

Town of Milton
Board of Selectmen Meeting
April 3, 2017
Milton Town Hall
Meeting Minutes

In Attendance: Selectmen Chair Michael Beaulieu, Andrew O. Rawson, Ryan Thibeault, Town Administrator Heather Thibodeau.

Public in Attendance: Betsy Baker, Nancy Drew, Dale Sprague, Ed Fish, David Carpus, Pam Smith, Pat Smith, Richard Krauss, Matt Morrill, Peg Hurd, Larry Brown, Nicholas Nirgianakis, Bob Carrier, Brenda Pabon (Recording Clerk).

Chairman Beaulieu called the meeting to order at 6:00 pm and the Pledge of Allegiance was recited.

Acknowledgments:

Birthdays:

- Dennis Dube
- Tyler Smith
- Richard Bobigian
- Jacob Bourdeau
- Brian Boyers
- Kathy Wallinford
- Gary Pageau
- Devon Pageau
- Jason Shearn
- Dana Crossley

New Business-Discussions and Possible Actions:

- **Town Website**

R. Thibeault stated that H. Thibodeau did not have passwords for the town website and Facebook accounts and as town administrator she should have it. It was discussed that she should have it but work closely with the person that is maintaining it now.

Motion:

A. Rawson motioned to allow the town Administrator to have the password for the town website, Seconded by R. Thibeault

Roll Call:

A. Rawson (Yes), R. Thibeault (Yes), M. Beaulieu (Yes), Motion carried 3-0

Motion:

A. Rawson motioned to allow the town Administrator to have the password for the town Facebook account, Seconded by R. Thibeault

Roll Call:

A. Rawson (Yes), R. Thibeault (Yes), M. Beaulieu (Yes), motion carried 3-0

R. Thibeault stated that he noticed on the town website that it says there will be selectmen at the town hall on Thursday mornings from 8-8:30; he wanted to know the point of that. M. Beaulieu stated that the board had voted at a previous meeting to have a Selectmen present at the town hall so if a resident wanted to come in and talk with them they would be available. R. Thibeault stated that by having selectmen there first takes away from the town administrator, second it sends a wrong message to the residents, and one selectman cannot make any decisions on their own, there are policies and procedures that should be used for complaints and issues that need to be addresses. M. Beaulieu stated that if a complaint comes up it would be suggested to the resident to file out a form and that would be discussed at a Board meeting this would be the case with anyone wanting to file a complaint.

Public Comments:

L. Brown stated that at one point there was a discussion of having a Saturday morning coffee with the selectman to have more contact with what a selectman looked like rather than a decision process, that was the original thought and now they do the Sunday morning coffee at Dunkin Donuts.

D. Carpus asked what purpose does the Thursday meeting serve, is it an avenue for the residents to bring up something to the selectman, there should be some process in place as to what the purpose of the meeting is for and maybe it should be clearer on what can be brought to the selectman on Thursday mornings.

R. Thibeault stated that he has heard that it is very hard to find things on the town website and wanted to know if the board would be ok if H. Thibodeau could start looking into different options. M. Beaulieu stated that this has been a problem for a while and is not the first time a complaint has been brought up about this. The board agrees to have H. Thibodeau look into other options to make it better.

Public Comments:

D. Carpus stated some statistics about internet traffic on Mobil devices, tablets and desk top computers and they should take into consideration when redesigning the website that it should be compatible to all devices.

Motion:

A. Rawson motioned to have H. Thibodeau look into different options/service to improve the town's website, seconded by R. Thibeault

Roll Call:

A. Rawson (Yes), R. Thibeault (Yes), M. Beaulieu (Yes), motion carries 3-0

- **Public Works Pickup Truck Purchase**

P. Smith presented the board with estimates on the purchase of a new Truck. He asked for three estimates but only received 2 back; one was from Granite Ford for \$37,424 which included an 8 foot fisher plow installed with cutting edge, spray in liner, all weather floor mats, magnetic roof top beacon and hard wiring of beacon. The other estimate was from Portsmouth Ford for \$44,149 which included 8 ½ foot fisher yellow straight blade installed yellow light and spray in liner. B. Beaulieu asked why Portsmouth Ford was much more than Granite Ford. P. Smith stated that Granite Ford has a Green 2016 truck on the lot, Portsmouth Ford would have to get a 2017 and paint it green so that is where the cost difference is.

