

Town of Milton
Board of Selectmen Meeting
January 23rd, 2020
Milton Town Hall

Board of Selectmen Attendance: Chairman Ryan Thibeault, Vice Chair Erin Hutchings, Andy Rawson (phoned in), Town Administrator Ernie Creveling, Recording Clerk; Danielle Marique

Public Attendance: Nick Marique.

Meeting call to order

R Thibeault welcomed all in attendance reciting the pledge followed by stating that Selectmen Rawson would be participating via speakerphone as his physical attendance is excused.

Public Comment:

None

New Business:

1. Town Beach Gate Access

R. Thibeault stated this was something that was previously voted on but out of formality and housekeeping this was brought back for discussion. E. Creveling stated that signage regarding liability would need to be posted.

***Motion:** R. Thibeault moved to have the Town Beach Gate opened from December 15th, through March 31st each year and for signage to be posted. E. Hutchings seconded. 3-0*

2. Town Election Process Dates

R. Thibeault stated Town election will be March 11th, 2020 and the period to sign up for elected official is Wednesday January 22nd and ends Friday January 31st, 2020.

The following is the open positions and the term lengths; Board of Selectmen 1 for 3 years, Budget Committee 1 for 1 year and 2 for 3 years, Cemetery Trustees 1 for 3 years, Library Trustees 1 for 3 years, Moderator 1 for 2 years, Planning Board 1 for 2 years and 2 for 3 years, Supervisors of the Checklist 1 for 6 years, Treasurer 1 for 1 year, Trustees of the Trust Funds 1 for 3 years, and Zoning Board of Adjustment 1 for 3 years.

Old Business:

3. Town Warrant Review

R. Thibeault stated the budget committee has provided their recommendations for the warrant articles and any adjustments to the articles would require the budget committee to revote on their recommendations. The following are the Select Boards recommendations per warrant article;

Article 2: Operating Budget

To see if the Town will vote to raise and appropriate as an operating budget, Four Million Five Hundred Sixty-two Thousand Forty-seven Dollars (\$4,562,047), not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein. Should this article be defeated, the default budget shall be Four Million Five Hundred Twenty-seven Thousand Three Hundred Sixty-eight Dollars (\$4,527,368) which is the

same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. (Majority Vote Required). Estimated Tax Impact Town Proposed Operating Budget: \$7.68 (Seven Dollars and Sixty-eight Cents) Estimated Tax Impact Town Proposed Default Budget: \$7.61 (Seven Dollars and Sixty-one Cents)

Recommended by the BOS (In Favor 3, Against 0, Abstained 0)

Recommended by the Budget Committee (In Favor 7, Against 0, Abstained 0).

Motion: R. Thibeault moved to place the article on the first session ballot as written. E. Hutchings seconded. 3-0

Article 3: School Officer

To see if the Town will vote to raise and appropriate the sum of Eighty-nine Thousand Seven Hundred Sixty Dollars (\$89,760) to be added to the Milton Police Department General Operating Budget to Fund a School Resource Officer. This sum will be for half a year for 2020 and will then become a full year position in 2021 and will become a new line in the Police Department General Operating Budget. This sum will be for Salary, FICA, Retirement, Medicare, Workers Comp, and Insurance cost. (Majority Vote Required).

Estimated tax impact is \$0.18 (Eighteen Cents)

Recommended by the BOS (In Favor 3, Against 0, Abstained 0)

Recommended by the Budget Committee (In Favor 6, Against 1, Abstained 0).

