

Milton Selectboard Meeting Minutes

June 15, 2015 6:00 P.M.

Municipal Building Community Room

Selectboard Members Present: Darren Adams, Chair (part of meeting via phone); Stuart King, Vice Chair; John Bartlett, Clerk; Kenneth Nolan, Member; John Cushing, Member

Selectboard Members Not Present: None

Staff Members Present: Paul Bohne, Interim Town Manager; Roger Hunt, Public Works Director; Joanne Davis, Finance Director; Jacob Hemmerick, Planning Director; Kym Duchesneau, Recreation Coordinator; Brett Van Noordt, Police Chief

Others Present: Courtney Lamdin, Milton Independent; Erik Schmidt, Lloyd Gilbert, Gordon Gilbert, Robert Lombard, Chris LaFrance, Cindy LaFrance

I. Call to Order – King called the meeting to order at 6:00 PM

II. Flag Salute – King led the attendees in a Salute to the Flag.

III. Agenda Review- none

IV. Public Forum

Ron Harding addressed the Board regarding an ongoing issue with his neighbor's dogs barking and the Police Department's enforcement.

V. Public Hearing regarding the Fiscal years 2016-2021 Capital Improvement Budget and Program.

King opened the public hearing.

Interim Town Manager Paul Bohne and staff took the Board through the CIP for FYs 2016-2021 and discussed recommended changes by staff.

Discussion regarding procedure and threshold for Board to sign off on capital purchases. Amount is \$10,000 in administrative code.

Discussion regarding the purchase and use of single axle dump trucks in FY '15 and FY '16 and what was approved, and the procedure to approve the CIP and impact fees. Discussion regarding having a spare truck available if needed in a situation when a truck is down.

Bartlett moved to close the public hearing, second by Cushing. Approved 5-0 with roll call vote. Closed at 7:14 PM.

Bartlett moved to approve the FY '16-21 Capital Improvement Program dated June 15th 2015 as amended. Adams second with amendment less the purchase of the seven yard dump truck. Bartlett moved to include Adams' amendment in his original motion.

48 **Bartlett moved to approve the FY '16-21 Capital Improvement Program dated June 15th 2015**
49 **less the purchase of an \$187,500 seven yard dump truck. Second by Adams. Passed 3-2 with**
50 **roll call vote (Bartlett, Adams and King "yes;" Cushing and Nolan "no.")**
51

52 **VI. Public Hearing under Interim Zoning Conditional Use Application**
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54 King opened the public hearing at 7:17 PM.
55

56 37 Centre Drive - Gordon & Margaret Gilbert, Owners/Applicants. The Applicants are
57 requesting Conditional Use approval from the Selectboard according to the effective Interim
58 Zoning Bylaw for a proposed 5' x 60' new public warehousing (self-storage) building located at
59 37 Centre Drive, described as SPAN# 11286, Tax Map 27, and Parcel 9-14. The property
60 contains 6 existing storage buildings and a carport. The subject property contains a total of 1.49
61 acres and is located within the "Downtown Business (DB1)" Zoning District.
62

63 Lloyd and Gordon Gilbert addressed the Board. The Applicant claimed that the proposal is not
64 subject to the jurisdictional authority of the Interim Zoning Bylaw, arguing that an expansion to
65 an existing public warehousing site is "new public warehousing". Staff and the Town Attorney
66 found that the expansion of an existing public warehousing use that has not received Site Plan
67 approval is subject to Interim Zoning according to the language of the Interim Bylaw.
68

69 The Applicant further made the argument before the Board that if an expansion to an existing
70 public warehousing use is restricted by the Bylaw, then this would hold true for a normal
71 expansion to a single-family dwelling unit use in the M4 District, such as a deck or sun room.
72

73 **Cushing moved for a continuance the hearing until July 6. Second by Bartlett. Passed 5-0 after**
74 **roll call vote.**
75

76 Selectboard also asked for a specific opinion from the Planning Commission concerning the
77 Interim Zoning definitions and if the proposal indeed meets the definition of "new public
78 warehousing" thereby making it subject to the Bylaw's jurisdiction. This opinion will be shared
79 at July 6 meeting.
80

81 Public hearing closed at 7:35.
82

83 **New Business**

84 **A) Consideration of a donation of planning, labor and materials for a park footbridge.**
85

86 Eagle Scout Candidate Erik Michael Schmidt shared his plans and design with the Board.
87 Plans to fundraise the \$400 needed for the materials. Will recruit other scouts to assist.
88

89 **Cushing moved to approve the donation of planning and labor and materials from Eagle**
90 **Scout Candidate Erik Michael Schmidt to replace the foot bridge in the Recreation Park,**
91 **located off Bombardier Rd. Second by Bartlett. Passed 5-0 with roll call vote.**

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B. Consideration of a gift from Gisela and Adam Alpert

Additional entrance sign to municipal complex, fire/rescue sign and police sign. Previous gift made for municipal complex and north and south of Town on Rte. 7.

Bartlett moved to approve the receipt of a gift from Gisela and Adam Alpert in the amount of 50% of the cost of the entrance 2 Municipal Building sign, the Police Department sign and the Fire/Rescue sign not to exceed \$10,000. Second by Nolan. Passed 5-0 roll call vote.

C. Implementing the Municipal Facility sign package

Bohne said to implement the signs in the plan the Town will need to match. It is a sole source project due to its nature.

Bartlett moved to approve the implementation of the proposed sign package and to utilize the gift from Adam and Gisela Alpert and up to \$10,000 from the 2015 Contingency Line item of the FY 2015 Budget. Second by Nolan. Passed 5-0 roll call vote.

