

Town of Milton
Board of Selectman Meeting
Monday July 20th, 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: Aimee Krauss, Richard Krauss, Caitlin Magargee, Andrew Magargee, Cynthia Wyatt, Steve Panish, John Katwick, Mark Lavolite, Norrene Nason, Nick Nirgianakis, Brain Leahy, Donna Nelson, William Ayotte, Mike Hebert, Melissa Curtin, Chris Davis Family, Kera Favorite (and girls), Amy Krauss (and girls), Larry Brown

Chairman Gray called the meeting to order at 6:11pm and welcomed everyone.

The Pledge of Allegiance was recited.

New Business

Donna Nelson Re: Community Garden – D. Nelson stated that she has put 5 years of work into the community garden and it is no longer a good environment in which to continue to work. She stated that the work was a retirement dream of hers that is not to be. She would like to have the garden converted into a community garden. She stated that she is concerned with larger trends such as the loss of agricultural land. She distributed an “Introduction to a Community Garden” handout to the BOS. She does not want the land to be paved. Property lines would have to be redrawn. This particular plot has been a garden plot for many years. It has good deep topsoil. She requested that the town think about working with her to do something with the garden before she sells. She will try to find someone to buy the plants from the garden. Chairman Gray asked the BOS to make a site visit to 49 Charles Street following the meeting this evening.

P. Panish inquired as to what D. Nelson was proposing and wondered whether she was considering donating the land.

D. Nelson stated that she does not have the resources to donate the land. However, she would donate it before seeing it go to hardtop. She would like to see what options are available first. She will be getting a soils test done and will ask for heavy metals testing.

L. Brown inquired if the shed was a “10-footer”.

D. Nelson stated that her father used the shed as an amateur radio shed. She believes it has also been used as a chicken coop.

D. Nelson stated that the community garden pulls many people together. Farmington, Dover, and Rochester have all had community gardens.

Police Chief Richard Krauss Re: Employee Conversation – Sergeant Evan Favorite just celebrated his 10th anniversary with the Milton Police Department. In appreciation, Chief Krauss presented him with a plaque. Chairman Gray presented Sergeant Favorite with a Certificate of appreciation. Photos were taken of Sergeant Favorite with the Chief and with his family. N. Nason invited everyone to the Police Department after the meeting for cake and refreshments.

State Representative John Mullen Re: Request for Special Election for State Rep Position – E. Dionne stood in for State Representative John Mullen who was not present this evening. As announced at the last meeting, State Represented Robie Parsons passed on. In order to fill his position, the Governor's office needs to declare a vacancy. The Town needs to request through the Governor's office and the Executive Council that an election be held to fill the vacancy. RSA's involved include RSA 661:8, which describes the process. Representative Mullen's request is that the BOS make a motion to request through the Governor's Office and the Executive Council that an election be held to fill the vacancy. E. Dionne has drafted a letter for the BOS to sign. M. Beaulieu made a motion to submit a request through the Executive Council and the Governor's office to hold an election to fill the position of the Late Representative Robie Parsons. A Rawson seconded. Motion carried.

Conservation Commission Rep Steve Panish Re: Donation for Moose Mountain Reservation
C. Wyatt reported The Forest Society and Moose Mountain Regional Greenways are teaming up to protect a 150 acre parcel that would be an addition to the already protected 2,200 acre preserve. The Conservation Commission voted at the Monday meeting last week to donate \$500.00 to the project. The value to the town of Milton is that the 2,200 acre parcel is the headwaters to the Branch River and the Jones Brook. The parcel is adjacent to the Middleton Town Forest and to the Ellis Hatch Jr. Wildlife Management Area. It will be approximately a 4,000 acre parcel total. They have secured funding so far from the Land and Community Heritage Investment Program (LCHIP), among others. It is the source of the public drinking water supply and flows into Milton Three Ponds. The Conservation Commission feels it is a very worthwhile project to support. A Warrant Article was passed this year that allows the Conservation Commission to expend funds for the purchase of property. They are present tonight to let the BOS know that they voted for this and they are seeking an endorsement from the BOS. M. Beaulieu made a motion to approve the donation of \$500.00 by Conservation Commission to the Forest Society for the purchase of the Moose Mountain Addition. The money shall be taken from the Conservation Commission fund. A. Rawson seconded. Motion carried.

