

Town of Milton
BOARD OF SELECTMAN MEETING
January 3, 2022

ATTENDANCE:

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

Staff: Chris Jacobs, Town Administrator

Public: Karen Golab, John Giunco

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

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

2.) Public Comment: There were none.

3.) Announcements and Community Calendar:

a.) The Town Hall will be closed January 17, 2022, in observance of Civil Rights Day.

b.) The Transfer Station will also be closed January 17th. Details are on the website.

4.) NEW Business – Discussion and Possible Actions:

a.) **Appointment of a temporary Building Inspector, Jamie Sanborn:** Mr. Jacobs explained due to Brian Boyer's annual visit for a few weeks out of the area to visit family, Mr. Boyers is requesting the BOS reappoint Jamie Sanborn as temporary Building Inspector. Mr. Sanborn has filled this temporary position in the past. Mr. Jacobs recommended the motion be for the entire year of 2022. This would help cover any additional days and times if Mr. Boyers needed to be away for lengthy time periods.

Mr. Rawson made a motion to appoint Jamie Sanborn as temporary Building Inspector for all days and times of FY2022 in case Mr. Boyers is not able to fulfill the responsibilities for 2022. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

b.) **Review of the Capital Improvement Report and determination of which items to put forward to the warrant:** Mr. Jacobs provided the Capital Improvement Committee's spreadsheet and report of items for review. This included the committee rankings the importance of each of the items. While Mr. Jacobs had no specific recommendation, he stressed it will be important to understand how an item is to be funded when deciding which ones to pursue.

Mr. Rawson questioned the police cruisers and asked if Chief Krauss added this to his budget to pay for the cars? Mr. Jacobs pointed out as part of the CIP summary it does indicate this is paid out of the Police general fund balance. Mr. Morrill's understanding if an item is over \$10,000, it must then be considered a Capital Improvement project and included in the report. Ms. Burnham agreed that although this was included in the overall CIP report rankings it would not be included in the CIP total and is indicated as the Police

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general fund balance. Mr. Morrill also questioned the ambulance and is it included because it's also over \$10,000 and considered a Capital Improvement project? Ms. Burnham said this was included to purchase a new ambulance within a time period of two years. Mr. Jacobs said it is over \$10,000 and would also be a partial appropriation ask to the voters, and a transfer of monies from the Capital Reserve fund which had been established for the ambulance. Mr. Morrill said his understanding was the ambulance was to be 100% self-funded. Mr. Jacobs concurred while this was its original intent, it was revised to include the maintenance to keep it in-service (interpreted by department heads to include labor and payroll). When there have been labor shortages in staffing the ambulance, it has been withdrawn from the capital reserve fund. They have also relied on both the payroll line and the ambulance fund for this. Mr. Rawson said they may have ambulances but have no one to operate them. Mr. Morrill – if there is no one to run them, where is the money going to pay them? Mr. Rawson – it's coming out of the revolving fund; can either have the staff or have the equipment. Mr. Morrill – trying to figure out and understand if there is staff, why is it not coming from the payroll line to pay them? Why is it coming from a different line for pay? Mr. Rawson – there is not enough in that line to pay them. Mr. Morrill – if that is the case, adjustments should be made. How does the Budget Committee track the payroll information; this setup does not seem accurate. Mr. Rawson agreed with Mr. Morrill.

Road Construction - \$350,000: Mr. Rawson – this amount is offset? Mr. Morrill – yes through the Block grant and other offsets. Average offset amount if ~\$130,000. Mr. Rawson – why is the amount at \$350,000 instead of including the offset amount to bring down to ~\$220,000? Mr. Morrill – have always put in at the full amount being asked for and then include the offset information. Mr. Rawson said this could be confusing for tax-payers. Mr. Jacobs explained you must include the language “raise and appropriate the full amount” in the Warrant Article. This will allow it to go through the budget legally. Ms. Burnham questioned what happens when grant money is received but not used. Mr. Jacobs – it goes back into the general fund. He stressed it's important to look at all aspects of the information provided. For 2021, expenditures were at 82.5% (that will increase as bills will continue to be received in January). Most major items have been paid for. Any monies left will be rolled into the unassigned fund balance. Mr. Rawson – it's important to know what is in the accounts to help with decision making.

According to Mr. Morrill, for 2021, the CIP for the top ten projects was under \$500,000. For 2022, to do just the top ten projects, it would be \$568,000. Taking out \$35,000 (police cruisers) and ~\$129,000 for offsets would be ~\$404,000.

