

# Milton Selectboard & Public Hearing Meeting Minutes

September 11, 2017 at 6:00 PM

Community Room of Municipal Building

43 Bombardier Rd Milton, VT 05468

**Selectboard Members Present:** Darren Adams, Chair; Ken Nolan, Vice-Chair; John Palasik Clerk; John Cushing, Member; Chris Taylor, Member

**Staff Members Present:** Don Turner, Town Manager; Judi Ward, TM Administrative Assistant; Jessica Morris, Finance Director; Kym Duchesneau, Recreation Director; Jacob Hemmerick, Planning & Zoning; John Bartlett, Administration & HR Director; Stephen Laroche, Milton Police Department; Amanda Pitts, Planning & Zoning; Victor Sinadinowski, Town Planner

**Others Present:** Julie Rutz, PC; Alan Hatch; Matthew Lavine; Linda Shiffer; Peggy Boucher; Val Sicard; Karen White; Catherine Gratton; John Lindsey, PC; Lori Donna, PC; Mike McCormick; George McRae; LCATV Audio/Video Technician Phil Mears; Chris Senesac; David Goodrich; Courtney Lamdin, Milton Independent

**I. Call to Order** – D. Adams called the meeting to order at 6:00 PM

**II. Flag Salute** – D. Adams led the attendees in a pause of silence in remembrance of September 11<sup>th</sup>, Darren then led the attendees in a Salute to the Flag

**III. Agenda Review** – No changes or deletions

**IV. Public Forum:** No one present for Public Forum

**V. Business**

## **A. Monthly Financial Reports**

J. Morris gave an overview of the Financials to the Selectboard. Review of balance sheets for every fund, there are \$40,000 in expenditures that are not on this sheet due to when they come in. J. Morris discussed how she wants to change the way she reports out to the Selectboard. D. Adams agreed that receiving all of the information at once would be better. J. Morris stated that if there are things the Selectboard want highlighted in the reports, let her know and she will include them.

J. Morris informed the board that she and D. Turner have been discussing the FY19 budget creation timeline and that they plan to present a Power Point for November, and have only four budget meetings.

## **B. Glebe Land – Authorization to sign**

D. Turner informed the Selectboard that Jeff Castle is selling his property on Main Street and it is Glebe Land. Jeff is closing on his house in the next couple of weeks. D. Turner is asking the Selectboard to authorize him to sign, as it is essentially a release in the form of a Quick Claim Deed. D. Turner is asking the Selectboard to authorize him to sign for these going forward. J. Palasik made a motion to authorize D. Turner to be able to sign for these. J. Cushing seconded the motion. Approved unanimously.

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**C. Working Toward Wellness Grant**

T. Yeates informed the Selectboard about a VT Department of Health initiative grant, Working Toward's Wellness. T. Yeates stated that he and M. Thompson responded to an RFP without expecting to get the grant, but they did. Milton received a \$3000 grant. T. Yeates is before the Selectboard to ask that they authorize the grant. We have a Wellness Coordinator that is already in the budget. If the Selectboard authorizes the grant, the next step would be to meet with their consultant to decide what would be best for Milton. K. Nolan stated that he did not want the funds to be used for gardening, he requested that Taylor cross it off the list. Taylor stated that he would. ~~C. Taylor~~ <sup>J. Palasik</sup> made a motion to approve the grant. ~~J. Cushing~~ <sup>C. Taylor</sup> seconded the motion. Approved unanimously.

**D. Entertainment Permits**

C. Lamdin presented to the Selectboard her desire to have the Selectboard approve her application for Entertainment Permit & Application for Facility Use for Milton independent Monster Mile event.

C. Lamdin explained to the Selectboard that the Milton Independent is seeking approval for their Monster Mile event to include Halloween costumed run/walk/stroll, awards for best costumes, petting zoo, refreshments, and music. This event has occurred annually over the past four years headquartered at Oliver Seed. Milton Independent would like to move the event to Bombardier West to improve safety, parking, and visibility. At the previous location, the presence of the Milton Police Department was required in order to help people cross safely at the intersection. Proceeds of the event go to a local charity. The event is being held one week earlier than previously, on October 21<sup>st</sup>. J. Palasik made a motion as presented to approve the application. J. Cushing seconded the motion. Approved unanimously.

