

**Town of Milton
BOARD OF SELECTMEN MEETING
December 4, 2023**

ATTENDANCE:

Members: Claudine Burnham (Vice Chair), Andy Rawson

Absent: Humphrey Williams.

Staff: Chris Jacobs- Town Administrator, Pat Smith- Public Works, Chief Richard Krauss- MPD, Chief Nick Marique, Tyler Taatjes- Fire Fighter, Jason Behrens- Fire Fighter, Jason Forbes-Wastewater Treatment Plant.

Public: Glenn Bailey – State Representative, Virginia Long-Conservation Commission

Claudine Burnham, Vice Chair, opened the public session at 6:00PM.

1.) **Pledge of Allegiance:** Claudine Burnham led the meeting in the Pledge of Allegiance.

2.) **Public Comment:**

There were no public comments.

3.) **Announcements and Community Calendar:**

1. Winter parking ban went into effect on December 1. This bans overnight parking from 10:30PM to 7:00AM in public ways and public parking lots. Its important residents adhere to this to allow for snow removal and road treatment.
2. The next meeting of the Planning Board is December 5th.
3. The next meeting of the Conservation commission is December 6th.
4. Townhouse Road Bridge Replacement public hearing December 9th from 11-1:00PM.

4.) NEW Business – Discussion and Possible Actions:

- a.) **Jason Forbes – WWTP Operator – contracts and budgets:** Chief Krauss and Jason Forbes met to review the WWTP budget. Chief Krauss said Mr. Forbes contract is in the contract line. Contract Services line includes Wright Pierce for permits and assistance, groundwater assistance and annual NH Dam Fee. There are no changes to the operator contract. The testing line did increase due to increased fees. They anticipate going over 2023 budget for the testing line. They also anticipate staying under budget for 2024. Mr. Rawson noted the Wastewater Treatment Plant budget is paid by residents who utilize those services. Mr. Forbes said they started implementing PFAS testing and C-MON to help plan for any possible emergency must be submitted to the state. They have asked Wright Pierce to provide this in stages over the next five years (\$20,000 anticipated cost). Mr. Jacobs said since they have contracted with Wright Pierce to do a rate study, could this also be included? Mr. Forbes thanked Chief Krauss for his help with the budget.

Mr. Jacobs said this should be part of the BOS overall budget review and since would be part of the Town's default budget, this would require BOS approval. Mr. Williams, BOS Chair, has not yet had time to review this information. Mr. Rawson recommended waiting until the next BOS meeting for further discussion and vote. Chief Krauss asked for a vote since this will need to go to the Budget Committee; their next meeting is scheduled to occur before the next BOS meeting. The BOS vote was moved to Item B below.

b.) **Contract with Wright Pierce for professional services at the WWTP:**

Mr. Jacobs said the scope of work includes intermunicipal agreement assistance and ARPA funding assistance. The C-MON (referenced by Mr. Forbes above) is not included in this specific agreement. The additional work would increase the cost to \$26,500. This increase would be offset by the revenue as a pass through to sewer users. Mr. Rawson asked about C-MON and where this fits into the contract? Mr. Jacobs will add this specific item to the next BOS meeting agenda.

Mr. Rawson motioned to approve the \$26,500 for the Wastewater Treatment Facility study provided by Wright Pierce. Seconded by Ms. Burnham. All were in favor; the motion as approved.

Mr. Jacobs said this study is for ARPA applications and to start negotiations/discussions with the City of Rochester on the intermunicipal agreement. He anticipated the cost of \$26,500 would be spread out to 2025. There will be legal review by the town council.

Mr. Rawson motioned to approve the Contracted Services line for Sewer in the amount of \$74,181. Seconded by Ms. Burnham. All were in favor; the contract was approved.

Mr. Rawson motioned to increasing the BOS proposed Permits & Testing line-item from \$12,900 to \$14,900. Seconded by Ms. Burnham. All were in favor; the motion was approved.

c.) NH Farm Museum – discussion regarding moving Plummers Ridge School House:

Jon Hotchkiss (Executive Director) and Janet Hotchkiss (Program Director) were in attendance to discuss moving Plummers Ridge School House to the NH Farm Museum. Mr. Rawson said he had previously talked to the BOS about this possibility. Ms. Hotchkiss said it's important for everyone to know the Farm Museum is alive and doing well. This year alone they hosted 50 school groups (15 in November). Schools are from all over the state. They are also now part of the ice cream trail. They also have additional plans to take programs to local nursing homes.