Mr. Rawson – fund money in bridges and the boat ramp? Milton/Maine bridges - \$106,000 and Milton (bridges within Milton/Milton Mills) - \$191,000. Mr. Jacobs – looking at both accounts, there are sufficient funds. There has been an increase in the current bridge project. The wording in the Bridge Capital Reserve Fund does not exclude using on any other bridge. Funds are there if needed. Fire Department – new ambulance. Mr. Jacobs - ~\$86,000 in account; they are asking for \$50,000 for this year. Mr. Morrill – the ambulance has never been part of the CIP before.

Dawson/Silver Street improvement project - \$60,000. Mr. Rawson – first year included in

CIP. Mr. Morrill – had been included in previous CIPs, however never ranked high enough to be included. Mr. Jacobs – in 2021, was a one-time Warrant Article. Now looking to establish a fund which is very prudent decision especially since there may be some federal dollars available for projects such as this.

Boat Ramp – Mr. Morrill – how much money is needed for this (CIP \$26,500)? Mr. Rawson – the revolving account ~\$40,000. Have used \$20,000 previously approved for engineering/design with \$6,000 remaining plus the \$40,000. Estimated cost is ~\$60-70,000. Currently in a state of disrepair.

Mr. Rawson explained he understands about the ambulance request and believes the whole fire/rescue situation has changed and many other towns are facing similar situations so even if some money can be put towards it as it's vital to the town and residents. He also stressed the CIP is a great tool, but the town needs to live within its means.

Mr. Morrill – recommends selecting the top 11 projects which would include library renovations minus ~\$129,000 for road construction, remove \$50,000 for ambulance (or leave \$20,000), remove PD cruisers – brings total down to ~\$394,000. Mr. Rawson – important to focus on the important things... the big money items that are really needed. An example is the ditch mower which really needs replaced, along with excavator and other pieces of equipment. Mr. Jacobs – items to be considered for replacement should be the older equipment pieces around 10-20 years old. Other items such as the wood-chipper, should be purchased at the year-end budget and could be considered as special equipment – items that are not as used as often as other pieces of equipment which are used nearly every day. Mr. Morrill – recommended purchasing special equipment if monies are available at year end. He again recommended focusing on the top 11 projects with costs ~\$394,000.

Mr. Jacobs – his concern and focus is more on how the items would be paid for vs. the total number of items included. Mr. Morrill – realistically the taxation will be ~\$394,000-\$400,000. He agreed some of the projects do need to be funded (some of the smaller projects) in order to replace some of the equipment requested through DPW.

Mr. Rawson – he agreed to taking \$20,000 out of the ambulance and lower request from \$50,000 to \$30,000 to bring the total down to \$404,300 which includes the library request and deduction of \$129,000 from road construction. Mr. Jacobs – from an appropriations perspective - \$300,000 from raised taxation and \$104,000 from unassigned fund balance which is very similar to last year.

Mr. Morrill – if agreeing on the Top 11 projects at \$568,300 (includes the \$30,000 for the ambulance). Minus the \$35,000 for the cruisers – down to \$533,300. Minus \$129,000 (decreased road construction) = \$404,300.

Mr. Rawson explained he is OK with the numbers, and it will be left up to the voters to decide. He recognized the hard work of the CIP committee. Ms. Burnham said this is not an easy task as there are many important projects needed all while being mindful of the tax-payers.

Mr. Jacobs – this is a step in the right direction and will help when looking at Warrant Articles and making those final decisions including how to fund the Warrant Articles.

c.) Review of the draft warrant articles:

Articles 2-3: Zoning Ordinances (Planning Board are still drafting).

Article 4: Operating Budget

Article 5: Highway Road Reconstruction Fund - \$350,000 (add note of anticipating offset of \$129,000)

Article 6: Dawson Street Capital Reserve Fund - \$60,000 (from the Capital Fund Balance)

Article 7: Bridge Capital Reserve Fund - \$25,000 (no change)

Article 8: Municipal Buildings Capital Reserve Fund – Mr. Morrill said this is not in the CIP recommendation. There is ~\$94,000 in the fund which is for all municipal buildings. Mr. Jacobs questioned if this fund could also be used toward the Milton Mills Library since that is considered a municipal building. Mr. Morrill said since this is not part of the CIP recommendation, before this is finalized it should be determined which buildings this can be used for. It was also questioned if DPW could also be considered for this. (See Article 10)

Article 9: Boat Ramp Repair Fund - \$5,000 (no change)

Article 10: Milton Free Library Capital Reserve Fund - \$20,000 (maybe tied to Article 8?)

