



Town of Milton
Regular Selectboard Meeting
Monday, November 18, 2019 at 6:00 p.m.
Milton Municipal Building Community Room
43 Bombardier Road, Milton VT 05468

MINUTES

Selectboard Members Present: Darren Adams, Chairman; John Palasik, Vice-Chairman; Chris Taylor, Clerk; Dana Maxfield, Member; Michael Morgan, Member

Staff Members Present: Don Turner, Jr., Town Manager; Sheila Mooney, TM Executive Assistant; David Allerton, Director of Public Works; Taylor Yeates, Director of Public Safety; Michael Burris, Director of Planning; Sheryl Prince, Town Clerk

Others Present: Julianna Tyson; John Pitrowiski; Thomas Sanchez; Joseph McLean, Esq.; John Fitzgerald; Ronald Prince; Evan Langfeldt

I. Call to Order

The meeting was called to order by D. Adams at 6:00 p.m.

II. Flag Salute

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

III. Agenda Review

None.

IV. Public Forum

Thomas Sanchez stated that a small section of Devino Road is a Class 3 road and he would like the Selectboard to consider having the Town plow that section of the road.

Don Turner, Jr., Town Manager stated that the Town would start to maintain that portion subject to the following conditions:

- Would not salt until a turnaround on Devino Road could be built.
- Would be added to the end of the current small truck route which has a four hour route.
- It may not be plowed or sanded until after their private contractor has already done it.

Justin Graham with Rise VT introduced himself to the Selectboard. Rise VT works with community members and brings in support to facilitate connection, health, and emotional strength through accessible events, campaigns, and programming for people of all ages, incomes and abilities.

V. Business

A. Appointment of Julianna Tyson to Conservation Commission

Julianna Tyson

Michael Burris, Director of Planning

Julianna Tyson introduced herself to the Selectboard and gave an overview of her qualifications.

Motion made by M. Morgan to appointment Julianna Tyson to the Conservation Commission for a four (4) year term with a second by D. Maxfield. Approved Unanimously.

B. Sewer Line Expansion to Colchester

John Pitrowiski, PE, Vice President TCE

Evan Langfeldt, O'Brien Brothers

Joseph McLean, Esq., Stitzel, Page & Fletcher

John Pitrowiski and Evan Langfeldt gave an overview of the proposed sewer line expansion to Colchester.

Motion made by C. Taylor to authorize the Town Manager and Town Attorney to work with the private parties and their consultants and attorneys, as well as the Town of Colchester, to begin developing the applications, agreements and other documents necessary to extend the Milton municipal sewer line into Colchester, with the private parties paying all costs and expenses associated with the design and construction of the sewer line extension, other than the Town's legal and permitting costs and fees, and with all final applications, agreements and other documents to be further reviewed and approved by the Selectboard with a second by D. Maxfield. Approved Unanimously.

C. Opioid Settlement Discussion

Taylor Yeates, Director of Public Safety

Taylor Yeates, Director of Public Safety gave an overview of the opioid settlement. The Town of Milton has recently been certified as a Class Member in *In re National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio). This lawsuit is in response to the nationwide opioid related death epidemic.

The Selectboard decided to take no action and remain a Class Member.

D. All-Hazards Mitigation Plan

Taylor Yeates, Director of Public Safety

Taylor Yeates, Director of Public Safety gave an overview of the All-Hazards Mitigation Plan (AHP). Periodically the Town must reapply to Federal Emergency Management Agency (FEMA) for approval of their All-Hazards Mitigation Plan. Currently the Town is part of a county-wide AHP. This AHP

contains both county-wide initiatives and individual annexes describing specific hazards in each community.

The Selectboard decided that the Town will continue to participate in a county-wide All-Hazards Plan.

