

Town of Milton
BOARD OF SELECTMEN MEETING
April 18, 2022

ATTENDANCE:

Members: Claudine Burnham (Chair), Humphrey Williams; Matthew Morrill

Staff: Chris Jacobs- Town Administrator, Pat Smith (PWD), John Gagner (TC/Tx C), Karen Brown (Recreation), Chief Richard Krauss (Police)

Public: Kym Libby (EDC), Karen Golab (Planning Bd), Larry Brown, Glenn Bailey- State Representative, Virginia Long (Con Comm), Steve Pannish (Con Comm), Deb McCormack (Con Comm), Jeff LeClair (Con Comm), Katherine Ayers (Cemetery Trustee), Lee Howlett

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:

a. Virginia Long, Conservation Commission: To help celebrate Earth Day, on April 24th, MCC will have a site walk and tour of the town-owned conservation parcel known as the Old Ski Area; meet at 9AM in the Dollar General parking lot. Maximum 12 people – if interested email Virginia @ mcc@miltonnh-us.com.

Re: parcel Lot 41-81; MCC sent letter to BOS last year hoping BOS would make decision to conserve the property. Letter included speculative statement about MS4; however, this property would not be related to MS4 (the MCC did not know this at the time they wrote the letter)

b. Larry Brown- comments related to banned book 'Mouse', and 2020 voting patterns.

3.) Announcements and Community Calendar:

a. April 23rd – town-wide Roadside Cleanup as part of Earth Day. Cleanup will be coordinated from the Highway Department and will run from 9-12PM. Lunch will be provided at the Highway Department.

b. April 30th – Drug Takeback Day – accepted at the Police Department from 10-2PM.

c. Dog licenses are due by April 30th. Please visit the Town Clerk's office.

d. Aluminum Bass Boat Tournament Series will be held on April 30th – registration is online.

e. May 7th – there will be a rabies clinic at the Highway Department; from 2-5PM.

4.) NEW Business – Discussion and Possible Actions:

a.) **Movement of funds from the Ambulance Fund:** Tabled to the next meeting.

b.) **Department Head Reports:**

Recreation – Karen Brown: Easter Egg Hunt – over 100 attended; Soccer – so far 70+ have

registered, scheduled to start May 21st; Camp3 Ponds – with over 100 registered, now setting up waiting list; Senior Program – Easter Dinner scheduled for April 19th with 45+ people attending; Kid's Night Out – at the Beach; Summer Kick-off scheduled for June 4 & 5 – will have a craft fair.

Police Department – Chief Krauss: Have seen an increase in motor vehicle related reports including increased speeding, aggressive drivers, and road rage. They want to increase patrols to help curb these issues and will have speed trailers placed on 47 specific roads. They are going through the hiring process again. They received 18 resumes with only four who showed up to the interview. Only one passed the physical ability portion. Seeing increase in fraud and scam cases and are asking residents to be vigilant. Reminder about upcoming Drug Take-Back Day; drop box is inside PD lobby and can be accessed any time lobby is open. Reminder about dog licenses due at the end of April and rabies clinic on May 7th. Reminder road work (milling and paving) of Rt 125 will begin at the end of the week. During that time no parking will be allowed on Rt 125 in the downtown area when milling and paving is taking place. This is no different than parking during winter parking ban.

Town Clerk – John Gagner: For March there was a decrease in motor vehicle income compared to last year. They saw an increase in both dog licenses and beach passes. Diane Dubois is the new PT Deputy and is familiar with system and software. The audit of the previous town clerk is ongoing but should be completed soon. He will be at the dog rabies clinic and can license dogs at that time. Reminder all meeting minutes should be submitted to the office for inspection and review. He is looking forward for training to be completed and thanked everyone for their help and support. Focus for office is on time management and work schedules.

Highway Department – Pat Smith: Have graded and compacted roads including Park Place, Bolan, Sam Plummer, Tenerife; started spring clean-up in Milton Mills Village; Dawson Street project – completed paving; irrigation system should be back together and tested by the end of the week. Regarding Underwood contract and fear of overages, Pat talked with Robert Saunders and Chris Jacobs – the project is near completion with three pay requisitions to date and expectation to receive one more to finish the project. He provided a memo to the BOS with further requisition information. The construction contract had 100 cubic yards of ledge which they did go over in ledge. With the third requisition there are a number of bid items that should have positive surpluses. Mr. Smith looked at encumbered road construction monies from the previous year = ~\$95,000. He is recommending after final requisition is received, that fund be used to help pay, anticipating ~\$18,300 over. It does look like this should be better than originally thought.