Ms. Hotchkiss said she has already started preliminary programs for the schoolhouse. They are looking for specifics on what would be required to move – would this include a Warrant or a Petition Article, etc.? The Farm Museum is not interested in purchasing the land as where the schoolhouse is currently located is not conducive to their needs.

Mr. Rawson said he believes this would need a Warrant Article. He supports the project overall and said this will require additional discussions going forward. Mr. Jacobs said, according to RSA 41 – the BOS has the right to buy or sell land for overall town improvements. The funding aspect would possibly be needed for the Warrant Article; how will money for this project be raised. They could ask the towns' residents if they are OK with moving the schoolhouse. He noted the property is currently carried in town insurance. Specifics on the actual building move will need further discussion.

Ms. Hotchkiss said there are only three one-room schoolhouses left in Milton. The building has been around for a long time and would fit in well with all the other structures at the Farm Museum. Once the schoolhouse is on the Farm Museum property, they would require no further maintenance assistance from the town. She also understands there are limited funds in Milton.

Mr. Jacobs suggested having the legal counsel draft an agreement to help get this project started and could possibly take about a year for the project; more than likely NHDOT will also be involved with actual building move. Ms. Burnham agreed to contact the attorney about ownership transfers, etc. Ms. Hotchkiss said they have already done a lot of the leg work to help with preparations. She asked if the town would consider waiving any of the local fees. Mr. Hotchkiss said this building really is worth saving.

Chief Krauss said if the town were considering donating the building would require permission from the AG's office and a Warrant Article for the town.

d.) Officer promotional ceremony:

Officer William Bachert was administered the oath of office by Ms. Burnham; Chief Krauss

congratulated his promotion to Corporal. Corporal Bachert has been with Milton Police Department for about 2.5 years. At that time, there were six officers. He went through the Police Academy when COVID happened. Right after finishing the academy, the Milton PD went from a force of 7 to just 2 officers; he did all solo day shift for one year until additional staff were hired. Chief Krauss said he has shown great skill and leadership and has never received any complaints. Chief Krauss and BOS offered their congratulations to Corporal Bachert.

e.) Approval of Stop Sign warrant on Winding Road:

Chief Krauss said the warrant is required because of putting in a temporary stop sign and a yield sign on the other side of the temporary Winding Road bridge. The BOS is required to read and sign the warrant during a public meeting, and it will become a legally enforceable stop sign.

Mr. Rawson motioned to accept and sign the Stop Sign Warrant and put a stop sign at the Winding Road bridge. Ms. Burnham seconded the motion. All were in favor; the motion was approved.

f.) Mike Bean, Milton Mills – drainage onto roadway:

Mr. Mike Bean of 60 Church Street, Milton Mills, said because of continued rainwater runoff, this has caused significant erosion to his property. This water has been going directly into his well. He spoke with Pat Smith and thanked him. Mr. Smith said he did look at the property and surrounds; he could open the passageway, cleaning the swale, which would help divert the water back to where it should be directed. Mr. Smith had asked Mr. Bean if he would approve a temporary drainage easement on his property and allow the town to maintain this area. Ultimately this will require work on Highland Avenue and Church Street to the catch basin systems located there. If Mr. and Mrs. Bean are willing to allow this drainage easement, he said he and his department will provide needed maintenance. Mr. Bean said he is OK with this temporary solution and would approve an easement; however, he stressed there has to be a permanent solution. Mr. Smith said the catch basins are over 25 years old; over the years water runoff has caused sand and sediments to continue to pile up and block the culvert. Authority has to be given by the property owner for an easement. He stressed this is in good faith as to completely fix the situation will be very expensive to do. Mr. Bean said during this past season they have seen torrents of water streaming through their property. He is OK with a temporary easement. Mr. Smith said everyone needs to understand the easement will remain in place until the town can take care of the problem.

g.) FY2024 Budget Review:

This discussion was tabled due to Mr. Williams not being able to attend the meeting.

Chief Krauss said a couple of items to bring to the board's attention:

They are expecting to receive two large bills: the County Tax Bill (due next week) and the school bill. Revenues received during the last week amounted to ~\$121,000; revenues received today was ~\$190,000. These are payments to the recent tax bills. Chief Krauss said these recent

revenues should allow them to pay the County Tax bill before the deadline. He continues to watch the expenditures in light of the contract for the town-wide assessment. This should be discussed at the next BOS meeting to determine how best to pay for this.