Article 11: Technology Upgrade Fund – last year was \$1,500 and did not rank as very important in this year's CIP. Recommended to strike this article along with GIS (for this year).

Article 12: Eradicate Invasive Plant Species - \$10,000

Article 14: Historical Society Building Milton Mills – Mr. Jacobs sent this request to legal counsel for their review. They have requested the town purchase the building and allow the Historical Society to lease from the town (20-year lease @\$1.00 per year).

Article 15: Conservation Commission – establish a Legal Defense Capital Reserve Fund which would take \$1,000 from their yearly budget and put into the fund in case of future potential legal actions.

Mr. Jacobs has received one request for a petition article; it is a reposting of a similar one from last year – solar, wind and wood energy systems (following language used by the state). Mr. Jacobs will work to determine an estimated tax impact; he also questioned how many of these systems already exist in Milton which would help determine a value for the systems. Mr. Morrill questioned if this would be retroactive or only for new systems? Mr. Jacobs said he believes this would also include those who already have these systems in place. Mr. Rawson hopes when the petition is received it will provide additional information to increase everyone's understanding of the request.

Mr. Jacobs will add the Warrant Articles to the next BOS meeting agenda with the aim of voting on each one of them and forward on to the Budget Committee.

Ms. Burnham questioned information on the elected positions? Mr. Jacobs – there is nothing yet. Mr. Rawson recommended limiting the number of Warrant Articles presented

to voters and keeping the number under 20 if possible. He is also in favor of eliminating elected positions instead of adding more (from previous BOS meeting discussing separating the town clerk / tax collector position). Mr. Morrill is aware of another pending petition. Ms. Burnham – for the future will need to discuss elected vs. appointed positions (due to specific requirements needed for positions). Mr. Rawson is concerned if this would go forward, both positions would now become elected positions. He does not recommend moving forward with this and is fine with how it's currently working. Mr. Jacobs – if BOS is not interested in splitting the Town Clerk / Tax Collector positions this will go no further. Ms. Burnham expressed her concern of not getting trained individuals who are not right for the position and can add additional expenses of providing that training – by having an appointed individual this could help ensure getting the right person with applicable skill sets.

Regarding CIP and Warrant Articles, Ms. Burnham said there are six Warrant Articles already on the CIP. Mr. Jacobs will draft the Capital Reserve Fund for the radio replacements, giving permission to begin replacing PD cars, another for the ambulance purchase. Mr. Rawson questioned if including some of these will create confusion for the voters, especially if for example, the PD cars are already in their budget. The above list would also include purchase of four dump trucks. Mr. Rawson – concerned with purchasing four new trucks at the same time and recommends spreading the purchases out if possible – maybe two trucks now and then stagger the rest. Mr. Morrill – this will be difficult to stagger the purchased based on the history of previous purchases. He also explained the current trucks are all out of warranty; in addition, if all new trucks were purchased, the maintenance line-item should decrease dramatically; if the purchase is only two (or three) the DPW Director should attend a meeting to present his plan. It was questioned if the order could instead include two used trucks instead of all new? According to Mr. Rawson there are no good used trucks available. Ms. Burnham said the Budget Committee is also questioning this purchase. Mr. Jacobs will draft a Warrant Article and request Mr. Smith come back to the BOS.

Mr. Rawson – if all the potential Warrant Articles would pass, this could be a heavy tax burden on the tax payor.

- d.) **Determination of date and time for the Deliberative Session:** Mr. Jacobs requested the Town Deliberative Session be scheduled for February 5th starting at 10:30AM. The School Board had asked if they could present first at 9AM. Mr. Morrill said to set the Town presentation at 10:30AM understanding they may get started late depending on the School Board.

Mr. Morrill made a motion to set the Deliberative Session on February 5, 2022, to begin at 10:30AM at Nute High Cafeteria. Mr. Rawson seconded the motion. All were in favor; the motion was approved.