c.) **Map 36 Lot 16 tax deeded parcel located off of Piggott Hill Road:** Mr. Jacobs explained he has started work on the list of tax-deed properties to possibly sell. This parcel is a five-acre lot in a subdivision from the early 1970's. The roads within the subdivision were never built and the lot is almost all wooded; 18 of ~24 lots are already in conservation; six of the lots are privately owned. Cynthia Wyatt has expressed an interest in purchasing the lot for the Siemen Trust and keep the lot in conservation. If the BOS is interested in moving this forward, they are required to hold two public hearings. Mr. Williams looked at the area and nothing has been developed and no way to get into the property. Mr. Jacobs is not sure who the actual property owner is. Mr. Williams made a motion to pursue turning the property over to Siemen Trust for conservation purposes. Mr. Morrill believed this

should go out to sealed bids process like all other town-owned properties. We should do due diligence first and try to sell; if it doesn't sell than could start turning over to conservation. Ms. Burnham agreed with Mr. Morrill. Mr. Jacobs will begin the 90-day process. Mr. Williams rescinded his motion.

d.) **Map 41 Lot 81 tax deeded parcel on Farmington Road (NH Rte. 75):** Mr. Jacobs explained this parcel is from a 1976 subdivision. Conservation Commission, with Stony Ridge Environmental, did a wetlands delineation/analysis of the property. They determined a large portion is jurisdictional wetlands with a portion in the back of the property that could possibly be developed which would require a wetlands permit. Setbacks 93 would be required. Mr. Jacobs is asking for direction from the BOS. Mr. Morrill – this has been discussed before. Both the Planning Board and BOS suggested to try and sell this first. Mr. Williams agreed with Mr. Morrill to see if there might be anyone interested in the property. Mr. Jacobs will get background information for disclosure purposes if there would be someone interested.

e.) **Map 32 Lot 154 tax deeded parcel along the Turnpike:** Mr. Jacobs explained this property was previously severed by the highway and was split into two parcels. The west side had been sold. The east side property is a $\frac{3}{4}$ acre property located to the rear of Ford Farm Road. There is no legitimate access to the parcel. Mr. Jacobs recommended entering into negotiations with Robert and Jerry Pelletier to merge this into their property. They are interested in pursuing this option. Ms. Burnham is interested in moving this forward and questioned what the procedure would be. Mr. Jacobs said they would still have to advertise and hold the required two public hearings just in case someone else might have interest in buying.

f.) **Trails Committee Charge Document (draft):** From a request by Virginia Long, Chair of the Milton Conservation Commission, Mr. Jacobs forwarded a standard boilerplate charge document over to her. Ms. Long and Mr. Jacobs both worked on the document and are now ready to present it to the BOS for review. Mr. Williams questioned seeing a separate finance procedure which was not included in the document. Ms. Long explained the finance procedures haven't been thoroughly edited or confirmed; in addition, the expectation of anyone interested in helping with the trails is to work on the trails and not be concerned with doing any regular meeting tasks. If they are focused only on volunteering to work on the trails, they would not have to take minutes, post meetings, etc. Ms. Burnham asked if the BOS could review the document separately and bring to the next meeting for further discussion? Mr. Jacobs said yes – this document is an effort between him and Ms. Long. Ms. Long said this document covers what the group would be allowed to do on their own vs. items (like creating a new trail) they would need to bring to the BOS. Ms. Long asked Mr. Jacobs to review the finance procedures document.

g.) **Payment Request #3 for the Dawson & Silver St Drainage Improvement Project:** Mr. Jacobs explained he does not feel comfortable with approving the dollar limit due to the current purchasing policy. The BOS had approved the contract; he is asking the BOS to now approve the payment. Ms. Burnham questioned what is the final amount? Mr. Jacobs explained the payment request is an AIA document that both the state and all contractors use. The payment amount is less than the total amount of work that had been approved. This is because there is a rolling percentage amount; the

first requisition account had ~10-12% retainage for one year. As the project continues, the retainage amount will decrease. With a 5% retainer, have retained to-date, \$21,865 (number will increase with final project payment request #4). The town holds the money for one year. They have earned ~\$450,000; have been paid ~\$260,000. With this payment request they are owed \$152,016.46. Mr. Jacobs is asking the BOS to grant him the authority to sign and forward it to the Finance office for payment request.

