

Town of Milton
BOARD OF SELECTMEN MEETING
December 5, 2022

ATTENDANCE:

Members: Claudine Burnham (Chair), Humphrey Williams, Matt Morrill

Staff: Chris Jacobs -Town Administrator, Chief Richard Krauss- Police Department, Chief Nick Marique- Fire Department, Jason Behrens-Fire Department, Matt Cummer-Police Department, Brendan Hanscom – Police Department, Karen Brown-Recreation, Pat Smith-Public Works, Clarence Nason-Public Works,

Public: Kym Libby, Noreen Parker, Kerry Buchanan, Margaret Buchanan, Jill Carr, Chris Daggett, Hunter Hanscom, Annalise Grassie, Ron LePage, Ashlee LePage, Sonia, LePage, David Tuttle

Claudine Burnham, Chair, opened the public session at 6:03PM.

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

2.) Public Comment:

There was no public comment.

3.) Announcements and Community Calendar:

1. The Tax rate was set last week at \$24.48 which is \$1.62 higher than last year. The portion of the tax bill increase due to county expenses was \$.50. The bills were mailed on Thursday and Friday and are due no later than January 5, 2023.

4.) NEW Business – Discussion and Possible Actions:

a.) Swearing-In of new Police Officers:

Chief Krauss presented Brendan Hanscom and Matt Cummer for swearing-in. Brendan recently graduated from the Academy in November and will be starting FTO. Matt just finished his FTO and is now on solo patrol.

Ms. Burnham performed the swearing-in of both. With the swearing-in, the Police Department is closer to being at full staff. He also said since May, it has been just himself and Will

answering all the calls. Chief Krauss presented their new uniforms.

b.) Surplus Property Bid Opening:

Mr. Jacobs opened the envelopes with the submitted bids. There were 3 bids received for the vehicle.

Randy Davis – bid of \$1,800

Clarence Nason – bid of \$503

Robert Gauze – bid of \$1,351.55

This was awarded to the highest bidder, from Mr. Davis, for \$1,800.

c.) Tax Deeded Property Bid Opening of Lot 12, Map 42 Located at 57 Silver Street:

Mr. Jacobs opened the envelopes with the submitted bids. There were 3 bids received for the property.

Real Estate Advisors - \$33,501

Connor Bridges - \$11,000

James Flanagan - \$48,500

This was awarded to the highest bidder, from Mr. Flanagan, for \$48,500.

d.) Disposal of Surplus trailer from Public Works:

Mr. Nason reported this had previously gone out for bid with no bids submitted. Public Works wanted clarification from BOS for how to dispose of the vehicle. Mr. Jacobs said this is a not functioning flat trailer. Someone expressed interest in paying \$300. The BOS agreed with selling it for the \$300.

e.) Acceptance of Donation to Recreation Department:

Mr. Jacobs said this was a carryover from a previous BOS meeting. Ms. Brown said this was from John Locke and family who sent a check for \$200 to help offset the costs of the senior luncheon. He will also be sending a check to help with the Christmas program.

Mr. Williams motioned to thank John Locke and family and accept the \$200 donation. Seconded by Mr. Morrill. All were in favor; the motion was accepted.

f.) Ruth Gutman-MFPL – Request for support of LCHIP Grant:

Mr. Jacobs spoke with Ms. Gutman earlier in the day. Ms. Gutman will need to submit additional information to LCHIP. She is requesting the BOS support the application once everything is submitted for the grant. This will be a \$10,000 grant. The request is also for subsequent years for a total of \$35,000. Mr. Jacobs said the town has voted on Warrant Articles for the restoration of the Milton Free Public Library.

Mr. Williams motioned for Chris Jacobs to serve as liaison for the action. Seconded by Mr. Morrill. All were in favor; the motion was approved.

g.) Review of Warrant Articles for FY2023:

Mr. Jacobs indicated he is preparing the 2023 Warrant Articles; they are similar to 2022 with some changes.