Motion: R. Thibeault moved to place the article on the first session ballot as written. E. Hutchings seconded. 3-0

Article 4: Contingency Fund

To see if the Town will vote to establish a contingency fund for the current year for unanticipated expenses that may arise and further to raise and appropriate Forty-one Thousand One Hundred Sixty-six Dollars (\$41,166) to go into the fund, in accordance with RSA 31:98-a, which reads: *“Every town annually by an article separate from the budget and all other articles in the warrant may establish a contingency fund to meet the cost of unanticipated expenses that may arise during the year. Such fund shall not exceed on per cent of the amount appropriated by the town for town purposes during the preceding year excluding capital expenditures and the amortization of debt.”* A detailed report of all expenditures from the contingency fund shall be made annually by the Board of Selectmen and published with their report. Any appropriation left in the fund at the end of the year will lapse to the general fund. This appropriation will be funded by transfer from the unassigned fund balance and no additional amount will be raised by taxation. (Majority Vote Required). Estimated tax impact is \$0.00

Recommended by the BOS (In Favor 3, Against 0, Abstained 0)

Recommended the Budget Committee (In Favor 7, Against 0, Abstained 0).

A. Rawson questioned if any of the funding was removed from the Town Administrators budget. E. Creveling stated that there is no monies within the Town Administrators budget line for this the unanticipated line of the debt services ledger would be effected. R. Thibeault stated that preference of funding other warrant articles from the fund balance opposed to article 8 as it is currently written.

Motion: R. Thibeault moved to place the article on the first session ballot as written. E. Hutchings seconded. 3-0

Article 5: Optional Tax Credit for Service-Connected Disability

Shall the Town vote to adopt RSA 72:35, I-a for an optional tax credit of Two Thousand Five Hundred Dollars (\$2,500) on residential property for a service-connected total (100%) disability on residential property occupied as the principal place of abode by the disabled person or the surviving spouse? The optional tax credit for service-connected total disability shall replace the standard tax credit in its entirety and shall not be in addition thereto. (Majority Vote Required). Estimated tax impact is \$0.10 (Ten Cents)

Recommended by the BOS (In Favor 3, Against 0, Abstained 0)

Recommended by the Budget Committee (In Favor 7, Against 0, Abstained 0).

Motion: E. Hutchings moved to place the article on the first session ballot as written. R. Thibeault seconded. 3-0

Article 6: Strafford Regional Planning Commission Membership Dues

To see if the Town will vote to raise and appropriate the sum of Five Thousand Seven Hundred Sixty-four Dollars (\$5,764) and to authorize the Town of Milton Selectmen/Administrator/Planner to pay said sum to the Strafford Regional Planning Commission as dues for its fiscal year July 1, 2020 through June 30, 2021 and thereafter to place the annual dues, as may be adjusted from time to time into to Town operating budget. (Majority Vote Required). Estimated tax impact is \$0.01 (One Cent)

Recommended by the BOS (In Favor 3, Against 0, Abstained 0)

Recommended by the Budget Committee (In Favor 6, Against 1, Abstained 0).

Motion: E. Hutchings moved to place the article on the first session ballot as written. R. Thibeault seconded. 3-0

Article 7: Highway and Road Reconstruction Fund

To see if the Town will vote to raise and appropriate the sum of Three Hundred Fifty Thousand Dollars (\$350,000) for the purpose of Highway and Road Reconstruction, maintenance, repairs, repaving, and reconstruction of class IV and V highways. Said amount will be partially offset by revenues from the N.H. Highway Block Grant estimated to be One Hundred Thirty-four Thousand Dollars (\$134,000). This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the road work is completed for the 2020/2021 period as determined by Public Works Director or his/her designee, or by December 31, 2021 whichever occurs first. (Majority Vote Required). Estimated tax impact is \$0.71 (Seventy-one Cents)

Recommended by the BOS (In Favor 3, Against 0, Abstained 0)

Recommended by the Budget Committee (In Favor 7, Against 0, Abstained 0).

R. Thibeault stated that if the article was to fail at vote the monies would still be awarded by the Highway Block Grant.

Motion: R. Thibeault moved to place the article on the first session ballot as written. E. Hutchings seconded. 3-0

Article 8: Fire Department Equipment and Apparatus Capital Reserve Fund

To see if the Town will vote to raise and appropriate the sum of Forty Thousand Dollars

(\$40,000) to be added to the Milton Fire Department Equipment and Apparatus Capital Reserve Fund previously established for the purpose of funding future capital expenditures as described in the recommended 2020-2025 Capital Improvements Program, with adjustments made for capital items alternatively funded. (Majority Vote Required). Estimated tax impact is \$0.08 (Eight Cents)

Recommended by the BOS (In Favor 3, Against 0, Abstained 0

Recommended by the Budget Committee (In Favor 3, Against 1, Abstained 3.