Mr. Rawson said there are a few things that bother him with the current budget proposal and would like to discuss further. Chief Krauss said the Budget Committee is going to vote on the budget at their next meeting on December 12th. He asked Mr. Rawson to send his questions and concerns to him and if needed they could hold a special meeting to discuss.

h.) FY2024 Warrant Articles – 1st reading:

Mr. Jacobs said the articles will still need many edits before approving. He said the big change from this year's Warrant Articles from previous year is no article will include using the unassigned tax balance; rather they will include raise and appropriate. Chief Marique said it would be good to include CR funding based on recommendations from the CIP.

Mr. Rawson said they need time to review the information and should discuss when the full board is back together.

i.) Encumbrances being considered:

1.) Ambulance Replacement \$45,000 to Ambulance CRF:

Chief Krauss said according to Stonehill, the town cannot move these monies from the general fund over to the CRF. He suggested as there are already contracts for both (ambulance and reevaluation), the town should just cut the check. There is no reason to carry the monies over. The \$45,000 for the ambulance has already been raised and appropriated by the town residents. By cutting the \$45,000 check this is the down payment to the vendor.

Chief Krauss also said the reevaluation contract has been in place since 2022. He recommended the BOS figure out how much they want to pay towards that to begin paying it down. Neither one needs encumbered as this is just payment to the already existing contract. Mr. Rawson said he agreed with Chief Krauss. The voters have already approved, and they already have a contract. If the money is available, just pay for it.

2.) Town Wide Property Revaluation to Revaluation CRF: Mr. Jacobs said the total cost is \$105,000; his recommendation had been to split the payments over 3 years (\$33,000/yr.). Chief Krauss said he hopes to have enough money left in this year's budget so the entire contract can just be paid off at the end of this year. The town would still need to play for the next town-wide reevaluation in 3-5 years.

Mr. Rawson said it sounds like Chief Krauss is asking for good planning. He agreed with this. Chief Krauss said if the money has already been raised and appropriated and the town has the money, why ask to raise monies next year, if it can be paid off this year. Mr. Rawson said he is OK with this. Chief Krauss said he will bring these requests to the next meeting (or if needed a

meeting between the holidays).

j.) Police Department Taser quote review and possible actions:

Chief Krauss said the X2 is no longer being made; they will continue to service whatever they sell. The body cameras and contract are set to expire next year. They will continue to see issues; currently they are having issues with the backup for the body cameras. He got a demo of new ones which include a backup system for the camera. There are additional extras with the new body cameras.

He said replacement costs are not insignificant. To replace just the camera would cost \$14,617 (this is required equipment. This quote does not include data. He would need 8 cameras, which is enough for each FT officer. This includes a three-year warranty.

Another quote includes the TAP contract - \$42,190. This is a 60-month contract with data, and includes a replacement camera at 3 years, and at contract end (60 months). Current software rate is \$2,900/year and he expects that to increase.

Cost of Taser 10's: Purchase and replace – 5-year contract ~\$38,000 and includes TAP.

Chief Krauss said he has used AXON since 2012; this is the first company to come out with body cameras which are very user friendly. They have never had any issue and that is why he always goes with Axon. He recommended Warrant Articles for both purchases if the BOS would enter into two contracts for the five years. If the decision is to just buy the devices, the data contract would still need to be renegotiated for next year. Both Ms. Burnham and Mr. Rawson indicated they were good at doing this through a Warrant Article. Chief Krauss said the one-time Warrant Article and go into Default. Mr. Rawson asked what if the Warrant Article failed? Chief Krauss said they would just stay with Taser until they run out and just renegotiate the contract. All videos are managed at Taser which means they don't need a server managed at the station.

k.) Police Department progress and next steps for 55 Industrial Way:

Chief Krauss provided an update on the new Town Hall. Consolidated has completed the wiring in the ceiling. Back Bay still needs to do internet testing and finish any remaining projects. The next step is to determine the move date. Ms. Burnham said due to delays, available move dates are dwindling. Chief Krauss said it may be best to move on December 27 and be closed to December 29. During that time offices would be closed to allow for the move and to work out any issues. The Town Hall will reopen on January 2nd. He acknowledged some residents may wait until the end of the month to submit a payment or registrations. Ms. Burnham said communication would be key to let residents know far enough ahead of time of when the offices are closed and that the last open day is December 26th.

After a discussion about desks, Ms. Burnham said she was comfortable with the pricing and how well they would fit into offices with durability and overall function. The cost includes

installation.

Mr. Rawson motioned to authorize Ms. Burnham to sign the proposed quote from Exteriors and move forward with the desk purchase at a cost of \$5,607.83. Seconded by Ms. Burnham. All were in favor; the motion was approved.

Chief Krauss said he would like to replace the desk in PD administrative office and replace all items, including cabinets underneath the desk, at a cost of \$3,365.17. This would come out of his budget.