#5 – Highway & Road Reconstruction: Mr. Jacobs suggested producing a capital reserve fund to ensure money would always be available to do the work without having specific deadlines. This would be used for engineering, permitting, bidding, paving, painting traffic lines, etc. This would ensure road work would be covered. Mr. Williams asked if funding received could be applied to help start the CRF? Mr. Jacobs said he will check the status. Ms. Brown asked why to choose expendable trust fund vs. a CRF? Mr. Jacobs will check with legal counsel.

#7 – Dawson Street Capital Reserve Fund: \$60,000 was added in last year. Mr. Williams suggested perhaps not add to this year. Ms. Burnham reminded the importance of putting money aside to make sure the project is completed.

Currently only ~\$100,000 of usable monies in unassigned fund balance for any tax offset and the DRA recommends not using any offset as it would put the town below 8%. The previous two tax cycles, the unassigned fund balance was returned back to the taxpayers to help offset taxes (or the town has opted to spend the monies through Warrant Articles). Mr. Williams said between direct taxation and general fund, the \$540,000 in potential Warrant Articles, there is no way the town can be close to the number; this year especially need to be critical of Warrant Articles and which ones are set forth.

#8 – Public Safety Radio Communication Capital Reserve Fund: the current wording is OK.

#9 – Ambulance Vehicles and Equipment CRF – last year funded at \$30,000. Mr. Williams said along with #9, there is an Ambulance CRF – is the correct fund to add into? Chief Marique said this current fund is now at \$32,000. Both funds are somewhat generic and limited (the other fund has ~ \$80,000). Chief presented previously to BOS his recommendations of putting the ambulance out for bid (now \$401,000). They have met with two separate vendors for quotes. This information should help decide how to proceed with the Warrant Articles. He indicated delivery is now expected to be end of 2025. The current \$30,000 in the CRF will not make a huge difference in saving monies. There have already been many discussions and the CIP had recently recommended using \$135,000 from the revolving account. The Chief said he is not sure how to make any recommendation since there are still questions using the revolving account for staffing piece. His original recommendation of putting this out to bid and get it ordered by the first of the new year. He does not think Warrant Articles are needed for both this and the Lease Purchase (#10). Mr. Williams concurred – just need one. Chief Marique said if put \$30,000 in CRF will not make a difference in the cost of lease payment.

Currently, have \$197,000 in revolving account and \$80,000 in apparatus with \$30,000 additional.

Ms. Burnham asked if there was a payment estimate for leasing? Chief Marique had provided that previously. Mr. Williams said it would be ~\$65,000 per year. Ms. Burnham said CIP had recommended a leasing program. Mr. Williams asked if there are any additional grants available? Chief said maybe monies through ARPA? Mr. Williams recommended removing article #9 and look to the leasing program. Mr. Morrill agreed and further recommended putting this out to bid. Chief Marique agreed with this recommendation.

Chief Marique asked about a Warrant Article to address staffing and would include a request for 3rd full-time employee. This wording would allow the hiring of a part-time employee in place of a full-time. If the original request is for a part-time employee, he would only be able to hire at that level. Mr. Williams said to put together a Warrant Article and bring to the BOS for review. He requested information to include position, salary, related retirement, etc. He also said it would be better to split this into two separate Warrant Articles to ensure passing of one. Article #9 will be scratched from the list.

#10 (New)– Lease Purchase Ambulance (see above)

#11 – Highway Department – for vehicle replacement: Mr. Williams – the alternate would be the long-term lease agreement. Mr. Jacobs said Highway Department is facing the same issue with truck ordering like the Fire Dept as delivery of a new truck would take from 18-24 months. Mr. Smith said currently he has not been able to get any quote or timeframe for getting a truck. Currently the CRF has ~\$108,000 for highway trucks. He recommended adding just enough money to get to \$200,000 to purchase one truck which would replace his worst truck. Mr. Morrill asked if he wanted to stay at the \$75,000 that's the current WA amount? Mr. Smith said if that passed, he is still not sure that would be enough. The CIP recommended moving the amount closer to \$100,000. He also said using some of the road construction monies toward the purchase could be an option.