A. Rawson stated the budget committee believes this article is to come from the fund balance and not from taxation as currently proposed. E. Creveling stated the article is being supported either way it is the funding of the article that is requesting to be adjusted and can be changed by motion at the deliberative session where new recommendations would be made at that time.

Motion: R. Thibeault moved to place the article on the first session ballot as written. E.

Hutchings seconded. 3-0

Article 9: Highway Department Special Equipment Capital Reserve Fund

To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Five Hundred Dollars (\$20,500) to be added to the Highway Department Special Equipment Capital Reserve Fund previously established for the purpose of funding future capital expenditures as described in the recommended 2020-2025 Capital Improvements Program, with adjustments made as a result of capital items funded by other means. This appropriation will be funded by transfer from the unassigned fund balance and no additional amount will be raised by taxation. (Majority Vote Required). Estimated tax impact is \$0.00

Recommended by the BOS (In Favor 3, Against 0, Abstained 0

Recommended by the Budget Committee (In Favor 7, Against 0, Abstained 0.

Motion: E. Hutchings moved to place the article on the first session ballot as written. R.

Thibeault seconded. 3-0

Article 10: Highway Department Capital Reserve Vehicle Fund

To see if the Town will vote to raise and appropriate the sum of Twenty-three Thousand Dollars (\$23,000) to be added to the Highway Department Capital Reserve? Vehicle Fund previously established for the purpose of funding future capital expenditures as described in the recommended 2020-2025 Capital Improvements Program. This appropriation will be funded by transfer from the unassigned fund balance and no additional amount will be raised by taxation. (Majority Vote Required). Estimated tax impact is \$0.00

Recommended by the BOS (In Favor 3, Against 0, Abstained 0

Recommended by the Budget Committee (In Favor 7, Against 0, Abstained 0.

Motion: R. Thibeault moved to place the article on the first session ballot as written. E.

Hutchings seconded. 3-0

Article 11: Municipal Buildings Capital Reserve Fund

To see if the Town will vote to raise and appropriate the sum of Forty Thousand Dollars (\$40,000) to be added to the Municipal Buildings Capital Reserve? Fund previously established for the purpose of funding future capital expenditures as described in the recommended 2020-2025 Capital Improvements Program, with adjustments made as a result of capital items funded by other means. This appropriation will be funded by transfer from the unassigned fund balance and no additional amount will be raised by taxation. (Majority Vote Required). Estimated tax

impact is \$0.00

Recommended by the BOS (In Favor 3, Against 0, Abstained 0

Recommended by the Budget Committee (In Favor 7, Against 0, Abstained 0.

***Motion:** R. Thibeault moved to place the article on the first session ballot as written. E. Hutchings seconded. 3-0*

Article 12: Milton Free Public Library Capital Reserve Fund To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars (\$20,000) to be placed in the Milton Free Public Library Capital Reserve Fund, previously established for the purpose of funding future capital expenditures as described in the recommended 2020-2025 Capital Improvements Program. This appropriation will be funded by transfer from the unassigned fund balance and no additional amount will be raised by taxation. (Majority Vote Required). Estimated tax impact is \$0.00

Recommended by the BOS (In Favor 3, Against 0, Abstained 0

Recommended by the Budget Committee (In Favor 7, Against 0, Abstained 0.

***Motion:** E. Hutchings moved to place the article on the first session ballot as written. R. Thibeault seconded. 3-0*

Article 13: Technology Upgrade Capital Reserve Fund

To see if the Town will vote to raise and appropriate the sum of Two Thousand Five Hundred Dollars (\$2,500) to be placed in the Town of Milton Technology Upgrade Capital Reserve Fund, previously established for the purpose of funding future capital expenditures as described in the recommended 2020-2025 Capital Improvements Program. (Majority Vote Required).