**Block Party**

Resident N. Bushey will present to the Selectboard next week at the September 18<sup>th</sup> meeting.

**E. Appointment of Victor Sinadinowski**

V Sinadinowski presents in front of the Selectboard for appointment as Acting/Assistant Zoning Administrator and RPC PAC Rep. Alternate. John P. made a motion to appoint Victor Sinadinowski as Acting/Assistant ZA, as necessary, and as Representative to RPC & PAC as Alternate. John C. seconded the motion. Approved unanimously.

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**F. Comprehensive Plan – Update –Timeline**

Discussion took place about the Comprehensive Plan. J. Hemmerick has briefed V. Sinadinoski that the CP expires February 20, 2018, if the Town does not have a CP in place, the Town will lose its ability to collect impact fees. A minor modification to include statistics is the bare minimum. Focus on the checklist and then give the CP to the Selectboard before the deadline in December. A thirty- day hearing notice needs to be done. J. Cushing motioned to approve the CP, and J. Palasik seconded the motion. Approved unanimously.

**G. Capital Improvement Plan – Replacement Mower**

D. Turner presented to the Selectboard on behalf of D. Keelty the purchase of a mower. D. Turner is planning to purchase a Toro 25 Horsepower mower, in the CIP the mower is budgeted for \$7,500 and the actual price of the mower is \$7,520, D. Keelty will be taking the extra \$20.00 out of his equipment budget. D. Turner stated that there was no motion here since it was a purchase in the CIP.

D. Keelty is working with a vendor getting quotes on a roadside mower since there were so many complaints of concern from residents. In the CIP the roadside mower is budgeted for \$55,000. The roadside mower D. Keelty is looking into has a 60” deck; which the current mower has only a 48” deck. The current deck is designed for mowing and brush hogging. The 60” deck is for mowing. The quote for the 60” deck is for \$59,037, so D. Keelty is working with the vendor to get the quote within his budget.

K. Nolan questioned the approval process for purchasing. There seems to be some question as to whether the Selectboard and the Staff view the policy/plan differently. Future discussion are needed for clarification before the next budget round. D. Turner stated that he would put it down as an agenda item for the next Selectboard meeting on September, 18<sup>th</sup> for discussion of what the plan means and is there additional approval for purchasing.

**VI. Hearing on Proposed Unified Development Regulations  
Repeal of Adopted Zoning and Subdivision Regulations**

D. Adams opened the Public Hearing at 6:30pm. For the Public Hearing, no decisions are made during the Public Hearing, they can only be made after the hearing is closed. D. Adams stated to J. Hemmerick, correct me if I am wrong but we have four choices tonight. Affirmatively yes on the regulations as they are presented, no on regulations as they are presented, a decision to send it to the voters and let the voters decide, or make substantial changes to it tonight and then another Public Hearing will kick in at some point this fall. J. Hemmerick stated that this was correct.

D. Adams asked J. Hemmerick to give a brief overview of how the UDR came about. D. Adams then requested that Jake walk through the changes made at the last meeting, and give a brief

132 summary of the plan that we have had five meetings on since May. Questions will be allowed, but  
133 please raise your hand and we will address questions.  
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## 137 VII. Unified Development Regulations 138