#12 – Bridge CRF: the town was notified the Church Street Bridge contribution will be \$300-\$400,000.

#13 – Recreation CRF: All approvals for the boat ramp were received; now it must be funded.

#14- Milton Free Public Library: Mr. Williams asked if the LCHIP would be affected by #14? Mr. Jacobs said it would not be impacted.

#15- Invasive Plant Species: Mr. Jacobs suggested establishing a CRF so money would remain in the fund with no expiration dates. Mr. Williams - In 2021 the amount was \$5,000 which was raised to \$10,000 in 2022 in non-lapsing funds. He asked how much was expended? Mr. Jacobs said it was \$10,000.

#16 – Town-wide Re-evaluation (required) – There is already a fund established; \$40,000 from the unassigned fund balance to CRF. This would lessen how much the town would need to raise in 2024. The total cost for this project will be ~\$109,000.

#17 – Taser Fund for Police Department - \$3,300: Chief Krauss indicated this would not be needed for this year.

#18 – Continued Legal Defense Fund for MCC: This was begun in 2022 and would be geared to help prepare for any needed legal action.

#19 and #20: Mr. Williams asked if they should hold off on discussing these two articles. Mr. Morrill said as both Chief Marique and Mr. Smith were in attendance, could go ahead with discussions. Mr. Morrill said we should not be using any version of #19 and #20 as he thought this had previously been settled in August. Mr. Williams said the line-item had been settled; the question was around moving ahead with a pay raise included or should this be through a Warrant Article asking for a pay raise? Mr. Morrill – the town attorney indicated either way is OK. The Detailed Chart of Expenditures already includes their salaries and increases. Mr. Williams agreed the way #19 and #20 were written would go away. He said this was a question

raised from the Budget Committee. Article #19 – alternate wording asks about increasing the Fire Chief’s salary (an elected official) – a 2.7% salary increase and related benefits. Article #20 is for the Public Work’s Elected Official salary increase. This was done for discussion since it had been questioned in the Budget Committee meeting – asking for elected officials through a Warrant Article. Currently elected officials are not included in the employee pay plan, so any increases reflected in that line are not included in the Default. It would still be covered in the line-item operating budget; if it would pass, it would be included in next year’s Default. Mr. Morrill – if this is not necessary, #19 & #20 should not be on there at all. Mr. Williams – a lot of this has to do with the future and if Chief Marique or Mr. Smith would retire a new person elected to that position would be paid at the same amount regardless of position experience. Mr. Morrill – why do we have to put that in now, if it does not need any changes currently, why change it? Mr. Williams – the line-items are acceptable. Mr. Morrill – compensation for the two positions should not be included at this time.

Mr. Smith – at a recent non-public meeting, this was discussed, and we agreed that as we were following the law, we would leave things alone and this would not be discussed again. Mr. Morrill had asked for this in writing; however, nothing was done. He said at the next board meeting, he also requested this in writing. At that time, the Chair indicated this was going to be added to the policy so it would not be revisited again; now we are talking about this again. Mr. Smith requested the BOS to honor the original words from that non-public meeting. Laws are being followed; nothing is being done wrong. He understands if they would go to a Default budget next year, this would not include any raise. However, if the budget would pass and there is an increase in his line-item, he would get a raise. This would operate exactly the same way as everyone else’s.

Ms. Burnham recommended tabling this and when the time should arise to address this again in the future. Ms. Burnham does think it’s fair for the public to have all the information. Mr. Williams stressed there has never been anything to suggest that what has occurred was wrong in any way. He did not agree with the write-up as submitted. The line-item remains. Mr. Smith asked for a vote asking the BOS to honor their word from the non-public meeting. Mr. Williams said they did take the Warrant Articles away.

