

Milton Selectboard Meeting Minutes

April 6, 2015 6:00 P.M.

Municipal Building Community Room

Selectboard Members Present: Darren Adams, John Bartlett, Stuart King, John Cushing

Selectboard Members Not Present: Ken Nolan - late arrival 8:00 PM

Staff Members Present: Paul Bohne, Interim Town Manager; Roger Hunt, Public Works Director; Joanne Davis, Finance Director; Jake Hemmerick, Town Planner; John Gifford, Treasurer.

Others Present: Courtney Lamdin, Allen Lasell, Brenda Steady, Terri Sabens, Jessica Groeling, Betty Thompson, RoseMarie Ryea, Charlie Farrell, Bill Kaigle, Kate Cadreact, Janet Richards, Terry Richards, Henry Bonges, Ted Beaudoin, Tony Micklus, Lori Donna, Jessica Groeling, Bryan Davis (CCRCP) Patrick Barter & John Dempsey (Toole Design Group).

I. **Call to Order** – Adams called the meeting to order at 6:07 PM

II. **Flag Salute** – Adams led the attendees in a Salute to the Flag

III. **Agenda Review** - Bohne requested to move item 7C-Set The Treasurer's Pay to follow item 6A- Board Member Recognition

IV. **Public Forum** – None

V. **Appointments and/or Resignations**

A. Recognition of Former Selectboard Members

Adams presented John Gifford with plaque of appreciation for his many years of service on the Selectboard.

Adams presented Brenda Steady with letter of appreciation for her year of service on the Selectboard.

Both names will appear on a plaque in the Community Room indicating their service to the Town.

Bartlett motioned to approve the resolution for John Gifford expressing the Town's gratitude for his years of service on Selectboard from 2010-2015, as well to add his name to the service plaque in the Community Room. Second by Cushing. **Approved unanimously.**

Bartlett motioned to approve letter of recognition to Brenda Steady for her one year of service on Selectboard and many hours of service, as well to add her name to the service plaque in the Community Room. Second by King. **Approved unanimously.**

45 **B. Recognition of Development Review Board Chair**

46 Adams recognized Allen Lasell for his service on the Development Review Board since
47 1998. Lasell expressed reason for resignation is moving to North Carolina.

48 Bartlett motioned to approve the resolution for recognition of Allen Lasell for his 9 years
49 of service on the Development Review Board many of which were as Chair, accepting his
50 resignation and expressing sincere gratitude. Second by King. **Approved unanimously.**

51 **C. Complete the Appointment of Members to the Town Manager Search Committee**

52 Henry Bonges, Terri Sabens, Jessica Groeling, Rose Marie Ryea and Betty Thompson
53 present and each expressed their interest for being on the Town Manager Search
54 Committee. *Candidate Jen Dooley unable to attend.*

55 King said there are 51 applications for the Town Manager position. Adams instructed that
56 John Gifford chair the Committee and with Bohne set up meetings to arrive at 10
57 candidates for initial interviews, and then recommend 3-5 finalists for the Selectboard
58 to interview. Gifford stressed confidentiality of each applicant who many not have
59 informed current employer. Bartlett stated applications are not to be copied and will
60 need to be returned to the Town Manager's Office after the Committee's work is
61 finished. Adam said the goal is to have a new Town Manager in place by June 1.

62 King motioned to accept the additional candidates for Town Manager Search Committee.
63 Second by Cushing. **Approved unanimously.**

64 **D. Appointment to the Development Review Board**

65 Adams introduced Henry Bonges as applicant. Bonges is on the Planning Commission. His
66 appointment would create vertical integration to improve communication between
67 two the bodies, Bonges said.

68 Bartlett motioned to appoint Henry Bonges as alternate to the Development Review
69 Board to take effect on April 10, 2015 to fill an unexpired term ending in 2017. Second by
70 King. **Approved unanimously.**

71 **E. Appointment to the Chittenden County Regional Planning Commission**

72 King motioned to appoint Henry Bonges as the alternate to the Chittenden County
73 Regional Planning Commission for a term expiring on June 30, 2016. Second by
74 Bartlett **Approved unanimously.**

75 **VI. New Business and Department Items**

76 **A. General Car Show Entertainment Permit to Benefit Children's Miracle Network**

77 Leo Belval said this will be the 15th year for show having muscle, antique, and classic
78 cars donating over \$30,000 to Children's Miracle Network. New location between
79 Snap Fitness & Sears with the show running from 10 AM-4PM. King requested noise be
80 addressed and Belval said they would turn speakers inward and would be conscious to
81 decrease noise. Belval also requested option to continue until 5PM. Lastly, reiterated
82 no tolerance for "burn outs" again this year. Police have no issue per Bohne to extend
83 time. King suggested motion amended now to 5PM.
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85 Cushing motioned to approve the Entertainment License application for the General
86 Car Show to Benefit the Children's Miracle Network on August 15, 2015 from 10a.m. to
87 5p.m. to be located at the vacant parcel between Sears and Snap Fitness on Route 7
88 South in Milton as presented. Second by King. **Approved unanimously.**
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90 **B. Set the Town Treasurer's Pay** (moved after review of agenda)
91

