

Town of Milton
Board of Selectman Meeting
Monday, January 21, 2015
Milton Town Hall
Meeting Minutes

Members in Attendance: Chairman Tom Gray, Mike Beaulieu, Andrew Rawson, Elizabeth Dionne, Town Administrator **Also in Attendance:** Toni McLellan, Recording Clerk

Public in Attendance: Michelle Beauchamp, Kari Lygren, Cynthia Wyatt, Les Elder, Eric Knapp, Janet Knapp, George Knapp, Cubbi Lirette, Sean Skillings, Kristen Wilson, Steve Baker, Anne Barth, John Katwick, KJ Cardinal, Larry Brown, Richard Krauss, Janice Long, Timothy Long, Leo Lessard

Chairman Gray called the meeting to order at 6:02pm and welcomed everyone.

The Pledge of Allegiance was recited.

New Business

K.J. Cardinal of Pack Network RE: Recording Equipment – The equipment is for recording BOS meetings. The set-up would be such that the recording would be a one camera (mounted in the back of the room) video production. There would be multiple microphones on the table at the front of the room for the BOS, and two hanging microphones in the room (hanging down about 1 ½ feet from the ceiling) so participants can be heard. It is ideal to have someone at each meeting managing the visual/sound. It is a laptop operated system so a file can be saved and sent to Metrocast to be aired. The recording set-up is portable. E. Dionne will send K.J. Cardinal Metrocast contact info and he will contact them for specs needed. Mr. Cardinal provided an equipment/cost list. Prices quoted are from an industry standard worksheet. The total amount on the price sheet (\$3,411.77) would be the highest price point. There is no Metrocast fee to air the recording. Mr. Cardinal does have another vendor in mind and would obtain another quote. The cost of moving to a wireless system would be much greater than this system. The time frame from beginning to end for delivery and install would be within one month.

Swearing in of Conservation Commissioners - Chairman Gray conducted the swearing in of three alternate Conservation Commissioners Eric Knapp (term expiring 2016), Steve Baker (term expiring 2017), and Sean Skillings (term expiring 2018). Terms are staggered so that not all expire at the same time.

Swearing in of Economic Development Committee Members – Chairman Gray conducted the swearing in of four members of the Economic Development Committee – Eric Knapp (term expiring 2017), Cubbi Lirette (term expiring 2016), Nick Marique - not present (term expiring 2018), Mike Beaulieu (term expiring 2019)

Police Chief Krauss Re: Approval on DWI Patrol Grant – The purpose of the approved grant is specific to looking for DWI violations *Friday, Saturday and Holidays between 9pm and 3am*. Gas and the cruiser are the only things for

which the town will pay. A. Rawson made a motion to approve the Patrol Grant in the amount of \$8,736.00. M. Beaulieu seconded. Motion carried.

Contract Approval for Planning Consultant – Gerry Coogin – Eco Revitalization program

M. Beaulieu made a motion to accept the contract for Gerry Coogin for the year \$7500.00 (for Planning) and \$7500.00 (Economic Development) for a total of \$15,000.00. The BOS is receiving monthly progress reports. M. Beaulieu made a motion to have the Chair sign the contract. A. Rawson seconded. Motion carried.

Larry Brown stated that every contract should include performance measures.

Library Trustees Re: Library Budget - Les Elder reported that the library is over budget for 2014. The library took a big hit for oil in December (\$1,300.00). They are over the oil line in the amount of \$756.00, plus electric (which averages \$120/month) but is yet unknown for December. The total overage as of today is \$846.24. The total overage for 2014 will be approximately \$975.00. L. Elder does not exactly know why the overage happened, but he will discuss this at the next meeting and will go over the budget with the other three trustees. He will report back at the next BOS meeting. The BOS will find the money to pay for the overage.

Michelle Beauchamp Re: Fee Structure Amendment – Inquired about raising the fee for storage of documents from \$5.00 to \$10.00. A. Rawson moved to accept the (\$10) amended fee structure. M. Beaulieu seconded. Motion carried.

Public Works Director Pat Smith Re: Cancellation of Uniform Request – P. Smith was not present this evening. This item will be on the next BOS meeting agenda.