Mr. Rawson motioned to allow Chief Krauss to move forward with the purchase of a desk for the PD administrative office and other items at a cost of \$3,365.17 to come out of his budget. Seconded by Ms. Burnham. All were in favor; the motion was approved.

Chief Krauss will contact Back Bay and Consolidated. Additional furniture and replacement item purchases will happen after the move.

I.) Public Works Department – cost of emergency repairs for dump trucks:

Chief Krauss reported that two of the dump trucks are down. The first truck's repairs will cost \$4,500 and the second truck will cost \$16,495. As this is above the BOS purchase policy, they are asking for permission to fix the two trucks. The department cannot be down two trucks; both trucks were towed during the last storm.

Mr. Rawson motioned for Public Works Director to find money in his budget to fix both trucks. Seconded by Ms. Burnham. All were in favor; the motion was approved.

Mr. Rawson said this shows the trucks from the very beginning were junk. The town has been putting a lot of money into junk trucks. Mr. Jacobs said the BOS had a previous discussion about purchasing four trucks from the same vendor. He is concerned unless there were major improvements to their systems, the town should not purchase from the same place. Mr. Rawson suggested looking to purchase at least one truck. Mr. Jacobs said with \$105,000 in the account, have a Warrant Article which would approve using the \$105,000 to purchase two trucks. The \$105,000 could be used for the first two years of payment. He said the town cannot wait until all four trucks are towed away. Mr. Rawson said even if you order a truck, it would be at least two years for truck delivery. Another option is to buy from the state which would be huge savings; we have to do something.

Chief Krauss asked if there was any consideration to a class action lawsuit against International? Have any communities thought about pursuing this together? Was it a bad design and there is a fix to the design? Mr. Jacobs said there had been an engine replacement grant program. He thought Mr. Smith said the overall condition of the truck warranted more than just putting in

an engine. Ms. Burnham agreed with working on a Warrant Article for two trucks.

5.) EVENT PERMITS

- a.) There were none.

6.) OLD BUSINESS

- a.) 2023.05.01.02 – **Gustitus – encroachment on townland** (requested by Virginia Long, Chair Conservation Commission): Mr. Jacobs had alerted Mr. Gustitus this was a topic on tonight's meeting agenda so he is aware of the situation. According to Mr. Jacobs, Mr. Gustitus currently has a shed on conservation land, along with an RV and another structure. Ms. Long said the dock from the water is also stored on the land. The MCC did walk the property back in June and talked to the landowner. At the time, it appeared the stake marking the property had been pulled out. Ms. Long asked if the BOS wanted to pursue this with Mr. Gustitus or will MCC? Mr. Rawson said in the past it usually has been part of MCC responsibility. Ms. Long said on this particular property, the donation deed does indicate MCC is designated and can manage the land. She does believe that the owner eventually does want to cooperate. Mr. Rawson said the property owner just needs to do his due diligence. His email said he has started to make room on his property to move the items from the conservation land to his own property. Mr. Jacobs said in the long-term they probably should think about erecting a fence; the use is so intense and so close to the property line. Ms. Burnham asked if he has room on his property to move all this stuff? Ms. Long said to the back of his property there is space. Mr. Rawson recommended asking him to move his stuff. Chief Krauss said to write the landowner a letter giving him a deadline. If the terms are not met by the deadline, start legal action. He has already been given plenty of opportunity. Mr. Jacobs said it's been about 14 months ago when he was first contacted. Mr. Rawson agreed with Chief Krauss' recommendation. Ms. Long said he will follow the recommendation.
- b.) 2022.02.04.00- 549 White Mountain Highway – status of building: Mr. Jacobs said the demolition contractor wanted to block the entire road when demolishing the property, which is not an option. Chief Krauss and Marique have met; they will begin the process to move forward and force the owner's hand in this situation. They have gone past the deadline and have not done what they agreed to do. They will move forward with the cease and desist. If nothing happens, the next step would be taking them to court and fining them. The owners have not communicated with the town since the original meeting. The building will be posted with daily fines up to \$275/day. Mr. Rawson said we have been way too patient with them.
- c.) 2023.05.22 Townhouse Road Bridge Update: **A public hearing to present the plans for the Townhouse Road Bridge replacement will be held on December 9 at the Nute High School Cafeteria from 11-1:00PM.**
- d.) Long-Term Goal – website functionality improvements: website functionality improvements: vendor solicitation Revise. Select date for workshop.