Mr. Jacobs asked to address the terminology. He explained every March, a BOS member is elected (or re-elected); potentially every three years is a brand-new board. It sounds like Mr. Smith is asking the current BOS to put into writing something which might limit a future board’s ability to make decisions. Mr. Smith – that is not what I’m asking; I’m asking for the current BOS to honor their word made during the non-public meeting. Mr. Williams – the Budget Committee chair has asked Mr. Smith and Chief Marique to attend the next meeting and address the concerns. We are honoring what was discussed during the non-public meeting as we are still utilizing the line-item. Ms. Burnham – the salary and benefits have not changed; we are giving voters the opportunity to decide on a raise.

Chief Marique – the law allows the three positions (Fire Department Chief, Public Works Director, Town Clerk) to be treated as equally as other positions; I feel the positions should be treated equally; although how we got to the positions may be different than others. Ms. Burnham – you are being treated equally. It’s important to allow voters to understand who they

are voting in and for how much. This is public information. Chief Marique – it is public information; however, they may not understand employment laws, etc. Mr. Williams – to be clear, elected officials are not town employees but can be paid in the line-item. The employee pay plan cannot be used for the basis of elected officials. This has led to some questions. With a town employee there is no difference between the operating and default budgets. An elected official's increase cannot be added to the default. Ms. Burnham – the salary does not decrease and does not take into account less experience, lack of certifications, whatever it takes for the person in the position to function at an acceptable level. The town has to pay for licensing and certifications to bring those qualifications up to standards. The BOS is trying to cover all options to bring an individual up to par.

Mr. Jacobs – it's important for residents to realize if they elect someone without required experience or certifications, it is a risk to the town and to the residents. There needs to be mechanisms in place to protect taxpayers and the town.

Question from Kym Libby – who set the original salaries? Mr. Jacobs – the taxpayers when they voted on the budget. Mr. Williams – important for voters to understand if they vote on the bottom-line, they are voting on the line-items. If someone gets elected without the needed experience and certifications this might be difficult for the public to understand the initial impact on them and the town. It should also be noted you cannot set a salary range for elected officials. Ms. Libby – other communities do not have these positions like the Fire Chief as an elected official – maybe that should be the Warrant Article to no longer have these three positions as elected officials but rather as town employees. Mr. Morrill – I have supported that in the past, however, the town has voted that down. Ms. Burnham – education is definitely needed to help the public understand as this could impact them negatively in the future, whether by taxes, lack of services, etc.

Mr. Morrill emphasized again he does not want to include #19 and #20 as Warrant Articles, no matter how they are written. Mr. Williams wants to first hear what the Budget Committee has to say. The WA's do not need to be resolved at this meeting. It's important we are fiscally sound.

h.) Request by the Police Department to Replace Radar Based Speed Equipment:

Chief Krauss – we were supposed to replace the three police cruisers this year through the lease package program; however, we made the decision not to do the purchase and push that out for another year. Part of the replacement included the radars in the three cars. We are starting to have issues with two of the current radars. Chief Krauss would like to purchase the radars that were originally to be replaced. He can purchase them out of the original purchase line or purchase ½ from the equipment purchase line.

The cost for all 3 is \$9,384 with \$540 for installation – total purchase price of \$9,969.

Mr. Williams recommended taking this from the line that was to be used to purchase the police cruisers.

Mr. Williams motioned to move ahead and purchase the radar units from the detail account line-item. Mr. Morrill seconded the motion. All were in favor, the motion as approved.

i.) **Update on Winter Tires on Cruisers:**

Chief Krauss – when they changed over to the winter tires on the cruisers, they noticed with Car #1 which is the hybrid there are three bad tires. They are supposed to be good to 60,000 miles; they wore out at 18,000 miles. The plan is to watch the winter tires to make sure they continue to be OK.

j.) **Question?**

Chief Krauss – because the Police Department has been short-handed for most of the year, he estimates ~\$200,000 will be remaining in his budget at year-end. He understands the situation currently at the Public Works and asked if the BOS has considered purchasing a truck this year with the thought that it possibly could be received before the end of winter? This way they would have at least one good truck to use. If they are unable to plow the roads in a timely manner because lack of good trucks, this definitely has an impact on both the Police and Fire Departments when they are called. Chief Krauss asked the BOS to take a close look at his budget and the overall town budget to see if there might be room for this purchase.