99 St. James Ave Re: Establish Minimum Bid Amount - The size of the land is .14 acre; \$14, 850.00 in taxes are owed. The legal fees are \$150.00. The land and building have been assessed at \$62,100.00. Market value would most likely be significantly less. If someone were to replace the structure, they would need a new septic and point (well) system. There are no water rights. The three year time period closed at the end of December. A couple of people have expressed interest in the property. M. Beaulieu made a motion that the minimum bid amount for the 99 St. James property be \$15,000.00. A. Rawson seconded. Motion carried.

Monetary Articles were completed in collaboration with the Budget Committee. The articles discussed next are not petition or zoning articles

BOS Recommendations on Non-Monetary Town Warrant Articles:

Article 15 – To see if the Town of Milton will vote to rescind Article # 17 passed at the 2004 Town Meeting which read “*to approve a Capital Improvement Plan included in this Town Report as the plan for capital improvements for the Town Departments for the next seven years, with the understanding that the plan will be amended annually and that at this point no funding is attached to the plan. This article is advisory only.*” Town Legal Counsel determined that article # 17 approved in 2004 was improperly prepared and does not conform with NH RSA 674:5, the statute that establishes a CIP.

M. Beaulieu made a motion to rescind Article 15. A. Rawson seconded. Motion carried.

Article 16 – To see if the Town of Milton will vote to rescind Article # 5 passed at the 2005 Town Meeting which read *“to establish a Capital Reserve Fund for the purpose of funding the Capital Improvement Plan including the use of the fund as matching funds for grants that might come available, and to raise and appropriate the sum of \$480,000.00 for deposit in that account and to authorize the Board of Selectmen as agents to expend from that fund.”* Town Legal Counsel determined that article # 5 approved in 2005 was improperly prepared and does not conform with NH RSA 674:5, the statute that establishes a CIP.

M. Beaulieu made a motion to rescind Article 16. A. Rawson seconded. Motion carried.

Article 17- To see if the Town, having a Master Plan adopted by the Planning Board on September 7, 2004, will vote to authorize the Planning Board to prepare and amend a recommended program of municipal capital improvements projected over a period of at least 6 years, in accordance with RSA 674:5.

M. Beaulieu made a motion to recommend Article 17. A. Rawson seconded. Motion carried.

Article 19 – To see if the Town will vote, pursuant to NH RSA 35:9-a-II, to authorize the Trustees of Trust Funds to pay for capital reserve fund investment management services, and any other expenses incurred, from capital reserve funds income. No vote by the Town to rescind such authority shall occur within five years of the original adoption of this article.

A. Rawson made a motion to recommend Article 19. M. Beaulieu seconded. Motion carried.

Article 20 – Shall we adopt the provisions of RSA 40:14-b to delegate the determination of the default budget to the municipal budget committee which has been adopted under RSA 32:14?

Chairman Gray made a motion to not recommend Article 20. A. Rawson seconded. Motion carried.

BOS Recommendations on Petition Warrant Articles –

Article 3 - Zoning Amendment #2 (Submitted by Petition):

1) To amend Article II, Definitions of the Milton Zoning ordinance to include the following definition:

“Solid Waste Management Facility” means a facility as defined in RSA 149-M:4,IX, namely “a location, system, or physical structure for the collection, separation, storage, transfer, processing, treatment and/or disposal of solid waste.” The term “solid waste” specifically excludes hazardous waste as defined in RSA 147-A, radioactive waste and biological waste. The term “Solid Waste Management Facility” excludes “Incineration Facilities” for solid waste.

2) To amend Article II, Definitions of the Milton Zoning Ordinance to include the following definition:

“Recycling Facility” means a location, system or physical structure for collection, separation, storage, transfer, processing and/or distribution or recyclable materials to markets for recycling.

3) To amend the Table of Uses within the Milton Zoning Ordinance to provide proper and integrated management of solid waste by providing that the uses under Category F of the Table of Uses be amended to permit Solid Waste Management Facilities and Recycling Facilities, and permit such uses to the extent that such use is conducted subject to and in accordance with the requirements, restrictions and/or dimensional regulations set forth within

RSA 149-M, et. seq., and to the extent the use is granted a special exception by the Zoning Board of Adjustment pursuant to Article VIII of the Milton Zoning Ordinance.