- e.) **New Town Hall, 55 Industrial Way- status update:** The new fridge has been delivered to the new Town Hall. Blinds will be delivered and installed. Regarding the current fridge, it is 21 years old. Mr. Rawson said the We Care Pantry could really use the refrigerator and suggested donating the refrigerator to them; they have a truck and would take care of moving it out. Ms. Burnham said that was a great idea.

Mr. Rawson motioned to donate the current refrigerator to the We Care Food Pantry. Seconded by Ms. Burnham. All were in favor; the motion was approved.

- f.) 2023.11.06.01 Winding Road Bridge – status update:
g.) **2023.09.25 Town Beach Boat Ramp – follow-up:** Mr. Rawson asked if anything has happened with the boat ramp? According to Chief Krauss, he has had no opportunity to talk with Mr. Smith.

7.) Communications Received:

- a.) None.

8.) Other Business That May Come Before the Board:

- a) Chief Krauss said the PD computer/radio CRF is in fact a duplicate of the town's technology line. He is trying to purchase that down to close it out with a Warrant Article. Earlier in the year he purchased monitors and now need the Trustees of the Trust Fund to release those monies from the CRF back into the general fund.

Mr. Rawson motioned to have the Trustees of the Trust Fund release \$439.69 from the PD Computer & Radio CRF back to the general fund to pay for them. Seconded by Ms. Burnham. All were in favor; the motion was approved.

Contract for Stonehill Municipal Solutions needs to be signed by the BOS. It does not appear anything has changed within the contract.

Mr. Rawson motioned for the BOS to accept the contract at \$85/hour for services provided to the town and approve the Town Administrator to sign. Seconded by Ms. Burnham. All were in favor; the motion was approved.

Mr. Jacobs said there is still ~\$700 in the CRF and asked if the Chief wanted this as a Warrant Article to close the account. Chief Krauss is concerned with the number of Warrant Articles; there will already be ~25 Warrant Articles. Based on history anything over 20 everything will be voted down by the residents. Mr. Rawson said discussions about Warrant Articles definitely needs to happen. Chief Krauss said this year they are really trying to focus only on items each department legitimately needs and planning for the future. He also asked each BOS member to look at the CIP list and see which items need to be pushed forward for this year. This will help with discussions.

- b) Ms. Burnham recently met with the field and administrative cemetery sextons. They have been focusing on the structure and flow of work. She thanked Nicole and Steve for their time spent. Additional structure will be added as they move forward. Ms. Burnham also asked about moving forward with Burkes for the tree removal. She still hasn't seen the final cost yet. Mr. Jacobs said they will move forward with this.

9.) Approval of Minutes:

Non-Public Minutes:

November 20, 2023 - Mr. Rawson motioned to accept **11/20/2023 non-public minutes**. Ms. Burnham seconded the motion. All were in favor; the motion was accepted

Public Minutes:

November 20, 2023 – Mr. Rawson motioned to accept **11/20/2023 public minutes**. Ms. Burnham seconded the motion. All were in favor; the motion was accepted.

10.) Public Comments Relative to Topics Previously Discussed:

There were no public comments.

12.) Town Administrator:

1. The next public meeting of the Board will be December 18, 2023.
2. The school has agreed to hold the Deliberative Session on February 3, 2024. The school session will be held at the Nute Middle/High School Cafeteria commencing at 9:00AM. The Town session will commence at 1:00PM.
3. The Federal Primary Election has been set for January 23, 2024, and will be held at the Nute Middle/High School Gymnasium.
4. Mr. Jacobs said the BOS has sealed a lot of meeting minutes this past year with a timeline of the last meeting of the year for review. This would be at the December 18th meeting. Ms. Burnham said she wants to review the minutes before then.

13.) Selectmen Comments:

1. Mr. Rawson asked if the letter was sent regarding 24 Silver Street. Mr. Jacobs said not yet and will add this to Old Business.
2. Mr. Rawson said Recreation continues to collect toys and anyone needing assistance should contact them. Deadline for request is December 8th.


14.) Adjournment:

Mr. Rawson motioned to adjourn the public meeting. Ms. Burnham seconded the motion. All were in favor; the motion passed. The public meeting adjourned at 9:25PM.

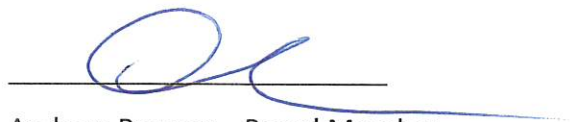
Given under our hands this 21st day of December 2023.

_____absent at meeting of Dec 4th_____

Humphrey Williams – Chairman BOS



Claudine Burnham - Board Member



Andrew Rawson - Board Member

END OF MINUTES – December 4, 2023