92 Gifford requested a \$15,000/yr stipend. Will report monthly revenues and expenses
93 for the Town and for the School via memo. Cushing suggested prorating with school
94 and coming up with an allocation of time and request the school cover that portion of
95 the position's stipend. Position works closely with Town Manager and Finance Dept.
96 Not to be exceed of 20 hours a week for the rest of FY 15, stipend yearly cycle begins
97 on Town Meeting Day.
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99 Bartlett motioned to approve a stipend for John Gifford as Town Treasurer at the rate
100 of \$15,000 per year, prorated to Town Meeting Day and continue on through FY '16.
101 Second by King. **Approved unanimously.**
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103 Cushing suggested Gifford communicate with Business Manager of School to
104 determine proration.

105 **C. Capital Improvement Plan Request for a Public Hearing**
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107 Town Planner Jake Hemmerick stated this was a 5 yr reevaluation of the Capital
108 Improvements Plan, looked at annually, which identifies projects and funding of said
109 projects and whether to warn for public hearing on May 30th. Adams asked if it needed
110 approval by June 30th. Hemmerick didn't know. Cushing stated he has issues. One is
111 portion of impact fees on residential and not commercial property which is tied to
112 development. Work session suggested. King asked when the public hearing is
113 mandated. Hemmerick said 15 days notice. King asked if there should be council.
114 Adams suggested to go forth with May 4th but no decision would need to be finalized
115 at that date with Hemmerick to review prior for any errors. King said few to any
116 Capital Improvements totally paid by impact fees. Cushing stated just wants proper
117 use of impact fees within ordinance.
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119 Cushing motioned to set a public hearing for the Capital Improvement Plan on May 4,
120 2015 at 6 p.m. Second by King. **Approved unanimously.**

121 **D. General Stannard House Priorities**

122 Bill Kaigle introduced Historical Society Members Kate Cadreact and Terry Richards.
123 Adams thanked committee for rescheduling.

124 Kaigle presented historical background of General Stannard and history of Selectboard
125 expressing interest to Historical Society on having house represent historical land
126 marker at gateway to the Town of Milton. Preserve what's there and turn into limited
127 hours museum. Request is that town accepts donation from Mr. Miller to manage
128 responsibility of operations of house once restored. No bond vote but committee will
129 raise funds needed to restore. Richards gave historical significance of General
130 Stannard. Adams questioned goal for completion. Kaigle said intent 3-5 years to
131 restore house. House needs to remain on site for Historical preservation and any
132 funding. Small lot is an issue that needs approval by Planning and Zoning. King
133 questioned current financial status of committee regarding \$15,000 in funding for roof.
134 Kaigle said funding for roof already secured. King questioned if Special Charter
135 requires a "purchase" vs. donation. Bartlett said optimum funds raised would that be
136 transferred to town for use of maintenance of properties. Caderact said ownership
137 needs to be resolved for grant purposes and people who want to comfortably donate.
138 Adams suggested going to State for recognition of historic property and needed
139 marker and a permit is also required for access from Route 7. Bartlett questioned if
140 there should be excess funds raised if it would be committed to town for maintenance
141 or a contribution towards expenses. Kaigle responded he wants to make this as easy
142 for town as feasible. Urge to reapply annually for grants.

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144 King motioned that the Town accept the donation of the building and 100' x 70' lot
145 located at 947 Route 7 South donated by the Miller Realty Group. Second by Bartlett.
146 **Approved unanimously.**

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148 Adam thanked committee and agreed it would make a great positive gateway for the
149 entrance for the Town of Milton. King suggested a letter be sent to Mr. Miller thanking
150 him as well. Adams confirmed it would come from board.
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152 **E. Sidewalk Study – Preferred Alternatives Presentation**

153 Paul Bohne, Interim Town Manager stated there had been a community concern
154 meeting some months ago, in meantime engineers & staff brought alternatives and
155 requests to accept report and possibly to grant bonds etc, for whatever takes to
156 implement. Patrick Baxter with John Dempsey of Toole Design Group prepared study
157 for 4 distinct study locations: Haydenberry Dr, Milton High School, Brandy Lane, and
158 upper Main & Railroad St. Presented recommendations for each. Cushing questioned
159 sidewalk funds in reserve. Hunt explained used for that or other future sidewalks.
160 Cost estimates 25% built-in. Bartlett questioned if it is required for different level of
161 upkeep. Hunt said would more than likely require more added maintenance in winter.
162 Shared responsibility with school grounds. Upper Main Street requires water & sewer
163 transformation as well. Utility cost will be significant at \$4 million. King asked if (Main)
164 class 3 road. Hunt said class 2 and we applied for funds but didn't get it. Cushing asked
165 what accepting report would do. King said take study and group gets paid. Hunt
166 confirmed than use to apply for grants. Cushing asked where funds for study are in
167 budget. Bohne said accepting would finish obligation. Hunt did not know outstanding
168 balance. Adams proposed where money is coming from will be confirmed in budget
169 later.