A. Rawson made a motion to not recommend Article 3. M. Beaulieu seconded. Chairman Gray abstained. Motion carried.

Article 4 – Zoning Amendment #3 (Submitted by Petition):

To see if the use category of “Materials recycling, processing” will not be permitted as an allowable principal or accessory use in the Industrial/Commercial zoning district as shown in Article III of the Town of Milton Zoning Ordinance at Section 3.5 Table of Principal and Accessory Uses in Zoning Districts.

M. Beaulieu made a motion to not recommend Article 4. A. Rawson seconded. Motion carried.

Article 5 – Zoning Amendment #4 (Submitted by Petition):

To see if the Town will vote to amend Article II (definitions) of the Milton Zoning Ordinance to define “Landfill” as follows:

“Landfill shall be defined as a facility which collects and: disposes of; or recycles or processes, waste by landfilling methods. The term includes facilities that collect and store waste indefinitely or recycle or process waste. Landfilling means a method of disposing of solid waste by the intentional placement of the solid waste in or on land where it will remain: after landfill closure; or until use for recycling or processing.”

M. Beaulieu made a motion to not recommend Article 5. A. Rawson seconded. Motion carried.

Article 2- Are you in favor of the adoption of zoning amendment #1, as proposed by the Milton Planning Board for the Milton Zoning Ordinance as follows: To add the following language to Article III Establishment of Zoning Districts, Section 3.2 b at the end of 1) “note in order to receive the benefits of the High Density Residential (HDR) zoning district, the parcel shall be served by municipal water and sewer” as included in the Milton Zoning Ordinance? M. Beaulieu made a motion to recommend Article 2. A. Rawson seconded. Chairman Gray did not recommend the article ending in a 2-1 vote for the BOS. The town Planning Board and the Town Planner worked together on this article.

Approval of Minutes

January 5, 2015 – Regular Meeting Minutes - M. Beaulieu made a motion to approve the minutes as written. A. Rawson seconded. Motion carried.

January 5, 2015 – Nonpublic Meeting Minutes 1st and 2nd Sessions -M. Beaulieu made a motion to approve the minutes as written and to seal them for one year. A. Rawson seconded. Motion carried.

January 6, 2015 - Meeting Minutes - M. Beaulieu made a motion to approve the minutes as written. A. Rawson seconded. Motion carried.

Expenditure Reports

The budget is approximately 89% spent. That does not include the final two weeks of spending in December (for the entire town). The books will be closed tomorrow or Friday. At the next BOS meeting, there will be a final report.

Administrator Comments

E. Dionne – Seeks approval from the BOS for The 2014 audit (to begin in April). M. Beaulieu made a motion to approve the audit. A. Rawson seconded. Motion carried.

M. Beaulieu made a motion for the Chair to sign the letters authorizing the audit. A. Rawson seconded. Motion carried.

Re: the old PD lot in the village (not buildable). The abutters are present this evening and are interested in purchasing the lot. They have paid for a survey to be conducted at the cost of \$2,200.00. The Trustees and Selectman must accept the offer. There would also have to be 2 public hearings and recommendation from the Conservation Commission. Additional monies would have to be spent by the purchaser. There is also a fallen tree on this property. The abutters are offering \$1,000.00 for the property (and will need to invest more money). The assessed value of the property is \$7,800.00. The market value would be significantly lower. A. Rawson made a motion to accept the offer of \$1,000.00 for purchase of the property on map 42 lot 134 (subject to all approvals needed including the Trustees, the Planning Board for subdivision and two lot mergers, and legal fees). M. Beaulieu seconded. Motion carried.

E. Dionne received a letter today from the Liquor Commission. The owner of Pizza Nook has applied for a beer and wine license and is requesting a letter of support from the BOS. M. Beaulieu made a motion to support Pizza Nook in their application for a beer and wine license. A. Rawson seconded. Motion carried.

K. Lygren inquired as to if another café wanted to come in by the Ray's Marina area would there be a restriction in terms of zoning for liquor licenses for two businesses so close in distance? The BOS stated that not to their knowledge would there be a restriction, but zoning would have to be consulted.

The selectman's report for the annual town report is almost complete. It will be sent out tomorrow or Friday.

Payment to the Conservation Commission – The Town Treasurer recommends making a payment of no more than \$25,000.00 (from the general fund). The budget would not sustain more at this time due to cash flow.

M. Beaulieu made a motion to authorize a payment of up to \$25,000.00 from the general fund to reimburse the Conservation Commission.

