of 2023. Bids for construction are targeted to go out in 2024 for construction in 2025.

Roger Dickinson, a consultant from TCE, discussed the various impacts of not completing the Southern Leg of the Hourglass project and responded to questions from the Selectboard.

There were comments and questions from attending residents Lori Donna, John FitzGerald, Normand Stanislas, Sotos Papaseraphim, Nick Papaseraphim, Robert Brisson, Randy Barrows and Robert Lombard.

IV. Adjournment

**Motion made by M. Morgan to adjourn the meeting at 6:50 p.m., with a second by C. Taylor.
Motion approved unanimously.
Meeting adjourned by D. Adams.**

All documents pertaining to this meeting may be viewed using the following link:
<https://miltonvt.box.com/s/teeumefn1mvow68p9opxpp4fkt091jo>

A video recording of this meeting can be found at the following location:
<https://miltonvt.box.com/s/ql6d74dy9tbed1bjngc60xqety5dra4h>

Respectfully Submitted,

Brittany Tradup

APPROVED MINUTES:

Brenda Steady, Clerk Date: 4-3-23
Brenda Steady, Clerk

Filed with the Milton Town Clerk's Office on this 4th day of April, 2023.

ATTEST: Kristi Beas, Milton Town Clerk