Bid Opening with Possible Bid Award on Town Owned Kitchen Sink – E. Dionne reported that one bid has been received. The sink is stainless and is from the Ding-A-Ling restaurant. The bid is for \$15.00. A. Rawson made a motion to accept the bid of \$15.00 from M. Beaulieu. Chairman Gray seconded. Motion carried.

M. Beaulieu abstained from the vote.

Unnumbered Parcel Map 14 and 18 Re: Vote on Moving Forward with Sale –

E. Dionne stated that there are 2 abutters to the small unbuildable parcel. A. Goldenberg and the Forest Society are the abutters. The Forest Society has been contacted and is not interested in purchasing the parcel while A. Goldenberg is interested in purchasing the parcel. E. Dionne drafted language for a motion. M. Beaulieu made a motion to authorize the Town Administrator to proceed with the process requirements on selling a non-tax-deeded parcel of land in accordance with RSA 41:14-a as discussed previously. Said parcel is on Maps 14 and 18, is an un-numbered parcel, sandwiched between the Spaulding Turnpike; Map 14/Lot 29 owned by Ari Goldenberg; and Map 18/Lot 14 owned by the Society for the Protection of NH Forests. A. Rawson seconded. Motion carried.

Approval of Minutes

July 6, 2015 – Regular Meeting Minutes – tabled until the next BOS meeting.

July 6, 2015 – Nonpublic Meeting Minutes – M. Beaulieu made a motion to approve the nonpublic minutes as written and to release items 4 and 7 to the public, and to seal the remainder of the minutes indefinitely. A. Rawson seconded. Motion carried.

Expenditure Reports

Nothing new to report

Administrator Comments

E. Dionne –

Re: Dates to meet with School Board. She will check the scheduling calendar tomorrow and will send the Superintendent dates.

Re: Water Precinct Donation of 11 Filing Cabinets to the Town - She is requesting that the BOS make a motion to accept the donation. M. Beaulieu made a motion to accept the donation of 11 filing cabinets from the Water Precinct. A. Rawson seconded. Motion carried.

Re: Trustee of Trust Funds – She met with the Trustees of Trust Funds this afternoon at their 3:00pm meeting. At the meeting, she relayed the offer for the old PD lot. They've only had one meeting since January and they didn't put this matter on the agenda. However, they have taken

the matter under advisement. They will have a meeting with the Attorney General as there are some outstanding issues.

Re: Town Clerk/Tax Collectors office - There are 4 dates in August, 2015 that the office will need to be closed. The reason could not be discussed in open session.

Selectman Comments

A. Rawson –

Re: The Playground Build - There was a great turnout and it really brought the community together. The day was a great success. The Friends of the Library brought refreshments. He thanked Pat Smith for being present during his vacation. David Pay completed all the site work. J. Katwick brought his back hoe. Frisbie Hospital donated a load of playground mulch/chips. He also thanked the playground company Uniplay. They gave the town a great deal on the equipment. Chairman Gray thanked Gary Marique for the use of his skid-steer. J. Katwick stated that the Recreation Department had a huge undertaking scheduling all the work. He reported that he never saw such great teamwork.

L. Brown stated that all three Selectman were present at the project and were lifting 80lb bags of concrete.

M. Beaulieu –

Re: The Forestry Committee - The Committee meets a week from tomorrow.

Re: The Economic Development Committee – Bob Fizell is trying to sell his property. The Committee discussed helping the economic community of the town by advertising the properties on the town website. E. Dionne reported that there is a website page for businesses and non-profit organizations, etc. for this purpose.