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171 Bartlett motioned to accept the report. Second by King. Bartlett said to reiterate the
172 original resolution. **Approved unanimously.**

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F. Third Quarter Financial Update (Selectman Nolan arrived)

Bohne went over 3rd quarter highlights and asked what reports would be helpful to board. Looks like balance budget for year end. Bohne hit highpoints. Misc. revenue refund high with insurance, cemetery funds, etc. King stated large influx in police funds. Bohne stated Fairpoint strike countered with small expense for pay. Nolan asked if short service for town by allowing elective OT. Bohne said Police Chief wasn't concerned. Cushing said town reimbursed for vehicle. Bohne assured coverage never short as police assigned. Davis stated it had not created additional OT. Fire/Rescue Reserve potential revenue not used. Bebee hill project 80% paid by grant. Fund Balance not infused into budget yet. Expense side, professional services additional work done by auditor's maybe should go under legal. Budgeted \$26,000 spent \$36,800. Davis not sure additional expense, just says audit expense other than training. Davis said only general Fund did not reconcile. Elections came in under budget. Bohne said he is not used to Contingency Budget \$90,000 not assigned to anything. Job to estimate that if at end of year nothing more assigned to Contingency will go into General Fund as not spent. Bartlett requested report from Hunt regarding comp time. Cushing asked how Highway Dept. goes out for winter maintenance. Adams said there is protocol. Nolan asked if future agenda item could be how determinations are made when to put salt, sand and plow. Bohne to follow-up.

Nolan would like detail and then follow-up every 6 months on loans outstanding and fund balances. Discuss whether percent status report easier to read. Bartlett would like report by account number across dept. Asked to provide once and then determine frequency.

VII. Old Business

A. Interim Zoning

King voiced concern regarding the prohibition of storage units. Best use of land vs. Route 7 to make sure it's in a place appropriate. Town Planner Jake Hemmerick said restriction would take place for a period of time unless approved by Selectboard. Adams questioned single family house limitation if inherited house with limited impact with consideration to remove limitation. Planning Commission Chair Lori Donna said leave as is and individually approach to Selectboard for exception in that circumstance. Hemmerick said options would be explained so a choice could be made.

King asked about zoning amendments. Donna said go forward where we want and if we want commercial only to take next steps and not take two years but work with planning staff and work with Selectboard. King said sees no prohibition against another used car lot for example. Donna understands why so crucial to wisely put out best and work collaboratively with other committees. Bartlett wants to address "image" and congruity of Route 7 and willingness to say no to some commercial just for the sake of having commercial. Donna wants to address image and stepping up what you want to see and get investment in downtown. Cushing expressed bond issues before and Act 60 having to repay debt if do right people will want to sign on and it was the right thing to do for Milton.

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Bartlett moved to approve the implementation of Interim Zoning as presented at the hearing held on March 16, 2015. Second by King. **Approved unanimously.**

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B. Adjusted Fee Schedule for Interim Zoning

Jake Hemmerick presented a proposed an amend fee schedule to offset staff review.

Cushing motioned to accept proposal adjusted Planning and Zoning fee schedule. Second by Bartlett.

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Nolan questioned fees on top of fees. Hemmerick said yes, fee on top of normal zoning permit. Nolan reiterated additional fees for being in particular zone. Hemmerick confirmed. King questioned if would go away once interim zoning goes away. Hemmerick said that's correct. Nolan wanted to understand extra staff work. Hemmerick explained difference between single vs. multi family. Single require only permit vs. multi review by DRB. Step report and seven criteria. Nolan said struggling with extra fees just for having Selectboard look at project and staff may have to come to meeting.

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Motion approved 4-1.

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C. Reconsider Setting the Town Clerk's Pay

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Bohne said to set the salary for the Town Clerk for the duration of FY '15 and provide a raise in FY '16. Reconsideration requested by Nolan. Adams asked about this increase. Davis said this would be a merit increase like other non-rep employees. Nolan stated the question at hand is where to place the Clerk on the pay scale. Cushing said added responsibility is huge.