E. Budget Presentation Schedule for December

Don Turner, Jr., Town Manager

The Selectboard decided on the following budget presentation schedule: December 2nd (after the regularly scheduled Selectboard meeting) December 10th December 11th, December 16th (after the regularly scheduled Selectboard meeting), December 18th and December 19th to be held in the Municipal Building Community Room at 43 Bombardier Road, Milton, Vermont AT 6.

The Selectboard requested that each Department have all budget information received for their review prior to December 2nd.

F. Green Mountain Transit Annual Fee

Don Turner, Jr., Town Manager

Don Turner, Jr., Town Manager gave an overview of the Green Mountain Transit payment for the FY20 assessment. The amount paid (\$26,977.60) is \$6,744 less than the required amount.

The Selectboard agreed to take no action to pay the additional \$6,744 to meet the required funding amount until they receive the FY21 assessment.

G. Fire Hydrant Surety Approval

Michael Burris, Director of Planning

Michael Burris, Director of Planning gave an overview of the fire hydrant surety for Rowley Fuels to install a fire hydrant on Bartlett Road.

Motion made by M. Morgan to accept the fire hydrant surety in the amount of \$7,850 for the Rowley Fuels/Bartlett Road project with a second by D. Maxfield. Approved Unanimously.

H. Speed Limit Study – Route 7 South

Don Turner, Jr., Town Manager

Don Turner, Jr., Town Manager and David Allerton, Director of Public Works informed the Selectboard that they have requested that VTRANS conduct a Speed Limit Study – Route 7 South. David Allerton will share the email request with the Selectboard.

I. Town Clerk's Office Recording Contract

Don Turner, Jr., Town Manager

Don Turner, Jr., Town Manager gave an overview of the one (1) year extension of the Agreement for Information Technology Products and Services (Amendment No. 2) with Avenu Enterprise Solutions, LLC.

Motion made by M. Morgan to extend the Avenu Enterprise Solutions LLC Agreement for Information Technology Products and Services (Amendment No. 2) for an additional one (1) year with the payment and rate as follows: 20/20 Perfect Vision System for \$4.99 per document and full service indexing for \$1.50 per document with a second by D. Maxfield. Approved Unanimously.

J. Department of Public Works Update

David Allerton, Director of Public Works

David Allerton, Director of Public Works gave a synopsis of current Department of Public Works projects as follows:

Water/Wastewater Projects

- Flander's Development - Consultant is preparing final Preliminary Engineering Report (PER) for the project.
- Railroad Street Water Main Replacement and PRV, and River Street PRV upgrade -
 - River Street Pressure Sustaining Valve PER is complete and approved by ANR. This project has moved into final design. The plan is to complete final design and permitting this winter, and be out to bid in February for 2020 construction. DPW has a positive bond vote for this project.
 - Railroad Street PER has been completed and approved by ANR. DPW is holding off on this project for the time being, as they advance the River Street PSV and Flanders Projects.
- Lake Road Water Main Upgrade - This project is complete. Punch list items, including seeding and mulching, will be completed in the spring 2020.
- SHT 1 and SHT 2 – The SHT 1 and SHT 2 tanks have both been cleaned. The septage receiving tank has also been cleaned and additional aerators installed. DPW will be bringing a septage rate increase to the Selectboard for consideration in the future, and include a new policy to include contracts and certifications from all septage haulers delivering sludge to the WWTP, and to only accept septage during certain times of the day.
- Steeplechase Lane High Service System – The hydropneumatic tanks have been replaced, and the water system is back online and operational.
- Westford Road High Service System - The hydropneumatic tank has

been replaced, and the water system is back online and operational.

- Water Plant Improvement Projects needing to be done:
 - New roof, soffits and siding for the building.
 - This building could use a complete evaluation, including some of the structural aspects of the trusses in the roof, storm drainage, wastewater connection repair, etc.
 - Tree clearing around Water Plant and WWTF fencing, and numerous smaller projects (lighting, cleanup, water re-use pump station, blowers, furnace, etc.)