Selectman Comments

A. Rawson - Thanked Chairman Gray for obtaining the \$5,000.00 grant from Metrocast.

E. Dionne has not heard back from the oil company regarding the heating contract and the rates.

The Recreation Dept. will start an informational Facebook page within one week or so. Things posted on the page will need to be sent to the town webmaster for the website. A. Rawson will ensure that happens. The Police Dept. has also started a Facebook page.

Two estimates have been received for the fence at the beach. A third will be obtained.

M. Beaulieu – Has obtained a quote for carpeting the entire first floor. He will obtain two more quotes and will be presenting it to the BOS. The current carpets are at least 15 years old. A number of employees have been sick for quite some time and it may be related to this. He pointed out that the building also represents the town and the carpets do not contribute to a good image.

L. Elder inquired as to whether any other materials for the floors have been considered and has the mold issue downstairs been addressed?

M. Beaulieu stated that the mold they thought was present was not mold but was the glue coming up/disintegrating. Other materials were considered for flooring but would take much longer to install and would need restructuring to varying degrees depending on the material (wood/tile, etc.). The first floor can be fully carpeted in just over a day.

K. Lygren – Will the new carpet be recyclable and not thrown in the landfill when the town is done with it?

L. Brown – Modular carpet tiles can be put down so that the heavily used areas can be lined up properly and glued in strips. Putting in modules (carpet tiles) will also allow easier repair rather than having to pull up (roll up) large areas of carpet if a repair needs to be made.

K. Lygren – Recommends having the carpet installed in summer when windows can be opened due to the off gassing.

C. Wyatt pointed out that carpet can off-gas for a long period of time and people can become ill from this. Is there a more environmentally friendly product that could be used other than carpet?

Chairman Gray stated that this project is just in the information gathering stage. More information and discussions will be forthcoming.

Chairman Gray has heard nothing back about the Forestry Committee. He will follow up with K. Ladisheff to find out where this stands.

Public Comments

John Katwick would like to follow-up on last year's voting results. He pointed out that the March 17th, 2014 BOS Meeting Minutes stated that Chairman Gray felt the BOS and the town had failed in getting out the message about the budget. J. Katwick put together an average 9-year budget (2005-2013) and provided copies this evening to the BOS. He does not have 2014 numbers as the books have yet to be closed. After a thorough review, he found that the town of Milton has done a good job budgeting every year. He felt that if the voters say no on Warrant Articles related to the services Milton is providing, particularly involving safety equipment, it will become a significant safety issue. He felt that the residents must be made aware of how important this is *before* Election Day. Many do not have an understanding of the reason behind why some things are not being done in the town and that it is related to not having the proper equipment to do the job -- which gets back to the Warrant Articles involving services (safety equipment) by the town of Milton. He felt that that the town must make this a priority and that voters must know what the articles represent before going into the voting booth. Chairman Gray stated that the town must not fail again. Every time the

town fails to pass a Warrant Article regarding such important issues, the town gets further behind, which will ultimately result in costing the town more than it otherwise would.

C. Wyatt proposed working with John Nolan with the Rochester Times to get the word out.

M. Beaulieu made a motion to approve John Katwick working with John Nolan of the Rochester Times in getting this issue published in the paper and the word out to the people of Milton. A. Rawson seconded. Motion carried.

The CIP will also address some of these concerns. The BOS and E. Dionne will look into the link on the website for the CIP so people can stay informed.

A. Rawson stated that he appreciates J. Katwick taking this on this project. He stated that there are trucks that barely run and money spent just to make them (and other equipment) run is money not well spent.

L. Brown stated that he does not recommend that the budget committee take over the default budget. They do not have regular access to Dept. Heads and do not review the operating budget until October. The BOS works with the town money for $\frac{3}{4}$ of the year and has a certain fiduciary responsibility to the town.

Chairman Gray stated that there are numerous hours involved in putting a default budget together. The town is fortunate to have a Town Administrator that is capable of doing this. He doesn't see any one individual, or group, alone having the time to put the default budget together.

L. Brown complimented Dennis Wing for all that he has done.

Chairman Gray closed public comments at 7:59pm.

Adjournment

M. Beaulieu made a motion to adjourn at 8:00pm. A. Rawson seconded. Motion carried.

Respectfully Submitted,
Toni McLellan
Recording Clerk

Chairman Tom F. Gray

James Michael Beaulieu

Andrew Rawson