- e.) **Review of John Morton request to recover expenses to his driveway culvert:** Mr. Jacobs explained he received a request from Mr. John Morton, property located on Nutes Road, to

get expenses paid regarding his driveway culvert; this would include equipment rental and associated materials for a total of ~\$400-\$500. Mr. Morton discussed this with Mr. Pat Smith about replacing the culvert. Mr. Smith pointed out according to RSA 236:13-4, property owners have overall responsibility for access including culverts. Mr. Smith indicated he had replaced the culvert about 15 years ago. Mr. Jacobs further explained the property owner is employed by a tree company and regularly brings over the existing culvert very heavy trees. State policy indicates the town should not pay. Mr. Rawson questioned if the town is responsible for driveway culverts? According to Mr. Jacobs, the town is not responsible (pursuant to RSA policy) and is the homeowners responsibility. Mr. Rawson also questioned if some precedent had been set in matters such as this. Mr. Jacobs' opinion is because the replacement was 15 years ago, that does not constitute precedent. Mr. Smith had told the homeowner he would not replace the culvert as it is the homeowner's responsibility. After that discussion, Mr. Morton tried to fix the culvert himself. Mr. Rawson – it is against the law to provide repairs, using tax-payers money, to private property. The homeowner is responsible for the driveway culverts. The BOS will not approve the request.

5.) OLD Business:

a.) Cemetery Trustee positions: Mr. Jacobs said there has been no interest in the open Cemetery Trustee positions. He advised the BOS to follow the recommendations from Mr. Katwick and become the Cemetery Trustees; BOS would assume the trustee responsibilities for short-term and be sworn in. The Warrant Article would dissolve the trustees and allow the BOS to be in charge of daily operations. After 90 days, the BOS could hire a sexton (if that was decided to be the best course of action). The BOS expressed concern if they did become trustees, the responsibility for conducting cemetery business would fall to them. Ms. Burnham questioned if conducting cemetery business would be another meeting or could it be part of the regularly scheduled BOS meetings. Mr. Jacobs did recommend keeping it as part of the BOS meeting. Mr. Rawson indicated he is willing to step up and help out in the short-term as the Town is obligated to keeping the business going. stressed this must be a Warrant Article. Mr. Morrill said if there are no trustees, then technically the BOS are the trustees. It was noted by June, they could a sexton could be appointed.

b.) Affinity Lighting – possible warrant article: Mr. Jacobs questioned if this could possibly be a Warrant Article. Affinity Lighting proposal includes replacing 80-107 Eversource bulbs to LED with a projected \$82,000 savings over ten years. The LED conversion cost was quoted at \$38,858 (based on 107 lights). Eversource indicated a rebate of \$10,550. The Warrant Article would be worded to raise and appropriate \$38,858 with the \$10,550 rebate. Mr. Rawson said this is definitely a great thing to do, however education and information must be provided to the residents, so they understand. Mr. Jacobs said if this was approved in March, the plan is to convert by the end of year. Mr. Morrill questioned if the study by Affinity Lighting had already occurred? According to Mr. Jacobs, they do have the number of lights (~80-107). He said they will conduct the study and if the final number is closer to 80, the final costs would be less. All BOS agreed with this as a Warrant Article.

6.) Other Business That May Come Before the Board: Mr. Morrill said he received an email from Mr. Jacob Lewis questioning if the BOS would be interested in selling the cell tower lease (located in back of industrial park). He recommended Mr. Jacobs reach out to him and get further

information. Mr. Jacobs will contact him.

Mr. Morrill said he has received questions about when the gates to the town beach will be open for ice access. According to Karen Brown, she expressed her OK with being open during the day, Monday-Thursday, and then opening Friday morning and being open through the weekend. Mr. Rawson questioned since currently the ice is not safe does that constitute liability for the town. Mr. Morrill said according to Karen, they are responsible for keeping the parking lot plowed and sanded; once someone actually gets onto the ice, that individual is liable. He also stressed common sense should be used. Mr. Jacobs recommended talking first with Chief Krauss. Mr. Morrill said when there is a certain amount of snow, the gates are then kept open 24/7.

Mr. Morrill made a motion to open the gates, upon getting Chief Krause opinion, Karen Brown will open the gates Monday-Thursday morning and close them when leaving for the day, and from Friday morning through Sunday afternoon. Mr. Rawson seconded the motion. All were in favor; the motion was approved.

Ms. Burnham questioned about the other building which had been discussed as a potential Town Hall to replace the existing Town Hall. Mr. Jacobs said he is still getting information and has asked legal counsel to draw up a lease. This would not need to go through a Warrant Article process since the land is already owned by the Town.

Mr. Morrill questioned the movement of town owned properties which should have gone through the auction process – examples those located on Sleeping Bear, Utah Way, etc. Mr. Jacobs is currently looking to possibly have these ready by May/June timeline. He explained it is quite a tedious process to undertake and he continues to follow-up (including certified letters to prior owners or their heirs) to see if he can finally clear the property and put them to auction. The process unfortunately takes a long time.