D. Intention to accept the land and assets of the Village Cemetery Association

The association is looking to disband. Bohne said once the association gives up its non-profit status the Town can assume its assets and continue to manage the cemetery. Bob Lombard addressed the Board. Learned the Town cannot spend funds on a non-profit association, it is looking to add a new road to access the new section 6 on top of the hill. Current fund balance is \$7,700 for the association. Will not be much of financial burden for the Town this year. 600 lots available to sell, road will be helpful for access. Lot size is 4x10.

Darren Adams left the phone connection to the meeting.

Cushing moved to express intention to accept the land and assets of the Village Cemetery provided that the Trustees dissolve. Second by Bartlett. Approved unanimously.

E. Designation of Paving Funds

Roger Hunt said the recent weather has delayed the paving schedule. Wants to use FY '15 funds for the pavement. Bohne said the funds are still available.

Bartlett moved to designate unutilized paving funds from the FY 2015 Budget in the amount of up to \$198,000 to be utilized in FY 2016. Second by Cushing. Approved unanimously.

F. Appointment of Jacob Hemmerick to the Planning Advisory Committee (PAC) of the Chittenden County Regional Planning (CCRPC) Commission.

Cushing moved to appoint Jacob Hemmerick to the PAC of the CCRPC. Second by Bartlett. Approved unanimously.

G. Appointment of an Acting Zoning Administrator

Cushing moved to appoint Jacob Hemmerick as the acting Zoning Administrator. Second by Bartlett. Approved unanimously.

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H. Engaging the Audit firm of Sullivan, Powers & Co., P.C.

Bohne stated that there would be an annual engagement letter with the audit firm for five years. Bohne will be negotiating the price for the single audit and will look for it to come in around \$25,000.

Bartlett moved to authorize the Interim Town Manager to engage Sullivan Powers & Co., P.C. to provide audit services for the Fiscal Year 2015. Cushing second. Approved unanimously.

Cushing stated that if adjusting journal entries are made by the auditing firm that it is brought to the Selectboard's attention. Nolan stated he is not comfortable in having the firm do the audit, create journal entries and train staff.

I. Appointing a representative to the Catamount Industrial Park Stormwater Association.

The Town is a member of the association.

Cushing moved to appoint the Town Manager, by position, to represent the Town on the Catamount Industrial Park Stormwater Association. Second by Bartlett.

J. Review The Financial Management Questionnaire as required by State Statute.

The Legislature requests it be reviewed and placed in Town files. Has been reviewed by John Gifford, Town Treasurer.

Bartlett moved to acknowledge that the Board reviewed the Financial Management Questionnaire and instruct the Vice Chair of the Selectboard to sign the questionnaire to so state. Second by Nolan. Approved unanimously.

VII. Old Business- none

VIII. Reconsideration- none

XIV. Manager's Report

Bohne acknowledged Erik Wells in the Town Manager's Office for his work in the Town Manager Finalists' visit. Bohne also recognized Don Turner for his assistance during the day. Both candidates had a great visit.

X. Potential and/or Future Agenda Items

Comprehensive look at the purchase of the dump trucks in question for the Board.

XI. Minutes of the Regular Selectboard Meeting on June 1, 2015 and Special Selectboard Meeting on May 26, 2015.

Bartlett moved to approve the minutes of the Regular Selectboard Meeting on June 1, 2015 and Special Selectboard Meeting on May 26, 2015 as presented. Second by Cushing. Approved unanimously.

190 **XII. Warrant/Report # 24**
191 Bartlett reviewed the FY15 Warrant/Invoice Report #24 for Board orders. The amount of these
192 orders is \$102,083.07
193

194 A few items of mention, in random order:

- 195
196 - Action Flag Company, \$1,490.43 - 112 flags (for power poles along route 7), plus accessories
197 (\$1,035.21 from flag trust)
198 - Gardner Supply Company, \$4,449.98 - plants, fertilizer, delivery and 4 hours supervision for Town
199 office flower beds project
200 - Charlebois, \$3,398.44 - repair #402 Chevy ambulance - worn steering parts
201 - Vermont Irrigation, Inc., \$12,395.00 - Town offices, additions to existing irrigation
202

203 **Bartlett moved to recommend approval of these orders. Cushing second. Approved unanimously.**

204
205 Nolan voiced concern that the irrigation invoice was over \$10,000 as indicated in the Administrative
206 Code, requiring bid.
207

208 **XIII. Possible/Anticipated Executive Session per V.S.A. Title 1 Section 313- none**

209
210 Bartlett moved to find premature public knowledge about Human Resources would cause the
211 Town or person to suffer a substantial disadvantage. Second by Nolan. **Approved unanimously.**
212

213 Bartlett moved to enter into executive session to discuss Human Resources under the provisions
214 of V.S.A. Title 1 Section 313A3. Second by Nolan. **Approved unanimously.**
215

216 Entered Executive Session at 8:36 PM.
217

218 Bartlett motioned to close Executive Session at 9:55 PM. Second by Cushing. **Approved**
219 **unanimously.** There was no action as a result of Executive Session.
220

221 **XIX. Adjournment**

222 Bartlett motioned to adjourn meeting at 10:05 PM. Second by Cushing. **Approved unanimously**
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224

225 *These proceedings were live-streamed and filmed by LCATV.*
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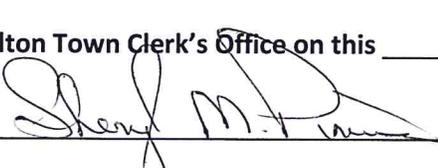
227 **Respectfully Submitted,**

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229 _____

Date: 7-6-15

230 John Bartlett, Selectboard Clerk
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232 Filed with Milton Town Clerk's Office on this 7 day of July, 2015
233

234 ATTEST:  Milton Town Clerk
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