Re: Town Hall Sign – He stated that Dana is doing a great job changing the sign but he inquired about possibilities, such as an electronic sign, that would make it easier to change the letters. Something that could make changing the letters from inside the building a possibility, (particularly in the middle of winter), would be helpful.

Chairman Gray stated that the cost of a sign like that that was looked into some time ago and the cost was prohibitive.

D. Nelson suggested redesigning the sign so that it has moving panels that could be assembled inside. This would save a lot of money.

Re: Budget Committee - Meetings will resume next month.

E. Dionne reported that the Department Heads must get their budgets to her by mid-August.

Chairman Gray

Re: Planning Board – He reported that the site visit to Jones Brook gravel pit has been rescheduled to tomorrow evening at 6:00pm. The Master Plan Survey has been released for public input.

Re: TPPA Board meeting – Chairman Gray received a letter from the Board President inviting the BOS to their annual picnic at the pavilion on July 26th, 2015 at the Mighty Joe Campground at 4:00pm. In an effort to strengthen communications, they have also invited the Conservation Commission, Lebanon Conservation Commission and the Moose Mountain Regional Greenways Board. TPPA will provide hot dogs, hamburgers, chips and drinks. They will be voting on a new Board at the meeting.

Re: Update on Solar Garden Construction – E. Dionne reported that the town is waiting on NH DES and the Governor's Executive Council.

Re: Training on Video Equipment – A method of delivery for the films and someone willing to operate the equipment is still needed.

Re: Thank You Letter from the Office of the Sherriff of Strafford County to Chief Krauss. Chairman Gray read a letter thanking Chief Krauss and the Police Department for donating Taser cartridges and holsters to the Strafford County Sherriff's office.

Public Comments

M. Hebert stated that he filed a complaint on June 24th, 2015 about a town resident that takes in trash and stores it on his property. He reported that hazardous waste is going into the trash. Chairman Gray stated that the Code Enforcement Officer has addressed the issue and had in the past issued a Cease and Desist letter. E. Dionne will check on the status of the situation tomorrow. Chairman Gray asked that Brian Boyers be present at the BOS meeting on August 3rd, 2015 at 6:00pm to discuss the matter. **William Ayotte**, also an abutter reported that the problem is extensive and has been going on for quite some time. He has the same complaint as M. Hebert. He had his water tested and stated that it is only a matter of time before the groundwater is contaminated. The BOS thanked M. Hebert and W. Ayotte for attending the meeting. The abutters will leave contact information with E. Dionne so that she can follow-up with them. Chairman Gray inquired if there was anyone else on the road that is interested in contacting the BOS about the problem.

L. Brown stated that fines would, and should, accumulate day by day if there is a clear and visible violation of the Cease and Desist order that was issued. He would not wait until August 3rd, 2015 to take action.

Ed Comeau, Representative for Brookfield, Wakefield, Ossipee and Effingham NH in the House of Representatives was present. He received a letter from a few residents questioning the Milton Town Beach ordinance stating that no weapons are allowed at the town beach. He stated that according to Chapter 159; the town does not have the authority or jurisdiction to regulate firearms at the Town Beach. Chairman Gray stated that the town does have that authority and that Attorney Jim Sessler will be involved in the matter and this was to be discussed at a later date. E. Comeau stated that he attended the Ossipee BOS meeting. He reported that they have the same ruling for their town beach. However, if someone does bring a weapon to the beach and they are arrested, it could result in a lawsuit against the town. He stated that it is a good idea to review the statutes from time to time. He stated that better communication and respect for each other is needed. It is the job of the state to regulate firearms at the state level. This is important so that there is consistency throughout the state. He thanked the BOS for hearing his comments.

Chairman Gray closed public comment at 7:13pm.

Chairman Gray made a motion to go back into nonpublic at 7:14pm under RSA 91A 3: II (a) and (e). M. Beaulieu seconded. Motion carried.

Respectfully Submitted,

Toni McLellan
Recording Clerk

Chairman Tom F. Gray

James Michael Beaulieu

Andrew O. Rawson