Mr. Williams made a motion to move forward with paying \$152,016.46 for the Town Administrator to sign. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

h.) **Lagoon Bid Repair Results and possible award:** Mr. Jacobs explained on April 12th the town accepted bids to repair and replace a portion of Lagoon Liner #1 at the Wastewater Treatment Facility. There was only one bid received. RTD Enterprises, of Madison 139 ME, submitted a bid for \$113,884.00. Since this is considered specialized work, getting just the one bid was not unexpected. Wright Pierce submitted a package to the BOS and included a letter recommending the town award the bid to RTD Enterprises. If this is approved, the entire bid package would then go to the NH Department of Environmental Services for their sign-off and approval. Mr. Williams questioned a second document included in the package for the amount ~\$30,000 for engineering services. Mr. Jacobs said this would be a separate contract which had previously been approved.

Mr. Williams made a motion to award the contract to RTD Enterprises of Madison ME, in the amount of \$113,884.00. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

i.) **Driveway Bond Releases (2):** Mr. Jacobs explained there are two driveway bonds to release back to JP Structures LLC for 28 Dames Brook Road (\$500) and 16 Campbell Drive.

Mr. Williams made a motion to approve the driveway bond release for 16 Campbell Drive and 28 Dames Brook Road to JP Structures LLC. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

5.) EVENT Permits:

a. **Northeast Watercross** – permit status: We have requested the applicant meet with the Police, Fire and Public Works Department to prepare a safety plan before coming to the Board for approve. Update: Chiefs Marique and Krauss met with the applicant and came to an agreement which will be finalized.

6.) OLD Business:

a. **Review of BOS By-laws:** The BOS reviewed and discussed the BOS By-laws, making grammatical corrections and inserting additional wording to help with clarification and aid in consistency of meaning and lessen confusion.

b. SRPC Appointments: There were two candidates that had submitted their interest in serving – Karen Golab and Larry Brown. This would be a three-year term.

Mr. Williams made a motion to approve Karen Golab and Larry Brown as representatives to the Strafford Regional Planning Commission. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

Ms. Burnham swore in Ms. Golab and Mr. Brown.

c. Townhouse Road Bridge Replacement: Mr. Jacobs talked with NH DOT representative last week. Both Mr. Jacobs and Bruce Woodruff had expected there would be an actual kick-off meeting with the engineering firm. As no one had reached out to them, Mr. Jacobs then found out the kick-off meeting occurred between the state and HDR Engineering and began the project with soil borings (for piers and abutments) and have a field survey underway.

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

Mr. Jacobs – he looked back at emails submitted by the Conservation Commission. An email from earlier in the month was regarding the BOS previously voting to approve funding for the Sam Plummer Road Culvert replacement. The MCC was requesting a signature on the document in order to move forward.

Mr. Jacobs – the BOS had previously requested he reach out to legal counsel to prepare an overtime agreement with the Police Chief. This will be added to the next non-public meeting agenda.

Mr. Jacobs – regarding discussions with Mr. Slosky about his property valuations – Mr. Jacobs asked for opinion from legal counsel as to whether the BOS had the authority to refund his property taxes for prior years – asking for this year's agreement to also apply to previous years. Mr. Jacobs requested the BOS read through the document. They will meet with Mr. Slosky on May 2nd.

Katherine Ayers – Trustee Cemetery Alternate: Regarding the Warrant Article that allowed the BOS to assume responsibility for duties of cemetery trustees which is effective in 90 days. She questioned if the BOS needs assistance to assume the duties and is the BOS prepared to take over on June 6th. Ms. Ayers indicated there has been no request for help during the transition nor has she received any information. Ms. Burnham had met with Mr. Katwick. They will be holding a workshop to discuss the responsibilities and begin moving forward. Ms. Ayers suggested discussing compensation if the BOS would not be ready to assume responsibilities on June 6th and would need further assistance from Mr. Katwick. She also questioned who is fielding calls and questions from the public; there should be someone being trained to handle calls as these are very sensitive issues. Ms. Burnham explained Mr. Katwick did provide information packets to the BOS to help with preparation. Ms. Ayers believes the training needs to happen sooner rather than later.

7.) Approval of Minutes:

Non-Public Minutes:

August 16, 2021– These minutes never originally were signed and requested Ms. Burnham and Mr. Morrill sign the minutes. Mr. Jacobs explained draft minutes are available at the town office; only signed minutes are posted on the website.

Public Minutes:

April 4, 2022– Mr. Williams had a number of comments and requested he get the minutes as a Word document instead of the usual PDF. He also asked if Mr. Jacobs could send the document earlier. Mr. Williams also said he was approached by the TPPA President who said there were mistakes in approved minutes from their presentation to the BOS earlier in the year. He expressed concern about the wrong information and asked to have those minutes amended. Mr. Jacobs questioned if there is someone or a group who give lengthy presentations should the minutes just state that the presentation occurred? If not, then it should be required for presentation and recording minutes purposes, they should submit their presentation as a Word document.