139 Discussion took place with audience about, trip ends, conditional use, mixed use, light  
140 manufacturing sales, large farms versus small farms. A suggestion was presented to the  
141 Selectboard that they should speak with the community instead of leaving this to the DRB.  
142 Conversation about how Farmers have to diversify in order to survive was discussed at length. At  
143 this time it was brought up that there was an error in the Minutes of Selectboard Meeting held on  
144 August 21<sup>st</sup>. D. Turner stated he would ensure the correction was made.  
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146 A dialogue ensued about the Map changes, L. Donna from the Milton Schoolboard stated that the  
147 school is looking at a space issue. Currently, the Milton School District spends 30 million dollars  
148 annually, 8 million of that is spent on special education. Over the past ten years, the School's  
149 capacity went from 27% to 47%. She suggested that they look at what they are recommending,  
150 and keep in mind responsible growth. Site plans were reviewed with the Selectboard, as well as  
151 how long permits are valid for. Dialogue ensued about the removal of building standards.  
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153 A detailed debate about Fireworks ensued, about whether or not M. Lavine, should be allowed to  
154 sell Fireworks in the Town of Milton. M. Lavine presented to the Selectboard numerous details  
155 and facts that he had accumulated by going out and talking to the community. M. Lavine obtained  
156 591 signatures from Milton Residents who support the sale of fireworks in Milton. M. Lavine  
157 stated that he sold to 355 residents. Matt stated that with his calculations 93% of Milton residents  
158 want to be able to buy fireworks in their town. M. Lavine discussed several reasons why the sale  
159 of fireworks is profitable for the Town of Milton. Comments from the audience included noise  
160 complaints, safety issues, residents who are not following the guidelines of the permit or the  
161 Town Ordinances. It was brought up that perhaps the Fireworks were not the issue, but enforcing  
162 the Ordinances. Officer S. Laroche stated that calls with complaints about the fireworks has  
163 increased since 2014, in which they received only 14 calls, compared to this year receiving 100  
164 complaint calls. D. Turner reiterated that the number of complaints over the summer are a direct  
165 result of these proposed changes in the regulations. M. Lavine handed to the Town Manager's  
166 Administrative Assistant all of the petitions with names and addresses of residents who signed. K.  
167 Nolan stated that he would like more information on the language of the law surrounding  
168 fireworks.  
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170 D. Adams closed the public hearing at 8:24pm. D. Adams reiterated the four choices the  
171 Selectboard had to choose from (mentioned earlier in these minutes). J. Palasik stated that he is  
172 not comfortable voting tonight as he does not have the completed regulations document in front  
173 of him. J. Cushing agreed with J. Palasik that because it is a 200 page document with a lot of  
174 information he would like to have the completed document to review before making any decision.  
175 D. Adams stated that he would like to get the completed document by Wednesday, and then get  
176 the staff's involvement. D. Adams asked to have on the agenda, that staff make recommendations  
177 after the Selectboard receives the completed document. D. Adams. requested that the Selectboard  
178 gets the printed complete document, a link to the video, on the agenda for September 18, for  
179 action sections that are underlined.  
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## VIII. Other Business

### H. Paving Contract – Update

D. Turner informed the Selectboard that he brought Pike back in for discussion, as the numbers did not make sense. Traffic control had increased substantially. Pike still came in \$30,000 less than Whitcomb. Pike and Whitcomb are the two major pavers in the area. K. Nolan asked D. Turner if he, K. Nolan understood the flux paving as Everest between Lake and Mears. K. Nolan further stated that his understanding was that if it fits in the budget we will do it, but if it does not then we will not do it. D. Turner stated for clarification the roads that are slated for paving: West Milton Rd from Rt 7 to Orr Lane; 20 Lake Rd to just past the Everest intersection; all Railroad Street from Main Street to the tracks; all McMullen Rd from Railroad Street to East Rd; all of Hobbs Road and we will be stripping the roads. D. Turner is asking the Selectboard for approval to allow him to finish up the deal and sign the contract. D. Turner would like to do more negotiations if the Selectboard would allow him to, by authorizing him to finalize the paving. J. Cushing made a motion to authorize this request. Ken N. seconded the motion. Approved unanimously.