Estimated tax impact is \$0.005 (One Half Cent)

Recommended by the BOS (In Favor 3, Against 0, Abstained 0

Recommended by the Budget Committee (In Favor 4, Against 3, Abstained 0.

***Motion:** R. Thibeault moved to place the article on the first session ballot as written. E. Hutchings seconded. 3-0*

Article 14: Geographic Information System

To see if the Town will vote to raise and appropriate the sum of Two Thousand Five Hundred Dollars (\$2,500) for the purpose of continued upgrades of the public web-based Geographic Information System (GIS) for the Town as described in the recommended 2020-2025 Capital Improvements Program. (Majority Vote Required). Estimated tax impact is \$0.005 (One Half Cent)

Recommended by the BOS (In Favor 3, Against 0, Abstained 0

Recommended by the Budget Committee (In Favor 6, Against 1, Abstained 0.

***Motion:** E. Hutchings moved to place the article on the first session ballot as written. R. Thibeault seconded. 3-0*

Article 15: Bridges Capital Reserve Fund

To see if the Town will vote to raise and appropriate the sum of Twenty-five Thousand Dollars (\$25,000) to be placed in the Bridge Capital Reserve Fund, previously established for the purpose of funding future capital expenditures as described in the recommended 2020-2025 Capital Improvements Program, with adjustment made by the Board of Selectmen. This

appropriation will be funded by transfer from the unassigned fund balance and no additional amount will be raised by taxation. (Majority Vote Required). Estimated tax impact is \$0.00 Recommended by the BOS (In Favor 3, Against 0, Abstained 0

Recommended by the Budget Committee (In Favor 7, Against 0, Abstained 0.

Motion: E. Hutchings moved to place the article on the first session ballot as written. R. Thibeault seconded. 3-0

Article 16: Eradicate Invasive Species

To see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) for the purposes of eradicating invasive plant species from Bodies of Water in the Town. This is a special warrant article as described in the recommended 2020-2025 Capital Improvements Program and will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the invasive plant species eradication from bodies of water in Town or is completed or by December 31, 2022, whichever is sooner. (Majority Vote Required). Estimated tax impact is \$0.02 (Two Cents)

Recommended by the BOS (In Favor 3, Against 0, Abstained 0

Recommended by the Budget Committee (In Favor 7, Against 0, Abstained 0.

Motion: R. Thibeault moved to place the article on the first session ballot as written. E. Hutchings seconded. 3-0

Article 17: Establishment of Independent CIP Committee

Shall the Town vote to authorize the Board of Selectmen to establish an independent committee pursuant to RSA 674:5 to prepare and amend the recommended program of municipal Capital Improvement Projects and to make budgetary recommendations to the Board of Selectmen. The Committee, to be known as the Capital Improvement Program Committee, will have five (5) voting members to be appointed by the Board of Selectmen, and shall include at least one member of the Planning Board.

Recommended by the BOS (In Favor 3, Against 0, Abstained 0

Motion: E. Hutchings moved to place the article on the first session ballot as written. R. Thibeault seconded. 3-0

Article 18: Elected to Appointed Fire Chief

To see if the Town will vote in accordance with RSA 154:1, IV to change the organization of the fire department from RSA 154:1(c) where the Fire Chief is elected by the legislative body to RSA 154:1(a) where the Fire Chief is appointed by the Board of Selectmen and with the firefighters being appointed by the Fire Chief. When approved, the change from an elected to an appointed Fire Chief would take place no sooner than one (1) year following this vote. (Majority Vote Required).

Recommended by the BOS (In Favor 3, Against 0, Abstained 0

N. Marique stated the process to have the Board of Selectmen approve all department employees is extremely long and time consuming and stated the current process is the two full time employees are reviewed by the selectmen and recommends this continue in the future.