Motion:

A. Rawson motioned to allow P. Smith to purchase the green 2016 Ford f-250 from Granite Ford for \$37,424, seconded by R. Thibeault

Roll Call:

A. Rawson (Yes), R. Thibeault (Yes), M. Beaulieu (Yes), motion carries 3-0

- **Sewer Department Contract**

D. Sprague discussed his contract that was given to the board for review. M. Beaulieu asked if he would be coming forward with any increases. D. Sprague stated that there was nothing last year due to the default. He suggested a 4% increase. A. Rawson stated that this is self-funded position. R. Thibeault asked what was done in the past; D. Sprague stated that 1.7% in 2014 and 1.7% in 2015 and nothing in 2016. M. Beaulieu stated he was thinking 2%.

Public Comments:

P. Hurd wanted to know what self-funded means. It was said that the tax payers who use the water and sewer pay there bill monthly and that is what funds the water sewer treatment plant expenses.

E. Fish asked if there was excess in the self-funding. D. Sprague stated yes there is. E. Fish asked where the excess goes. D. Sprague stated that it stays in the Sewer department general operating fund. E. Fish asked if the capital fund gets funded by the excess from the self-funding, D. Sprague stated yes. E. Fish asked that even with a 4% increase in pay there will still be excess from the self-funding to keep adding to the capital account for any repairs needed in the future. D. Sprague stated yes.

B. Baker asked if there where sewer commissioners, D. Sprague stated no they dissolved so it went to the board of selectmen.

D. Carpus asked what the 4% increase would have on the bills of those having to pay sewer and what the effect on the fund account is as well.

P. Hurd wanted to know if there is an excess why do the residents who pay the bills not get a refund. P. Smith explained the sewer district and how it works with the self -funding.

L. Brown mentioned that the average low cost of putting in a mile of sewer line is about \$1.2 million dollars. The sewer district as set up has to have the capacity out of its own fund either operating income or reserves established under certain capital reserves funds to handle the cost of emergency, regular repair and maintenance and to pay for the state mandated credentialing, in addition the state and EPA are adding to the regulations which control the quality of water which exits through the sewer treatment center. He stated that they are not talking about a 4% increase on the budget, you're talking about a 4% increase on the contract which does not take put into place the costs of FICA and other retirement benefits, so 4% would bring it out to somewhere around \$35,000, it was said that this is not close to what it would be which was about \$33,000.

M. Morrill stated that anyone in the town that is on sewer has not had a sewer back up, so what is \$1,200 to give the person that clearly works hard and keeps things taken care of.

E. Fish also would like to second M. Morrill's comment, he said that it was a 3.4% increase over the last 3 years he would favor a 4% increase with all of the hard work he does.

D. Carpus stated that the 3.4% increase was not even enough for cost of living increase.

Motion:

A. Rawson motioned to Change the compensation from \$30,188.72 to \$31,396.26, seconded by R. Thibeault

Roll Call:

A. Rawson (Yes), R. Thibeault (Yes), M. Beaulieu (Yes), motion carries 3-0

- **Selectmen Agenda Request Form**

R. Thibeault stated that there was a lot of confusion on when the Selectman's agenda form needs to be turned in, in order to make into the next meeting. He is proposing a few changes to the current Selectman's agenda request form to include a deadline date of 12pm on Wednesday preceding the meeting and a few other minor changes.

Public Comments:

P. Hurd said that it would be a great idea to have that form on the website but with the way the website is will it be easy to find. A. Rawson stated that they will be working on the website to make it more user friendly.

