

Town of Milton
BOARD OF SELECTMAN MEETING
September 13, 2021

SCANNED

ATTENDANCE:

Members: Claudine Burnham (Chair), Andrew Rawson, Matt Morrill

Staff: Chris Jacobs -Town Administrator, Julius Peel – Land Use Clerk

Public: Chief Richard Krauss, Chief Nick Marique, Betsy Baker, Rep Glenn Bailey, Rep Peter Haywood, Humphrey Williams, Russell Neal, Mickey Brandizer (sp), Ken Harl (sp), Kym Dawson-Boulanger, Richard Lover, Judi Lover, Justin Walbridge, Raymie Smith, Michael McDenney (sp), Ronald Absen (sp), Robert James, Sherry Walbridge, Joe Walbridge, Thomas Bathmurd (sp), Steve Reynolds, Steve Pannish, Virginia Long, Wayne Sylvester

Claudine Burnham, Chair, opened the public session at 6:05PM.

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

2.) Public Comment:

Mr. Richard Lover was in attendance to question the status from previous BOS meeting regarding the ongoing situation at 39 Ripley Lane. He specifically questioned the cease & desist orders and inspections and asked if any additional actions had occurred since then. Mr. Jacobs answered there is nothing current and he will follow-up with Mr. Boyer to get more information. Mr. Lover referenced the June 7th BOS minutes; Mr. Lover was in attendance at this meeting to discuss 39 Ripley Lane. He believes this to be four months of discussion with no apparent resolution with no actions taken even though there have been several cease & desist orders issued. Mr. Lover would like to see resolution regarding this situation. Ms. Burnham thanked Mr. Lover for his attendance.

3.) Announcements and Community Calendar:

a.) The **joint meeting between the BOS and Budget Committees** is scheduled for Sept. 18th, 9AM.

b.) The **Great American Pie Festival** at the NH Farm Museum is scheduled for Sept. 19th.

c.) **Letter of recognition for Mr. Alan Bourbeau:** Ms. Burnham read a letter submitted by Betsy Baker, Library Director, recognizing and thanking Mr. Bourbeau, government buildings custodian for his exceptional and diligent work provided. The letter also thanked Mr. Pat Smith for having stellar crew members.

d.) **Book and Puzzle Sale** announcement: Crafts and gift items sales will take place on all Saturdays in September from 8-1PM at the Union Congregational Church, 80 Main Street, Union. For more information, contact Betty at 473-2727.

e.) **Victor's Reading Nook Open House** dedication scheduled for Saturday, October 2nd from 2-4:00PM. Invitation from the Milton Library Trustees to honor Victor Joust.

f.) **Clothing Swap at Milton Public Library:** September 25th from 10-1PM (rain date October 2nd). Open to Milton families providing an opportunity to get new clothes for their children.

g.) **Rep. Peter Haywood** was in attendance to give a brief overview of what happens at the state level. Mr. Haywood is the representative for Milton and Middleton. He is willing to answer any questions or concerns from residents via email through the state website. The

BOS thanked Rep. Haywood for attending.

4.) NEW Business – Discussion and Possible Actions:

- a.) **Event Permit for Northeast Watercross at the Town Beach on September 25th:** Mr. Steve Reynolds, owner of Northeast Watercross Championship, was in attendance to discuss his submitted request for event permit to hold snowmobile races on Milton 3Ponds Sunday, September 19th originally submitted for September 25th. Mr. Reynolds also provided to the BOS his NH fish and game permit that had been requested from the town. Mr. Reynolds provided explanation on what the events are. He had spoken with Ms. Karen Brown of the Recreation department and also met recently with Mr. Chris Jacobs and Mr. Julius Peel. Mr. Reynolds stated he was there to answer any questions and address any concerns the BOS may have. He explained in response to the first denial letter issued, they are very diligent in their planning and have a system for everything associated with these events.