8.) Public Comments Relative to Topics Previously Discussed:

Ms. Long: question regarding the proposed sale of the three-acre parcel abutting the Casey Road Conservation Land – 1.) Would the BOS consider it appropriate and be interested in holding a public site walk before the public meeting; 2.) Understanding the BOS has authority to make decisions regarding the sale, there is one exception: if someone gets 50 signatures (from registered voters) to petition a Warrant Article and have the decision made at the town vote rather than having the BOS decide- Ms. Long questioned if Mr. Jacobs was able to verify if this was accurate? Mr. Jacobs had not done so; however, using his moderator's role, he believes getting the required number of signatures would forestall them being able to bid out the property until the town vote occurred. 3.) Would it be appropriate or allowed for the MCC to make such a consideration as the above? Mr. Jacobs said if the MCC is interested in starting a Warrant Article process, as long as all the signatures are from residents, which is allowed. To get the wording correct, it could be run by the town attorney to make sure it is in fact legal before getting signatures.

Kym Libby: From the By-laws discussion – regarding the Operational Manual – it was noted the discussion referenced 'organizational meeting' – if you look at the RSAs there are only three types of meeting – public, workshop and non-public. In the bylaws she recommended this be changed if it is called organizational meeting. Also regarding 'annual reviews and actions' referenced establishing an annual list of goals by a certain date – she had a question for the date. Mr. Jacobs said Selectmen Morrill had previously asked him to setup a list of tasks and annual goals. He does try to keep the list up to date.

Larry Brown: If someone else is interested in serving as SRPC representative, he would be OK with that. Elisha Slattery was elected as a School Board member. Land use issues – he hopes the new bridge will build on success. The lake is the economic engine and strength of the community – the answer is not in 55+ housing, the town needs families with children. The idea of additional conservation land adds to the value of the area. It is the vitality of the community.

9.) Expenditure Report:

Mr. Williams sent the Expenditure report to the BOS. This includes the 2022 net budget. Includes complete breakdown of encumbered funds as well as capital reserves. In good shape overall - to date (at 25% of the year) overall 19% of the budget has been spent. There are a couple areas of concern including assessing. Additional information and review will be needed.

10.) Town Administrator:

- Our next public meeting is May 2, 2022, at 6:00PM with a non-public meeting at 5:00PM.
- Public Works – regarding their two recent new hires- one of them they are taking action against to end their employment, and the second one submitted their resignation. Mr. Smith will advertise for the two positions.
- Credere Associates – recently took groundwater samples at Lockhart Field.
- Discussed with Mr. Smith – residents should really be aware of the paving that will be going on.

11.) Selectmen Comments:

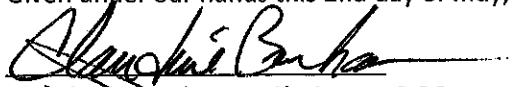
- Mr. Williams – at the last meeting there was discussion about the fund balance – he brought along a document that could be modified and posted to help educate residents about the fund balance and provide information.
- Ms. Burnham - at a previous meeting there was a discussion about goals from the Efficiency Task Force? Mr. Jacobs said the only one that had been discussed was around the town newsletter. Questions arose around who would take this on and if it was mailed, costs of printing and postage. Economic Development Committee? Mr. Jacobs said third person was just appointed. They should be meeting very soon. Mr. Williams – really need to get two additional people, if possible, but the committee can start moving forward with the three current members. Kym Libby – there is one additional potential of interest expressed. Mr. Jacobs suggested reaching out to local town businesses which Ms. Libby said she had already started to do. Ms. Burnham questioned if there is currently a BOS representative to the committee? She expressed her interest in being a committee rep.
- Mr. Jacobs said if there are items and goals from the Efficiency Task Force list that the BOS would like added to his task list to begin focusing on, they should let him know.

12.) Adjournment:

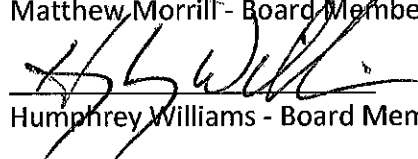
Mr. Williams made a motion to adjourn the public meeting and enter into the Non-Public meeting. Ms. Burnham seconded the motion. All were in favor; the motion passed. The public meeting adjourned at 8:20PM.

**Town of Milton
BOARD OF SELECTMEN MEETING
April 18, 2022**

Given under our hands this 2nd day of May, 2022.



Claudine Burnham – Chairman BOS


Matthew Morrill - Board Member
Humphrey Williams - Board Member

END OF MINUTES of April 18, 2022