D. Carpus suggested that they put on the bottom of the agenda that gets put online to say that agenda items need to be into the town by Wednesday 12pm following the meeting this would be another way of getting the information out.

Motion:

A. Rawson motioned to accept the amended new Selectman's agenda request form, seconded by R. Thibeault

Roll Call:

A. Rawson (Yes), R. Thibeault (Yes), M. Beaulieu (Yes), motion carries 3-0

Old Business – Discussions and Possible Actions

- **Solar Garden Update**

Andrew Keller could not make it to the meeting and Tom Gray is not present. This will be tabled till the next Board of Selectman meeting. H. Thibodeau stated that she has received calls about the Ambassador position on whether it is a paid position or not. She clarified that it is not a paid position it is a volunteer position.

- **Sean Skillings – European Naiad**

S. Skillings presented the board with some information on the European Naiad. He further went into discussion more on how important it is to educate residents and how important it is to make sure boaters are washing boats before entering the waters in the town. A. Rawson stated that they really need to start enforcing the boat cleaning; he is also hoping that S. Skillings will help educate the employees on how to wash boats properly and what to watch for on the boats when they come in. L. Brown asked if in Main or anywhere else come up with a best management practice which can be mandated as a condition of use at the town boat ramp. S. Skillings stated that there are signs that stated boats need to be cleaned off before entering the water. L. Brown clarified his question and asked if there was a best practice manual that shall be used to inspect the jet intake by flash light prior to entering the water. S. Skillings stated that is where the town comes in with their help. D. Carpus asked if there was an actual written document with pictures that they could hand to any town employee. S. Skillings stated yes there

will be. D. Carpus asked if there was a way to enforce the people that are registering the boat to read about why the boats need to be cleaned in order to get the boats registered. S. Skillings stated that most of the boats are registered online. H. Thibodeau asked if Maine makes the boaters get a sticker, S. Skillings stated yes it is \$10. P. Hurd asked what if a private resident launches a boat from their property, there is no way of them to know if they washed the boat, so how do they educate the owners of information. S. Skillings stated that the TTPA is helping with getting residents informed. Education is the biggest thing that needs to be done and as much information as possible should be posted in any place they can to get the information out there. M. Beaulieu stated that it was a great idea to post information on town website and the town beach as often as possible to get the information out there. A. Rawson stated that he looked into the lake stickers for the town to try and help but was told they cannot do it.

- **Library Memorandum of Understanding**

L. Brown stated that on the draft when you get to the end of it, it is called a document of process and goals for the effective operations of the Milton Free Public Library as a public benefit for the citizens of the Town of Milton. He stated that he started working on this and had discussions on this with Laurie as a small problem they had over the last 2 years in which checks which were going directly to the town for part of the restoration projects that they had, took additional time to reach the town. This memorandum of understanding was set up to make sure that they continue what has been for 2 decades most productive and cooperative relationship between the library and the town. B. Baker went over this stuff on what the library does and put together the history, operation and statutory duties as well. On the last page there is also the Milton Free Public Library Overview. B. Baker stated that to her understanding that in 2000 the library and the town came together on some of the things but never had a formalized agreement, before that any budget that the voters voted among went directly to the library itself which is something they can do but it means that they would need another bookkeeper and they would be responsible for many other things. So what she wanted to do was to just say this was something they agreed to. M. Beaulieu stated that it was a very well thought out plan. L. Brown asked if the Town Attorney had time to look at this Memorandum, M. Beaulieu stated not that he was aware of. M. Beaulieu said that having this signed it is a contract, B. Baker stated that this is basically just acknowledging what they already do, but it is saying that they are cooperating together rather than fighting across purposes. A. Rawson said that he was fine with this Memorandum; this is just more of an agreement where they know what is expected of the library and vice versa. A. Rawson asked the board if this should be reviewed by the Attorney, he remembers requesting that it be sent to the Attorney, H. Thibodeau stated that she did send it but he did not have time to review it. B. Baker stated that she has a clean copy that she will send to H. Thibodeau to send to the Town Attorney.