Mr. Williams – it is currently projected to have ~\$110,000 remaining from the budget. Chief Krauss asked if there was \$110,000 remaining and then add in additional monies from the roadblock grant, this could hopefully take care of a truck purchase. Mr. Jacobs has heard previously while residents appreciate the town departments working together (example, last year's joint purchase of emergency equipment to be used between Fire and Police), the town did not give the Budget Committee members nor the tax payer the ability to decide whether they wanted monies back to help offset their taxes or to purchase the equipment. Chief Krauss – I can understand that but there is a need to ensure safety of all residents. This was an emergency purchase that could not wait until the March vote. Residents must understand the Public Works clears the roads which ensures Fire and Police can respond to service calls.

Mr. Jacobs – sometimes residents may think we are not listening to them, which we are. Chief Krauss – if any resident has any concern about these types of purchases or decisions made, they should definitely reach out to him, Chief Marique or Pat Smith. Mr. Williams – the fact that trucks are breaking down has a huge impact on the town.

k.) **Resignation from the Conservation Commission:**

Mr. Jacobs received a notification from Deb McCormack of her decision to resign from the Conservation Commission, effective immediately.

Mr. Williams motioned to approve the resignation of Deb McCormack from the Milton Conservation Commission, with thanks from the BOS. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

5.) EVENT PERMITS

a.) No event permits received.

6.) OLD BUSINESS

a.) **2021.11.01 Request to Encumber \$33,000 for re-evaluation:**

Mr. Jacobs – At a November 2021 BOS meeting there was an item to enter into agreement

with Avatar for assessing services from 2022-2024. Discussion included locking into a contract by taking unexpended resources at the year-end and apply them to the contract so the town would not have to raise \$105,000 in March 2023. This is a continuation from that – last year the DRA asked if this was a last-minute thought to encumber monies for a current contract and had the BOS indeed previously discussed this? Mr. Jacobs reported he had the minutes from the 11/2021 meeting where this was first mentioned. He asked the BOS to consider the possibility of encumbering \$33,000 (which would constitute ~1/3 cost of the appraisal needed in 2024). No decision was needed at the current meeting.

7.) Communications Received:

a.) **NHDES – Email requiring certified operators at the WWTP:**

Mr. Jacobs said this email was to serve as a reminder of the town’s responsibility to hire a Certified Operator at the Wastewater Treatment Plant. Mr. Dale Sprague is certified; however, he is not renewing his contract for 2023. A minimum Grade 2 Level is needed.

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

Mr. David Tuttle of Bolan Road currently sells blueberries. He requested the BOS allow him to place a sign at the end of Bolan Road indicating blueberries for sale. He talked with the Code Enforcement Officer who said to approach the BOS. The previous owner had a sign placed there.

Mr. Williams motioned to allow the owner to place a sign at the end of Bolan Road near Route 125. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

Mr. Jacobs received a request from Mr. Doug Sours from Wakefield Lions Club. They would like to place an eyeglass collection box at a town location (Town Hall, Transfer Station, etc.). The box in question is large and might take up a lot of space. Mr. Morrill asked if the box is waterproof and could be placed outside. Mr. Jacobs will get more information about the box in question.

Ms. Burnham gave an updated on the Cemetery Sexton. She met with Pat Smith, Mr. John Katwick and Jenny who provides administrative support. They need to address the physical aspects of the department. Mr. Katwick has put together a job list of responsibilities and they are getting a position description for a Sexton. They will be circulating information and Mr. Jacobs indicated he will add to the BOS agenda for their next meeting.

9.) Approval of Minutes:

Public Minutes:

November 17, 2022 - Mr. Williams motioned to accept 11/17/2022 public minutes with corrections. Mr. Morrill seconded the motion. All were in favor; the motion was accepted.