### I. Manager Update

- D. Turner informed the Selectboard that Dr. Bob Johnson of the Department of Health notified him that a bat tested positive for rabies at the Sandbar. They do not suspect that there was any exposure to other animals. There should be no action required for the Town, unless you want to put it as an agenda item for the Selectboard.
- VTRANS painted Lake Rd today prior to new pavement being installed
- Proposed use of the open Bombardier lot – temporary dog park use until permanent location is completed. John P. asked if this was something we could give to the voters to see how they would like to use that area. No decision was made.
- Confirmation from VLCT for trainer on 9/23 Selectboard Retreat.
- Police Chief retirement – starting process for Interim Chief.
- Training scheduled for 10/12 for employee training from 8:00-10:00AM “Dealing with customers challenges.”
- MOU with the mobile home parks is being reviewed by Milton’s Town Attorney. We have an agreement that all parks will be paying correct water fees on or before 7/1/18. Birchwood may start on 1/1/18.
- Quarry Lane and Everest Road projects have gone out for bid. Looking for resources to build Quarry Lane.

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- Munson Hill engineering complete – construction costs anticipated to be around \$55,000.

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- Hourglass project update, D. Turner stated that he thinks they have accepted the language.

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- Route 7 Gap Project- initial design has been done, moving forward nicely on this. A Public Hearing has been set for October 2<sup>nd</sup>

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- Restroom reconstruction project plans will be discussed at the next Selectboard meeting.

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- Bulletproof glass – the door is in the country, we hope to have this finalized by early October.

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- We had two strong candidates for the Public Works opening. However, we offered the first candidate the job but she changed her mind. We have now reached out to the second candidate.

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J. Cushing suggested that three culverts should be added to the list; Lake Road, Duffy Road and in front of the Halls Farm. John C. stated that we might have to get a bond to do these, it should be something we are thinking about for budget preparation. Don T. stated that with Gina's report we can do that.

259 **IX. Warrant #5**

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J. Palasik stated that as you all are aware I reviewed the Warrant #5 in the total amount of \$169,033.19 and I recommend approval of that Warrant. Chris T. seconded the motion for approval, approved unanimously.

265 **X. Supplemental Warrant**

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J. Palasik stated it is the first time he has seen this. J. Morris informed the Selectboard it is the Debt Service for water/wastewater that Peoples United Bank holds. We are making transfers from our operating account. John P. stated so I am looking at a Supplemental Warrant from People's United Bank for water/ wastewater. There are four amounts in here, there is one for the village core sewer expansion in the amount of \$127,948.61 and the other is Admin Fee in the amount of \$51,210.33. The second part of this is for the WW treatment plant and collection system upgrades, Principal payment of \$43,250.00 and the total amount is \$222,408.94. J. Palasik stated that he recommends approval of that warrant as presented. J. Cushing seconded the motion. Approved unanimously.

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**XI. Minutes for 8/21**

D. Adams stated that we are aware of an error for the Minutes of August 21<sup>st</sup>. D. Turner clarified for J. Palasik that he has already made the correction. J. Palasik stated that he recommends the approval of the Minutes for August 21<sup>st</sup>, with the correction to be made by the Town Manager as presented. K. Nolan seconded the motion. Approved unanimously.

**XII. Executive Session per 1 A.S.A. § 313  
Contracts & Legal**

J. Palasik moved to find that premature public knowledge about contracts and legal would cause the Town or person to suffer a substantial disadvantage. C. Taylor seconded the motion. Approved unanimously.

J. Palasik moved to enter into Executive Session to discuss contracts and legal, to include all five board members, D. Adams, K. Nolan, J. Palasik, J. Cushing, C. Taylor, including Town Manager D. Turner Jr., and we will add Director of Administration and Human Resources, J. Bartlett, under the provisions V.S.A. Title 1, Title 313, of the Vermont Statutes. C. Taylor seconded. Approved unanimously. D Adams stated that the Selectboard was going into Executive Session at 9:28PM.

**Executive Session closed at 10:52PM**

J. Cushing motioned to close Executive Session; seconded by C. Taylor. Approved unanimously.

**X111. No action taken as result of Executive Session**

**XIII. Adjournment**

J. Cushing motioned to adjourn. C. Taylor seconded the motion. Approved unanimously at 10:53PM

Respectfully Submitted,



Date:

9/18/17

John Palasik, Selectboard Clerk

Filed with Milton Town Clerk's Office on this 20 day of Sept., 2017

ATTEST:  Milton Town Clerk

<https://livestream.com/lcatv/mse1/videos/162614025>