Ms. Burnham questioned the short notice given for this request and expressed her concern for the speed involved with this. Mr. Reynolds explained he has talked with several individuals including Ms. Brown and Mr. Rawson over the past few months. Mr. Reynolds apologized for the rush and stated while he originally requested the date of September 25th, an opening on September 19th occurred and he was trying to fill the date.

Mr. Rawson questioned if a sled goes down into the water, what is the procedure for stopping any fluids going into the water. Mr. Reynolds provided explanation to the board on procedures on how they handle these types of situations. He explained that while he can't guarantee 100% of the oil would not end up in the water, these sleds are specifically constructed to keep the fluids in the machine in such situations. The machines are built with one gallon gas tanks that are sealed closed and are watertight. He also explained there is a recovery boat to quickly get any machine out that may sink. He recognized there is concern for pollution issues, however believes that most boats will burn more gasoline than the snow machines that are involved in the races. Mr. Rawson has attended shows previously and questioned the process for keeping ground impact to a minimum and damage repair if any occur. Mr. Reynolds explained during the races they try to "take-off" on least abrasive material as possible. They have grading rigs to address any corresponding dig-in. At events, his teams ensure the venue at the end is in the same shape at the beginning or many times, in better shape. Mr. Rawson questioned the recovery time when a sled sinks. Mr. Reynolds explained after that specific race is over, it takes ~one minute to pull up the machine.

Ms. Burnham questioned the potential impact on the ongoing invasive species situation and possible transference, if any, from lake to lake. Mr. Reynolds emphasized that all machines are thoroughly cleaned after racing and that owners are meticulous in cleaning. He offered that safety checks/inspections can be added to the procedures. Mr. Rawson stressed the need for due diligence to ensure all crafts are clean prior going into the water. Mr. Reynolds stated as he lives on the lake, he wants to ensure the lake remains clean.

Ms. Burnham questioned the noise levels associated with these events. Mr. Reynolds stated there will be noise associated with this event, just like there are associated noises with all

events such as fireworks, etc. For next year, they are creating sound ordinance policies that will help control noise levels. He again stressed that there is noise associated with this event; however, it is only for one day.

Ms. Burnham questioned issues around parking. Mr. Reynolds explained he has already reached out to local businesses that are near to the venue to arrange for alternate parking. His goal is to keep parking on Route 125 to a minimum or none at all, although he said he has noticed parking along the highway during other events.

Ms. Burnham questioned the typical attendance at these events. Mr. Reynolds stated at a recent one-day event, there were between 600-700 in attendance, spaced throughout the entire day. Ms. Burnham also questioned how many sleds complete. While this number may vary, typically between 40-80 sleds may compete.

Ms. Burnham expressed her concern with the speed of the turnaround time with less than two-weeks' notice, and with the posting on Facebook before the event was approved. Ms. Burnham is also concerned regarding security for the event and impact on the roads. Mr. Reynolds stated information for security and parking, and many other concerns were addressed previously in his proposed plan already submitted. Ms. Burnham explained she does not agree with the overall tactics involved since there is not sufficient time for discussion. Mr. Reynolds acknowledge the turnaround time involved and stressed he did not intend to create hard feelings regarding his event advertising before event approval (he did note that the advertising message did include a "date subject to change" notice. He was aware that this proposed event plan was rushed and expressed that when meeting with the town administrator and to Ms. Brown.

Mr. Rawson questioned the plan for ambulance/police services. Mr. Reynolds had reached out to the fire chief who said they would have adequate manpower to cover this event. He explained that while he typically will make arrangements for 3rd party ambulance/rescue/security services, he will first reach out to town providers to determine if they want to handle the services or if he should go with the 3rd party provider. While he did reach out to the police chief to discuss, he had not been able to connect previously with him. Mr. Reynolds had discussed with marine patrol who indicated if Milton police were unable to cover the event, they would be available on that date. Chief Krauss explained the marine patrol would only be able to help cover the water, not any issues on land. He also explained the Milton police currently do not have enough manpower to cover this event, especially for the size of crowd that could attend the event. Chief Krauss feels it's important to keep the 90-day requirement process to plan for such events as this. In Chief Krauss' opinion, it was appropriate to deny the application due to the lack of the 90-day notice. The 90-day time-period would be specifically used for discussion and planning. He recommended the BOS support the town administrator's denial.