November 21, 2022 - Mr. Williams motioned to accept 11/21/2022 public minutes with corrections. Mr. Morrill seconded the motion. All were in favor; the motion was accepted.

10.) Public Comments Relative to Topics Previously Discussed:

There were none.

11.) Expenditure Report:

Mr. Williams – currently at the 91.67% mark for the year with 89.49% expended. While adjustments are coming, they are on track to be under budget for the year. Current projections indicate ~\$100,000 under.

Mr. Williams addressed comments regarding the proposed budget with answers provided by Ms. Karen Brown, Recreation. Regarding electricity at the beach – it is for the beach property year-round. There are three meters at the beach costing \$900 per year. The phone line is for the recreation cell phone and for stipend for the assistant. There are two supply lines – direct supplies and operating supplies. Mr. Williams will eliminate one of them since just one supply line-item is needed (direct supply). Heat is covered under the electric line.

12.) Town Administrator:

1. From John Gagner – thanks for all the assistance from folks helping with preparing the tax bills for mailing.
2. The next meeting of the Board scheduled for December 19, 2022.
3. The new photocopiers will be placed in Town Hall and the Fire Station this week.
4. Dale Sprague finished his review of the WWTP facilities study; it has been forwarded to NHDES for their review.
5. Our review of the paving RSMS plan has been submitted back to Strafford Regional Planning and I understand they will incorporate our comments. Pat Smith noted Class 6 and Private Roads do not show up in RSMS.
6. Transfer Station will be closed December 25th; it will be open on December 26th.
7. The Lockhart Field Groundwater Permit application was reviewed and sent back to consultant for revision.
8. The Town Election Calendar has been set and includes information on when the final budget is due, dates for Deliberate Session (February 4), voting dates, last day for petition articles (February 7), public hearings and Candidate's Night (February 12th – 3PM). This information will be posted at the Town Hall and on the town website.

13.) Selectmen Comments:

- Mr. Williams – I want to address the tax rate increase. He had received an email from a town resident who asked about the county tax hike only accounting for \$.50. The tax rate is a combination of county tax hike, approved Warrant Articles and unassigned fund balance, combined with reduced town revenue (decreased by \$250,000), this resulted in the tax rate of \$24.48. He also noted for the past two years, the BOS has taken \$1.65M from the unassigned fund balance to help offset tax rates. This move served to lower the town's fund balance to 8.78%. When a town goes below 8%, they are put onto a watch list with the state. Last year, the total of approved Warrant Articles from the unassigned fund balance was \$522,310. The tax impact including warrant articles was \$1.75/\$1000 increase. The town cannot continue to draw from the unassigned fund balance. The recommendation from DRA is from 5-17%; however, anything below 8% will bring review from DRA. Looking forward, the 2023 town operating budget will be under Default. The school's budget is also under Default as presented to the Budget Committee.

- Mr. Jacobs – even though the recommendation from DRA is between 5-17%, in reality you cannot keep giving away all of the unassigned fund balance; eventually there will be no money left. The county tax bill is due on December 17th - \$1.457M. If we are late by one day, there is a 10% penalty. The school receives a monthly allocation from the town – from \$300,000-\$600,000. It takes ~\$80,000 each week to run the town between salaries and normal expenditures. It is important for residents to pay their property taxes – this helps to pay the county tax bill and other payments. The reality is the town cannot operate with less money in the unassigned fund balance.
- Mr. Williams – the town is running as lean as we possibly can.

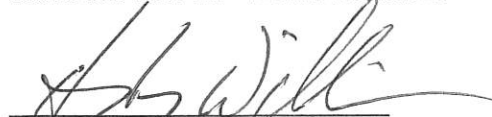
14.) Adjournment:

Mr. Williams motioned 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 19th day of December 2022.


Claudine Burnham – Chairman BOS


Matthew Morrill - Board Member


Humphrey Williams - Board Member

END OF MINUTES – December 5, 2022