Ms. Burnham questioned a previous meeting which discussed setting goals with town residents, along with the goals and recommendations from the Efficiency Task Force which was based on the results of the resident's survey. Mr. Rawson concurred and said it's important this information does not fall through the cracks. Mr. Jacobs will put this on the February 1st meeting agenda.

7.) Approval of Minutes:

Non-Public Minutes:

There were no non-public minutes.

Public Minutes:

Dec. 20, 2021 – Mr. Rawson made a **motion to accept the 12/20/2021 Public meeting minutes.** Ms. Burnham seconded the motion. Mr. Morrill abstained. The motion was accepted.

Dec. 29, 2021 – Mr. Rawson made a **motion to accept the 12/29/2021 Public meeting minutes with corrections.** Mr. Morrill seconded the motion. The motion was accepted.

8.) Public Comments Relative to Current Meeting Topics:

An attendee questioned the current bridges and if there was any priority set for the bridges. He referenced the former Town House Bridge and said it doesn't make sense to put a bridge

there since it's been several years since then was one there. He also said with the bridge in Milton Mills which is only one lane and another bridge that has an extremely sharp turn, what are the priorities? Mr. Morrill explained there are some bridges that are considered state bridges – those connecting NH with Maine and those are on the state list who then determine the priority of those specific bridges. Mr. Jacobs said the state DOT inspects and rates all the bridges (whether it's state or town owned). They "red list" bridges giving them first priority. Town House Bridge rated higher overall on the NH list giving it higher priority. The attendee said does this mean there is no way of stopping the Town House Bridge from being built again? Mr. Jacobs said that is correct; however, there would need approval and cooperation from both states and from both towns, along with looking at emergency management. He also asked for additional information about the current Town House and renovations and improvements recently completed. Mr. Jacobs explained this is a town owned building and many of the improvements were paid through the L-chip program (license plate purchases); the committee applied for and received a grant to help with renovations. Mr. Jacobs also said (referencing the Town House Bridge), there is an agreement between Maine and NH DOT, whereby 20% of NH's ½ would fall to Milton. Mr. Rawson said an ordinance can be added to a bridge which would limit commercial trucks.

9.) Expenditure Report:

End of year report provided for FY2021 as of January 3, 2022. Mr. Jacobs explained to-date 82% of FY21 budget has been expended. This is not the final number as invoices will still be received through January. January 3rd, 2022, will be the last day to pay property taxes without penalty.

10.) Town Administrator:

- a.) Our next meeting will be January 24, 2022.
- b.) The Town sold the former tax deeded parcel on Gold Street. This property was closed December 23rd for \$18,851.
- c.) The Town sold the former tax deeded parcel at 254 Governors Road. This property was closed for \$35,950. The new owner has already applied for a demolition permit to begin property clean-up!
- d.) Mr. Slosky, Jug Hill Road – establish a possible meeting date and time. Mr. Slosky applied to the Department of Land & Tax Appeals. The department sent letters to both Mr. Slosky and Mr. Jacobs requesting both parties meet and resolve the differences. Mr. Slosky is now requesting BOS meet with him.
- e.) Annual Report Dedication – Mr. Jacobs said Tom Gray was suggested. Mr. Rawson said he is fine with Tom – he served the BOS for 13 years and asked if there were suggestions for the back. Ms. Burnham also agreed with Tom Gray and recommended asking the public for their suggestions and make the final decisions at the January 24th meeting.

11.) Selectmen Comments:

Mr. Rawson wished everyone a very Happy New Year and hopes 2022 will be healthy and prosperous for all – he also hoped everyone would be kind to one another.

Ms. Burnham wanted to remind residents that there are positions open at the upcoming elections. She recommends people get involved and serve their community. Mr. Jacobs will post the positions on the website.

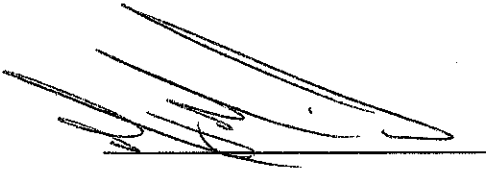
11.) Adjournment:

Ms. Burnham made a motion to adjourn the public meeting and enter into the non-public meeting. Mr. Morrill seconded the motion. All were in favor; the motion passed. The public meeting adjourned at 8:55PM.

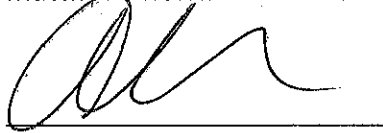
Given under our hands this 24th day of January 2022



Claudine Burnham – Chairman BOS



Matthew Morrill - Board Member



Andy Rawson - Board Member