Mr. Reynolds explained he never had 1500 people in attendance at the same time. He also explained he has 50 staff members who function as security. He has never had security issues at any events he has previously held.

Mr. Jacobs questioned why the insurance certificate was not submitted with the application. Mr. Reynolds explained he has a two-million policy, covered yearly – he just needs to know who is named on the policy. Mr. Jacobs expressed his concern that Mr. Reynolds submitted an application with information missing and felt postings on Facebook included more information than the actual application. He also stressed the need for the 90-day process to help planning for traffic, parking, vendors and for all situations. Mr. Jacobs had talked with Primex and explained without the necessary insurance information, the town would be culpable for any potential problems. In response, Mr. Reynolds explained while all towns have different requirements, he has successfully held these events for three years in various towns. He apologized for the posting on Facebook and explained he has heard from many in the community who are interested. He also questioned if the 90-day process was required, why was he told to move forward with the application. Moving forward he does understand about the 90-day process. Ms. Burnham stated there is no one saying the town does not want to hold an event like this. They are stressing the need for the 90-day process in order to plan properly. This has nothing to do with the event specifically, it is purely a timing and process issue. She also stressed that resident's concern regarding the impact on the lake need to be considered as well in any planning. Mr. Reynolds stated he is ready to address all situations and issues. Ms. Burnham stated they have now heard from the Chief and the Town Administrator and heard their recommendations to prefer to wait for next year.

Mr. Reynolds requested the BOS consider the application be passed and ultimately let the town enjoy the event. Ms. Burnham questioned if there were additional public comments. Mr. Robert James asked why Mr. Reynolds had been requested to complete and submit the application/paperwork if the decision was already made to not approve the application prior to this meeting.

Mr. Rawson asked Mr. Reynolds if the event could be delayed and if it had to be held date in question. As Mr. Reynolds explained the only two dates left in the event calendar were September 19th and 25th. He also again stressed he does want to come back next year regardless of the outcome of this year's decision. Ms. Burnham stated while this looks like it would be a great event, the town is just not ready for this year with only one week, the town would need more time for planning. Mr. Reynolds stated he does understand and invited the BOS to check out other events and requested approval for this year. Mr. Ronald Absen, town resident and racer, addressed the BOS. He questioned why if there have been no police presence at the annual ice races, which typically has a large attendance, why has it been requested for this event? He also stressed this is very clean and the group is very aware of the lake needs. As explained by Chief Krauss, while the RSA policy has been in place for a while, the application and process are within the last year. Ms. Burnham again explained these decisions are due to planning and the time constraints. The applicant had asked to be heard and to resubmit his paperwork. They want Milton to prosper and also feel events such as this are very important, but they must be done correctly. Ms. Burnham requested a motion be made.

Mr. Rawson made a motion allowing approval if Mr. Reynolds can obtain the insurance policies the town requires, address all stated police issues which would meet Chief Krauss'

requirements, and discuss with DOT directly regarding parking on Route 125 during the event.

Mr. Jacobs interjected and stated because DOT discussion and approval would take far longer than one week's time, it definitely would not be in time to hold the event on Sunday. He also stressed again the importance of following the established 90-day policy. Ms. Burnham again recommended waiting until next year. In light of this, Mr. Rawson retracted his submitted motion.

Ms. Burnham made a motion to uphold the denial. Mr. Morrill seconded the motion. All were in favor. The motion to hold the denial was approved.

b.) Milton FY22 Grant Agreement:

Chief Krauss discussed the grant received every year through the Office of Highway & Safety. It is a \$3400 grant with an \$850 minimal required match which should be covered through in-kind donations. With the \$3400, they have joined the NH Click (seatbelt enforcement)- \$850. Have received \$1700 for drive sober, get pulled over campaign (2 blocks of \$850 for two time periods); \$850 for U-text, U-Drive, U-pay (block of time for event). This is less money than received in 2020. There is no distracted driving enforcement grant.