Approval of Minutes:

- **Minutes from March 20, 2017**

R. Thibeault said that the business discussed follows the agenda but not the order in which it was discussed, needs to be changed to the order in which it was discussed. On page 4 before "M. Beaulieu state that he thinks is should be rotated a lot more than it has in the past" R. Thibeault stated that that he said "the importance of this is keeping order to the meeting there

is no additional power or authority". On page 5 there was a short discussion before the motion was made that was not included in the minutes. On page 9 it states "R. Thibeault stated that he did not want to set a date right now but will have one for the next BOS meeting" he actually said he would take it under advisement. At the end of the meeting they went into non-public, it should be stated what the non-public was, it was RSA 91a3 2c.

Minutes will be tabled till next meeting.

Expenditure Reports

- H. Thibodeau was told verbally on Friday that they are at 17% of the budget so far which is good. M. Beaulieu stated that they should really make sure the reports are in their packets so that they can review them.

Treasurer Report

- The board reviewed the report. M. Beaulieu asked if any of the board had questions. R. Thibeault asked about the number that was read of (17%), H. Thibodeau stated that it was not on the treasurer report is 17% of where they are in the expenditure to date.

Administrator Comments:

- H. Thibodeau stated that the library is having the bid opening on Thursday at 4pm for the Phase two of the L chip Grant. They need 2 Selectman there to open the bid. A. Rawson and R. Thibeault will be present. B. Baker said that Her and P. Smith have put a lot of thought and effort into how they wanted the bids set up they are going to be itemized bids, they will be bids that have the references with them so they want to check those before they give the recommendations and they are asking for a time line so it is not quite as simple as asking which one is the lowest bid. If she has any say she recommends that P. Smith reviews all of them and give the board his recommendation. M. Beaulieu agrees. Someone asked if they have gotten the bids in yet, B. Baker stated she did not know as they are going to H. Thibodeau. H. Thibodeau stated she has not seen any as of yet.
- H. Thibodeau stated that the Department heads have been working on the personnel book they have a meeting scheduled for Thursday to work on it more.
- H. Thibodeau stated that bookkeeper interviews are set up for Friday with the interview team, there are three set up.
- H. Thibodeau stated that in July the Board of Selectman meeting is scheduled for Monday July 3rd which is the day before the 4th of July holiday and she wanted to know if they wanted to modify that. The board decided to move the meetings for July from the 3rd to the 10th and the 17th to the 24th.
- H. Thibodeau said the bid opening for the culvert is on the 26th. P. Smith stated that they have a meeting next week at 8pm on the 11th for that. H. Thibodeau asked if the Selectman had to be there, P. Smith stated no they do not, they will need to be there for the opening of the bids on the 26th. They will have to set the public hearing after the bids are open when they know who the contractor is so they can inform the public with how that project is going to go and let them ask the questions that they may want to ask before they get started.

Selectmen Comments:

- R. Thibeault stated that this is about the Right to know requests that were turned in about the emails between two selectmen, the only reason he brings this up is because he wants the board to be transparent, honest and up front about the issue, he wants to put it behind them, it seems to keep coming up. There were several questions done with the audit on email and again the only reason he brings this up is because he thinks the public needs to have faith that a professional and non-bias job was done on the audit. He would like to see the board authorize the Town Administrator to select someone, a third party to re-perform the audit working with the town attorney so that it is fair, professional, and non-bias. A. Rawson asked who was going to pay for it. R. Thibeault asked who paid for the last one. A. Rawson stated they have not determined that yet. R. Thibeault stated that the last audit was not done what was asked of them so they should not be paying for it. A. Rawson stated that in his opinion he does not know if the IT guy was told exactly what to do, he was not there, but he does not think personally that they should be hiring a third party, for one he does not expect the taxpayers to pay for this or the last one he thinks that whoever asked for the 91A should be paying for it, so no he will not spend any more of the town's resources for this, this is his own personal opinion, if they want they can ask the IT guy who did the audit the first time to clarify with him that this is what they asked for and what they want, that's his opinion. M. Beaulieu stated well said to A. Rawson and said he feels the same.