Motion: R. Thibeault moved to place the article on the first session ballot as written. E. Hutchings seconded. 3-0

Article 19: Town Hall Land Roof Solar Lease Agreement Ratification (Board of Selectmen)

To see if the Town will vote to ratify, pursuant to RSA 41:11-a, a 20-year Land or Roof Lease Agreement (“Lease”) dated September 1, 2016, containing two (2) five (5)-year renewal provisions, between the Town and NHSolarGarden.com, LLC (“Tenant”) for the purpose of leasing a portion of Town-owned property located at 803 White Mountain Highway located at Tax Map/Lot M32-L30 (the landfill) for annual rent paid at the rate set forth in said Lease, in order to allow for the continued operation of a solar panel array for the generation of electricity for the benefit of the Town pursuant to a Solar Group Net Metering Rebate Sales Agreement (“Agreement”) between the Town and NHSolarGarden.com, LLC; the solar array is already in place and has been operating since 2017 but the Lease was inadvertently not sent to Town Meeting for ratification; the Agreement and Lease have since been acquired from NHSolarGarden by Agilitas Energy d/b/a Milton Town Solar LLC. A copy of the Agreement, the Lease, and an associated Payment In Lieu of Taxes agreement (“PILOT”) are available for review at the Town Hall. (Majority Vote Required).

Recommended by the BOS (In Favor 3, Against 0, Abstained 0)

Motion: R. Thibeault moved to place the article on the first session ballot as written. E. Hutchings seconded. 3-0

Article 20: Town Hall Land Roof Solar Lease Agreement AMENDMENT Ratification

To see if the Town will vote to ratify, pursuant to RSA 41:11-a, a “First Amendment to the Land or Roof Lease Agreement” (“Lease Amendment”) dated January 23rd, 2020, between the Town and Milton Town Solar, LLC (“Tenant”) which amends the 2016 twenty (20)-year Land or Roof Lease Agreement dated September 1, 2016 to add an additional five (5)-year extension at the option of the Tenant for a total of three(3) five (5)-year renewal provisions and which clarifies that the annual rent amount paid to the Town is Ten Thousand Seven Hundred Fifty-seven Dollars (\$10,757). A copy of the Lease Amendment is available for review at the Town Hall. (Majority Vote Required).

Recommended by the BOS (In Favor 3, Against 0, Abstained 0)

Motion: R. Thibeault moved to place the article on the first session ballot as written. E. Hutchings seconded. 3-0

Article 21: Adopt RSA 41:11-a Governing Body Authority to Rent/Lease Town Property for up to 5 years

To see if the Town will vote to adopt the provisions of RSA 41:11-a to authorize the Board of Selectmen to rent or lease municipal property for a term of up to five (5) years without further vote or ratification of the town legislative body. Once adopted, this authority shall remain in effect until specifically rescinded by the legislative body at any duly warned meeting provided that the term of any lease entered into prior to the rescission shall remain in effect. (Majority Vote Required).

Recommended by the BOS (In Favor 3, Against 0, Abstained 0)

Motion: E. Hutchings moved to place the article on the first session ballot as written. R. Thibeault seconded. 3-0

Article 22: Establishment of Heritage Commission

To see if the Town will vote to establish a Heritage Commission under the authority of RSA 673:1 II, for the proper recognition, use and protection of community historic resources as defined in RSA 674:44-a and authorize the Board of Selectmen to appoint five Milton residents as members, with one of the five being a member of the Board of Selectmen per RSA 673:4-a, II, and two Milton residents as alternate members, who shall be sworn to the faithful performance of their office by the Town Clerk, to such Heritage Commission, pursuant to the provisions of RSA 673:4-a and with terms pursuant to the provisions of RSA 673:5. The Heritage Commission shall exercise such powers as are set forth at RSA 674:44-b I and II and RSA 674:44-c and RSA 674:44-d, and shall file an annual report of their activities with the Town. (Majority Vote Required).