Mr. Rawson made a motion to approve acceptance of grant for this year, October 1, 2021, to September 30, 2022. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

c.) FY2022 Budget Review:

Ms. Burnham acknowledged the receipt of the budget which will be up for review. Mr. Rawson asked how the budget will be presented and would like the opportunity to have Q&A and discussions. Ms. Burnham stated there will be opportunity for questions for department heads during the meeting. Chief Krauss concurred both boards will see budgets at the joint BOS/Budget meeting.

d.) Dawson Street Draining Improvements Bid:

Mr. Jacobs provided background: In year 2020, Article 14 authorized \$349,329 to complete the Dawson Street drainage project. It went out to bid with only one bid received from Northeast Earth Mechanics for \$496,900. Underwood Engineers evaluated the bid and indicated this to be a fair and legal bid. Because this bid does exceed the amount originally authorized, Mr. Jacobs questioned how does the BOS want to proceed? He explained there are several potential options for proceeding. Underwood Engineers provided recommendation to include limiting the scope of the project which would bring the project down to \$309,000 which would eliminate some of the pipework originally proposed (information was provided in BOS packets for explanation). Ms. Burnham stated what is now being proposed does not adequately meet the needs to ultimately address the situation. She also asked why was there only one bid submitted? Mr. Jacobs explained probably due to the size of the project and timing issues with contractors. Mr. Rawson is

hopeful they can use funds and not have to go into the fund balance. Mr. Jacobs will determine financing options and bring to the next BOS meeting for further discussion.

5.) OLD Business:

There was no old business for discussion.

6.) Other Business that May Come Before the Board:

There was no other business.

7.) Approval of Minutes:

Non-Public Minutes:

None

Public Minutes:

August 16, 2021 – Mr. Rawson made a **motion to accept the 8/16/2021 Public meeting minutes as written**. Mr. Morrill seconded the motion. The motion was accepted.

August 18, 2021 – Mr. Morrill made a **motion to accept the 8/18/2021 Public meeting minutes as written**. Ms. Burnham seconded the motion. The motion was accepted.

8.) Public Comments Relative to Current Meeting Topics:

There were none.

9.) Expenditure Reports & Financial Reports:

Expenditure reports were attached to meeting packages for review.

10.) Town Administrator:

a.) **NH Health Trust Fiscal Year 2021 Return of Profits:** Mr. Jacobs explained he was notified via email from Health Trust indicating an anticipated fiscal return of surplus of monies which will be returned to eligible members sometime this fall. Mr. Jacobs does not yet know how much will be returned back to Milton.

b.) **COVID-19 Mobil Vaccination Van:** Requested for September but was already booked. Date for October was submitted.

c.) A requested received from **Kathy Wallingford** asking the BOS to sign and approve MS1 which is a summary inventory of evaluation document for the DRA. Mr. Jacobs also explained the MS535 was completed and submitted by the auditors to the state.

11.) Selectmen Comments:

There were no Selectmen comments.

12.) Adjournment:

Ms. Burnham made a motion to adjourn the public meeting and enter the non-public meeting. Mr. Morrill seconded the motion. All were in favor; the motion passed. The public meeting adjourned at 8:25PM.

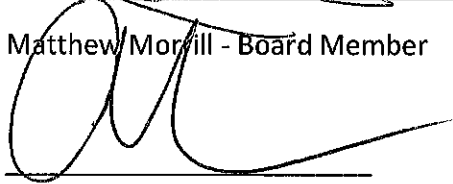
Given under our hands this 20th day of September, 2021.



Claudine Burnham – Chairman BOS



Matthew Morrill - Board Member



Andy Rawson - Board Member

END OF MINUTES