D. Carpus stated that his understanding is that anyone requesting a 91A cannot be held responsible for paying for it, it is up to the Municipality to have systems in place to allow for a 91A request to occur whether or not it is within their existing budget or whether or not they need additional budget. R. Thibeault personally thinks that this issue should be handed over to the town Administrator and the Town Attorney to handle it and go forward as they feel fit to follow the Right to Know Law. R. Thibeault posed a motion to the board of selectmen, first of it is a conflict of interest, to turn the investigation over to H. Thibodeau and the Town Attorney.

Motion:

R. Thibeault motioned to turn this investigation over to H. Thibodeau and the Town Attorney and let them make the decision on what is fit to go forward and meet the 91A Right To Know Request Law.

M. Beaulieu stated isn't the Attorney doing that right now, it's in his hands so why is the motion needed. R. Thibeault said to M. Beaulieu you say the email. M. Beaulieu stated yes, R. Thibeault stated you should go back and read them again; he put the motion out there if he gets a second or not it's up to them not him. A. Rawson stated no he was not going to second it. R. Thibeault said that all he wants to do is respect 91A and the Right to Know Law that is all he is trying to do here he is not at all speculating the results or want to talk about anything like that he just wants to put this to bed so they can move forward, but it keeps coming up and it will continue to come up until they end it. A. Rawson said that they have \$800 spent on the IT guy who has done the preliminary search and has found nothing if R. Thibeault is not happy with his findings, A. Rawson is not going to personally sit there and allow them to spend any more of the town's resources, if he is not happy with his findings he is more than happy to have him redo it or whatever R. Thibeault needs but he is not going to make a second on that motion and he will not allow the town to spend more money on a third party IT guy to come in there, they have

better things to be doing moving this town forward that is why they sat there and it is actually quit frustrating and appalling, that is his opinion.

Motion on the floor does not have a second, motion fails.

L. Brown talked about 91 A4 he recommends that they read it in detail. R. Thibeault thanked L. Brown for clarifying it and stated it helped he cannot discuss what is in the emails but he suggest that they go back and review them. A. Rawson said that he has no problem and that he is not saying not to ask the IT guy that they hired to do the job, he has no problem with him being told exactly what needs to be done and him doing it, but he will not hire another IT guy to come in and spend the taxpayers money to come up with nothing, he will not allow that, have the IT guy they hired to it right.

D. Carpus stated that if he is interpreting what L. Brown just read right is what the 91A ruling says is the lawyer has the final authority, if the lawyer says get a third party in, it almost does not matter what the board says the lawyer makes the decision. R. Thibeault stated that was why his motion was to turn this over to the town administrator and the attorney. A. Rawson stated that it was already turned over to the attorney. R. Thibeault asked so you're saying it has been turned over to the attorney and he has the authority to do what he needs to do. A. Rawson stated that they had no say in the first one so he does not know why this is even being talked about if the attorney is not happy then he is going to do what he needs to do. He never even gave the permission to spend the \$800 in the first place, this was done by the attorney and the town administrator, it has already been turned over to them and he does not even know what he is talking about, it has already been turned over has it not. H. Thibodeau stated that when she receives a 91A she answers what she can then turns it over to the attorney if there are other questions from there it goes to the board she guesses. R. Thibeault stated that this is what he is going to do to move on from this, he is going to contact the town attorney about this issue and there will be more to come based on what he says, he is not going to speak out of hand and say something he is not supposed to say, he will talk to the attorney and see what the next step is.