Highway Projects

- Ditching – The DPW is working off the recent Road Erosion Inventory supplied by the CCRPC for ditching/water quality improvements in Milton. This work will be part of the MS4/Municipal Roads General Permit DPW is required to do.
- Better Roads Grant Projects:
 - Beebe Hill South (by Henry Road). Will do this project in spring 2020.
 - Westford Road. Will do this project in spring 2020.
 - DPW will be seeking two projects on Eagle Mountain Harbor Road for Better Roads Grants this year.
 - Grants-in-Aid Project.
- The Town highway crew completed the work on Kingsbury Crossing this fall, and we are working on the reimbursement paperwork.
- Culverts
 - Replaced the failing culvert on Lake Road. Project is complete.
 - Rollin Irish Road culvert needs to be replaced. This culvert has been failing for several years, and the past rainstorm of October 31st and November 1st caused the entire downhill slope of road to wash out. If FEMA makes a federal disaster declaration, DPW could get funding to replace it.
 - Duffy Road culvert, just north of Rollin Irish Road (this one is steep on the downslope side) also needs to be replaced. The pavement is slumping downslope, and showing evidence of longitudinal cracking.
- Guardrails
 - DPW is replacing guardrail on McMullen Road this year, resetting guardrail on Hardscrabble Road, across from Reynolds Road, and repairing an end section on Haydenberry. The McMullen Road repair will be partially funded through a driver's insurance, and the one on Haydenberry will be covered by a driver's insurance.
 - There is a great need for additional funding to repair and replace guardrail around Milton.
- Paving
 - Paving is complete for this year. There was money left over in

the contract, and DPW is still evaluating what to focus on for paving in 2020.

- The highway crew did a great job reconstructing Bartlett Road this fall.
- DPW is also working on the paving plans for coming years.
- Bridges
 - Bear Trap Road Bridge Expansion Joint - The contractor has the materials for the project, and will be scheduling the work this month.
 - East Road Bridge No. 6 - This project is complete and the road has been opened. DPW has developed a punch list, and the contractor will complete those items in the spring 2020.
 - East Road Bridge No. 5 - This project has seen delays
- Hourglass Project - VTrans has said they will provide the preliminary plans to DPW in January or February 2020 for review.
- Route 7 Gap Project - This project has gone out to bid, and DPW has selected a contractor. DPW signed contracts last week, and the contractor has ordered the gabion baskets for the slope repair. Work will begin this winter.
- Route 7 Streetscape Project - This project has gone out to bid. DPW has received bids and are currently reviewing them. This work is scheduled to begin in May 2020.
- Cherry Street Sidewalk - DPW had a conference call with VTrans and the design engineer last week. Right-of-way plans are being finalized by the consultant, and then VTrans will submit them to their ROW group for approval, and on to their Environmental group to complete a NEPA evaluation. The plan is to construct this in 2020.
- High Risk Rural Roads Project - VTrans will be replacing signs on West Milton Road, Bear Trap Road, Herrick Avenue, and Bradley Street. This is 100% a VTrans project. The latest communication with VTrans indicates this project will be completed in 2020.
- Stormwater Master Plan - The Milton Stormwater Master Plan has been completed. Additionally, the Town's stormwater webpage has been updated, and the master plan uploaded to it. DPW applied for two Lake Champlain Basin Program grants, and did receive one of them. DPW will be preparing to advance more of these projects in the future.
- Department of Public Works Highway Garage Committee - The Committee has been meeting this fall and they are currently working on an RFP to hire a consultant to assist them in preparing a feasibility study for identified locations around Town.