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Bartlett motioned that the Town Clerk salary be set at the annual rate of \$46,280 beginning March 4, 2015 thru June 30 2015. Second by King. **Approved unanimously.**

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Bartlett amended motion from previous meeting regarding pay for the Town Clerk Position in FY16 beginning on July 1 that the same consideration is given as other non union employees regarding merit. Second by King. **Approved unanimously.**

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D. Emergency Water Issues - Update

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Bohne provided copy of spreadsheet regarding charges for mobilizing. King asked if rate fixed or variable. Bohne said variable. King said legitimate expense. King asked if we could do our own repair. Bohne said equipment requires more than what we have available. No more freeze ups. Fund balance is negative no money in bank so town on hook for that. Cushing said to go through capital expenditures list and see what we have, need to seriously look. Bohne said pay from user fees not taxes. Cushing still worried about other expenditures effecting balance. King questioned why out of balance since last 3 months would have had to spend over \$400,000. Bohne to take closer look may be better off than thought.

266 **VIII. Reconsideration**

267 **IX. Manager's Update –**

268 Bohne said the Rec. Dept had a successful egg hunt in snow. Expressed thanks for the
269 many small donations for candy etc.. Applied and received \$1,000 grant and
270 equipment for tennis equipment. Compost tumbler for the Town donated by
271 Gardner's Supply. In Public Works, ANR discussing if Milton pond drinking water
272 classification should be downgraded. Mill Pond Road bridge replacement in
273 Colchester, road closed 4/13 until October.

274 **X. Potential and/or Future Agenda Items**

275 **XI. Minutes - To Approve With or Without Corrections**

276 Bartlett motioned to approve the March 16, 2015 Select board meeting minutes as
277 presented. Second by Nolan. **Approved unanimously.**

278 **XII. Warrant/Report - To Approve With or Without Corrections**

279 Bartlett stated he reviewed Warrant Report#19 for Board orders in the amount of
280 \$166,902.33. He noted some items:

- 281 • All Seasons Excavating - frozen water line excavating - \$6,663.48 (Arrowhead Ave),
282 \$3,742.88 (Barnum St, Chrisemily Lane), \$9,145.62 (Pinewood Lane) = \$19,551.98
283 Total
- 84 • Ron Bevins Excavating - frozen water line excavating - \$5,045 (Jonzetta Ct,
285 Railroad St, Dollar General)
- 286 • Courtland Construction - repair frozen water lines - \$5,595.79 (30 Cherry St, 79
287 Stacy St, 17 Doris Dr, 5 Doris Dr, 25 Birch Ln)
- 288 • Jane & Richard Hamilton - reimburse for frozen water line issue & work done -
289 \$1,726.41 - (9 Lake Road)
- 290 • Laplante's Plumbing & Heating - repair frozen water lines - \$1,920.00 (88
291 Strawberry Lane)
- 292 • Cathedral Square Corp - \$30,000 - Milton Senior Housing - grant pass-through
293 payment (included invoices showing \$22,130 architecture, \$6,626 Engineering &
294 \$1,475 Phase 1 ESA to date)
- 295 • Vermont Gas, \$4,439.11 - March natural gas invoice

296 Bartlett moved to approve Warrant #19 for a total of \$166,902.33. Second by King.
297 **Approved unanimously.**

298 **XIII. Possible/Anticipated Executive Session per V.S.A. Title 1 Section 313**

299 Adams suggested 15 minute executive Session

300 Bohne said Legal matters, DRB decision, and a real estate matter. The real estate matter
301 could put off until next meeting. Adams said cover it tonight.

302 Bartlett motioned that premature public knowledge of real estate and legal matter could
303 cause the town or person to suffer substantial disadvantage. Second by King. **Approved**
304 **unanimously.**

305 Nolan asked why disadvantage. Bohne said the legal issue is in court at this time. Real
306 estate involved have not authorized publically announced at this time.

307 Bartlett moved enter Executive Session to discuss legal & real estate under provision V.S.A.
308 313 A2. For legal V.S.A. 313 A1. Second by King. **Approved unanimously.**

309 Adams said now in executive session at 9:20 PM

310 Bartlett motioned to close Executive Session at 10:32 PM. Second by Cushing. **Approved**
311 **unanimously.**

312 Bartlett motioned to appoint King to represent the Selectboard at a meeting to discuss the
313 real estate matter. Second by Cushing. **Approved unanimously.**

314 **XIV. Adjournment**

315 Bartlett motioned to adjourn at 10:35 PM. Second by Cushing. **Approved unanimously.**

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317 **Respectfully Submitted,**

318  **Date:** 4/21/15

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320 **John Bartlett, Selectboard Clerk**

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322 **Filed with Milton Town Clerk's Office on this** 22 **day of** April, 2015

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324 **ATTEST:**  **Milton Town Clerk**

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