- R. Thibeault stated that last meeting the Solar Garden ambassador thing came up and he heard from multiple people that it looked like we had made a decision before the meeting. M. Beaulieu stated no it was a play on words he had H. Thibodeau prepare a speech for him before he came in here and he thinks that is what R. Thibeault is referring to the speech he read there was no meeting before that there was no collaboration between any of them to appoint him, in fact didn't they make a motion after that, R. Thibeault made the motion to appoint T. Gray the Ambassador that is when the decision was made. R. Thibeault stated that is what he was trying to say so thank you for finishing his comment, he feels they are all to blame on that he is not blaming just one person they have to be more sensitive to that as he went back and watched the video and it did not look good he agrees, It wasn't the intention but it is all part of being transparent and honest and he just wanted to bring it up and get it off the table and get it over with. R. Thibeault stated that is another reason to make sure they are using the Selectman agenda request forms so they know who put that in there because without that it kind of sets them all up for failure and they don't want that they are a group and work as a team and go in a positive direction. M. Beaulieu stated asked H. Thibodeau if the Selectman Agenda request forms go to her, she said yes. M. Beaulieu said that she should review them to prepare them for the meeting.

- A. Rawson stated that the roadside cleanup is on April 22nd from 9-12 down at the highway department, after clean up there will be some food.
- A. Rawson stated that this Saturday they are doing an Easter Egg hunt at the Nute High school cafeteria Pre-K and First Grade is from 9-9:30, 2nd and 3rd grade is from 9:30-10, 4th and 5th grade is from 10:00-10:30.
- A. Rawson stated that the Household hazardous waste Collection is May 6th from 8:30 to 12:30 at Turnkey Landfill 90 Rochester neck road in Rochester NH, if you want to know what you can and cannot bring he will leave a flyer posted at the town hall, P. Smith stated that they are handing out flyers and it is posted at the transfer station.
- M. Beaulieu stated that he would like everyone to recognize P. Hurd she is now the School Rep for the board she is also the vice chair to the school board he would like to welcome her to the meeting. M. Beaulieu asked if it is alright with the board he would like to be the rep for the school board in return. P. Hurd stated that maybe they would like to rotate, she said that the school board may be rotating she is here in April but may not in May. M. Beaulieu stated that they can rotate it, and they can rotate the Coffee Meet as well. P. Hurd asked if she could get the agenda and some back up. H. Thibodeau stated she can get that for her.
- M. Beaulieu stated that the next budget committee meeting will be on April 18th; L. Brown stated it will be a reorganization meeting; they will just do a pro-forma adoption of the Rules and procedures.
- M. Beaulieu talked about the installation of the carpets. He also is looking for people to help with moving of the furniture to get the floors ready to install the VCT. It was decided that H. Thibodeau will contact the installers to see if they can install the VCT the weekend of the 4th of July and close the office on the 3rd to give them 4 days if they are willing to install it that weekend.

Public Comments:

- B. Baker wanted to thank Bill Widen and Dustin Nailer as they have been coming into the library in between snow storms and they did the hallway on the second story of the library and they did a beautiful job.
- L. Brown stated that on the non-public minutes rather than saying example 91ac they should put a topical summary, example non-public session topic was tax relief no decisions were made three decisions were made, confidentiality requested, so that people have a sense without giving anything away or what was done that is also a better key to remember when you review the minutes.
- L. Brown stated that the school board rep is something that actually came in part from M. Beaulieu when Earl Sussman came on board and the CIP started, Wakefield was going to be out of the picture effective July 1st and this was part of a corporative relationship to get more corporation between the town and school for better financial planning and to know more about the budget issues and personnel issues that the town and school face.

Other Business that may come before the Board:

None

Next meeting will be April 17th @6pm

Adjournment

Motion to adjourn at 8:15pm was made by A. Rawson, Seconded by R. Thibeault, All in Favor, Motion carried. 3-0

Respectfully submitted,
Brenda Pabon, Recording Clerk

Chairman J. Michael Beaulieu

Andrew O. Rawson

Ryan Thibeault