Recommended by the BOS (In Favor 3, Against 0, Abstained 0)

Motion: E. Hutchings moved to place the article on the first session ballot as written. R. Thibeault seconded. 3-0

Article 23: Optional Tax Exemption: Solar, Wind Powered, Woodheating Systems (Submitted by Petition)

To see if the Town will vote to adopt the provisions of RSA 72:61 through RSA 72:72 inclusively, which provide for an optional property tax exemption from the property's assessed value, for property tax purposes, for persons owning real property, which is equipped with solar energy systems, wind-powered energy systems or wood heating energy systems, intended for use at the immediate site. Such property tax exemption shall be in the amount equal to 100% of the assessed value of qualifying equipment under these statutes. (Majority Vote Required). (Estimated tax impact is \$0.74

Recommended by the BOS (In Favor 2, Against 1, Abstained __)

Not Recommended by the Budget Committee (In Favor 0, Against 4, Abstained 3).

E. Creveling stated there are currently 24 properties with solar panels and two properties with solar water heat systems.

Motion: A. Rawson moved to place the article on the first session ballot as written. E. Hutchings seconded. 2-1

Article 24: Adoption of a Tax Cap (Submitted by Petition)

Shall we adopt the provisions of RSA 32:5-b, and implement a tax cap whereby the governing body (or budget committee) shall not submit a recommended budget that increases the amount to be raised by local taxes, based on the prior fiscal year's actual amount of local taxes raised, by more than the lesser of (a) 2%; or (b) the percentage by which the US Consumer Price Index- All Urban Consumers for the Northeast, published by the US Bureau of Labor Statistics (the "Index") as of the month of January of each year increased, if any, over the Index for the month of January of the immediately-preceding year. (3/5 Majority Vote Required).

Not Recommended by the BOS (In Favor 0, Against 3, Abstained 0)

Not Recommended by the Budget Committee (In Favor 0, Against 4, Abstained 3).

Motion: R. Thibeault moved to place the article on the first session ballot as written. E. Hutchings seconded. 3-0

Motion: R. Thibeault moved to approve and authorize the Town Administrator to sign the Statutory Notice of Lease. E. Hutchings seconded. 3-0

Motion: R. Thibeault moved to approve Amendment 1 to the Land or Roof Lease Agreement. E. Hutchings seconded. 3-0

Motion: R. Thibeault moved to hold the Public Hearing regarding RSA 32:5-b February 10th, 2020. E. Hutchings seconded. 3-0

Other Business:

- **Request of School Choice Week Proclamation-R.** Thibeault read the proclamation as approved. Appendix A

Motion: R. Thibeault moved to approve the 2020 School Choice Week Proclamation. E. Hutchings seconded. 3-0

Meeting Minutes

E. Hutchings moved to approve the January 6th, 2020 meeting minutes. R. Thibeault seconded 3-0.

Public Comments:

N. Marique: Stated the ladder truck has taken longer than originally expected due to a delay in part ordering from the mechanic providing the repairs but expecting to pick up the truck next week.

Expenditure Report

None

Administrator Comments

None

Selectmen Comments

None

R. Thibeault moved to adjourn. E. Hutchings seconded. 3-0

Next Scheduled Meeting: February 3rd, 2020

Respectfully submitted;
Recording Clerk,
Danielle Marique

Chairman Ryan Thibeault

Erin Hutchings

Andy Rawson

Appendix A



Town of Milton, New Hampshire

Town Administrator

PO Box 310

424 White Mountain Highway

Milton, NH 03851

Town of Milton NH

School Choice Week Proclamation

MILTON School Choice Week

WHEREAS all children in MILTON should have access to the highest-quality education possible; and,

WHEREAS MILTON recognizes the important role that an effective education plays in preparing all students in MILTON to be successful adults; and,

WHEREAS quality education is critically important to the economic vitality of MILTON; and,

WHEREAS, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and,

WHEREAS MILTON has many high-quality teaching professionals in all types of school settings who are committed to educating our children; and,

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options;

NOW, THEREFORE, The Milton Board of Selectmen do hereby recognize January 26-February 1, 2020 as MILTON School Choice Week, and I call this observance to the attention of all our citizens.

Effective by Board of Selectmen vote; January 23rd, 2020