VI. **Town Manager's Update**

Don Turner, Jr., Town Manager

- Interrupting Bias: Calling Out versus Calling In Training - Don Turner, Jr. attended with Selectboard member Chris Taylor on November 9, 2019 from 9:00 am – 12 pm at the Milton Elementary School
- Meeting with Union Representatives on Tuesday, November 19, 2019 pertaining to the insurance buy out and how overtime is applied.
- The construction of the salt shed should be complete soon.
- Dog Park – The Town would like to reopen the Dog Park throughout the winter as long as the Town can get commitments from volunteers to keep gates properly shoveled and to pick up the trash. If it is not done, then the Dog Park will need to be closed for the winter as the Town does not have enough staff available to maintain the Dog Park throughout the winter.
- Bombardier Road Property - Ruth Bombardier would like us to plow and shovel her driveway. The agreement Ruth Bombardier has with the Town states that she will take care of the mowing and winter maintenance. However, the Town did mow her property this past summer as a convenience to her and because the Town had adequate summer staff. This is not the case during winter operations and the Town does not have the staff available to plow and shovel her sidewalks. The Town will refer Ruth Bombardier to local businesses that provides those services at her expense.
- Champlain Farms Store project located at 371 Route 7 South has been revitalized. They had contemplated starting this fall but will now start in the spring of 2020 once they have received their permits from VTRANS.
- An apparent scam has recently been tried in Milton. Over the last week the proprietor of Cross Kennel, on Rollin Irish Road, was contacted by a woman claiming her son had recently picked up a dog from the kennel and paid \$270 cash in fees and fines for a two day stay in the kennel. Separately the kennel was contacted by a different woman stating her daughter had recently picked up a dog and paid \$250 cash for a two day stay in the kennel. At no point did the kennel have a dog in custody and no dog was released to anyone in relation to these calls. In addition, the fee is grossly exorbitant (a two day kenneling plus fines would be approximately \$125). It is the Town's belief the calls and complaints about the fees are an attempt to get the kennel and/or Town to process a refund against a payment that was never made. All fees must be paid to the Town Clerk's Office. The Town Clerk's Office creates and maintains all the records of payments. The Town Clerk's Office will not accept a payment without the proper documentation from the kennel.
- Ongoing dispute at 2 Main Street and 4 Main Street regarding the access. More information to follow.
- Winter Operations Plan and winter salt order will be discussed at the next Selectboard meeting.

- There will be a meeting with Ernie Pomerleau and the Planning Commission regarding the UDR Regulations and commercial development in Milton.
- A prospective developer also plans to attend the Planning Commission meeting regarding developing the former Curran property on Route 7 North. The development would include an emergency access to Milton Falls via a new road.
- There will be a meeting with Town staff and a prospective developer for an industrial park development on Route 7 South across from the Milton Diner on Thursday, November 21st.
- Municipal Building modification plans are moving forward. Modifications will include lighting and bathroom upgrades.
- Received the approval on the pre-application grant from the Department of Forests Parks and Recreation for the second phase of the Town Forest trail.

VII. Approval of Warrant #11

Motion made by C. Taylor to approve Warrant #11 in the amount of \$693,863.93 with a second by D. Maxfield. Approved Unanimously.

VIII. Approval of Selectboard Meeting Minutes of November 4, 2019

Motion made by C. Taylor to approve the Selectboard Meeting Minutes of November 4, 2019 with a second by D. Maxfield. Approved Unanimously.

IX. Executive Session – Litigation and Contracts

Motion made by C. Taylor at 7:42 p.m. that premature public knowledge about litigation and contracts and would cause the Town or person to suffer a substantial disadvantage with a second by J. Palasik. Approved Unanimously.

Motion made by C. Taylor at 7:43 p.m. that the Selectboard enter into Executive Session to discuss litigation 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, Don Turner, Jr., Town Manager and Joseph McLean, Esq. with a second by D. Maxfield. Approved Unanimously.

X. Action as a Result of Executive Session

Motion made by D. Maxfield at 8:21 p.m. to close Executive Session with no action taken with a second by C. Taylor. Approved Unanimously.

XI. Motion to Adjourn

Motion by D. Maxfield at 8:21 p.m. to adjourn with a second by C. Taylor. Approved Unanimously.

