



Town of Milton
BOARD OF SELECTMEN MEETING
May 1, 2023

ATTENDANCE:

Members: Humphrey Williams (Chair), Claudine Burnham, Andy Rawson

Staff: Chris Jacobs -Town Administrator, Chief Richard Krauss- Police Department, Peter Cicorrello- Police Department, Pat Smith – Public Works, Luther Ellis – Public Works.

Public: Virginia Long, Nancy Wing

Humphrey Williams, Chair, opened the public session at 6:05PM.

1.) Pledge of Allegiance: Humphrey Williams, Chair, led the meeting in the Pledge of Allegiance.

2.) Public Comment: Mr. Williams announced guidance for public comment and public comment pertaining to topics previously discussed: during the allowed time for public comments, those wanting to speak should be at the podium to talk into the microphone. This will give those unable to attend the meeting in-person with improved listening.

There were no public comments.

3.) Announcements and Community Calendar:

1. There will be a rabies vaccine clinic Saturday, May 6th from 2-5PM at Public Works Garage, 803 White Mountain Highway. For dogs and cats, the cost is \$25 per animal. Questions, contact the Milton PD 603.652.4514
2. Public Safety Open House on May 6th pinning ceremony for police and fire department officers from 10-11:00AM; open house will be 11-2:00PM. Light refreshments will be served. Community is welcome to attend.
3. Household Hazardous Waste Collection Day: May 20 from 8:30 to 12:30PM; Waste Management Landfill, Rochester. Additional reminders will be issued.
4. Annual Plant Sale Fundraiser hosted by the Strafford County Master Gardener's Association – May 21st Durham Town Hall. Additional information will be issued.

5. Selectman Burnham is leading the effort to place flowers in all town cemeteries for Memorial Day. She is looking for volunteers to help place flowers between May 22nd and May 26th. There are about 50 flowers to plant. Contact her 603.401.0754.

4.) NEW Business – Discussion and Possible Actions:

- a.) **Presentation by Revise on their website capabilities:** The presentation will happen at the next meeting.
- b.) **Update on possible encroach of shed on Town property (Gustitus):** Mr. Jacobs met with Mr. Gustitus – his property is located on Micah Terrace. The Conservation Commission had advised the town of possible encroachment found when they were flagging the property lines. At that time, they found the position of his shed and storage of his camper were actually located on town property. Mr. Jacobs contact Mr. Gustitus this past winter. They walked the property on April 21st. Mr. Gustitus acknowledged where the boundary line is located; however, his realtor had told him he owns more land in the woods area. He will move his camper and can move the shed. Mr. Gustitus has requested to come before the BOS. He is aware the shed/camper is currently on town owned land. He is interested in purchasing the area from the town and would like to know the price. In his email he also questioned why this particular topic was on the current Board’s agenda. Mr. Jacobs responded there have been past criticisms expressed from the tax payers that certain topics of discussion happen outside of regular board meetings. Mr. Jacobs acknowledged Mr. Gustitus is interested in putting forward a proposal to purchase the land. By doing this in public, the Milton Conservation Commission can see the BOS is addressing on their complaint. Mr. Jacobs informed Mr. Gustitus he should anticipate a healthy discussion from both the town-side, the MCC and the public.

Mr. Williams said he is familiar with the area and indicated the shed and camper are also within 50 feet of the waterfront. This is also a planning issue. Ms. Long asked if the Conservation Commission could make recommendations? Mr. Jacobs said it would be best to wait until a proposal was submitted. Mr. Rawson said it does sound like Mr. Gustitus is doing his due diligence by removing the camper.

- c.) **Request to contract with Brian’s Flooring and use ARPA funds:**
Mr. Jacobs – at the new Town Hall, there is a section of carpeting that is junk (future location for Town Clerk). Brian indicated he may have some carpeting left from his current job at the Farmington School and that he also has coving available for the base of the walls. This is a local business. His proposal is for \$2,864 which also includes ripping out the current carpet. This is within Mr. Jacobs spending limits; however as this would utilize ARPA funds, Mr. Jacobs wants to receive BOS approval in case of any future audits of ARPA.

Ms. Burnham motioned to accept the estimate from Brian’s Flooring for \$2,864 to replace carpeting in the new Town Office; ARPA funds will be used. Mr. Rawson seconded the motion. All were in favor; the motion was approved.

Mr. Rawson stated that he noticed several areas where the coving was damaged. Mr. Williams agreed that other work may need to be done.

Mr. Williams motioned to move ahead with the additional coving. Mr. Rawson seconded the motion. All were in favor; the motion was approved.

- d.) **Request to contract with R&R Construction and use ARPA funds:** Mr. Jacobs – there are two proposals submitted from R&R.

Proposal #1 – Exit doors need to be changed to include crash bar; combination lock put onto Town Administrator’s office door. Proposed costs \$3,600.

Proposal #2 – Remove four ½ doors in west end; remove toilet, child sinks and cubicles. Proposed estimate: ~\$3,500. This would give Karen Brown usable space right from the start.

Mr. Jacobs said he is trying to keep funds in ARPA as he knows after the move to the new Town Hall, there will still be work needed to be done.

Ms. Burnham motioned to approve both proposals by R&R Construction for the lock work, windows and all items included in the proposals. Mr. Rawson seconded the motion. All were in favor; the motion was approved.

- e.) **Request to contract with Daniel Bisson, P.A., and use ARPA funds:** Mr. Jacobs – Mr. Bisson would confirm the space needs and requirements, ADA considerations, code studies and construction administration. The costs for space needs would be \$2,100 and \$1,700 for the other end of the building. He would use the already prepared sketches, providing guidance to those and construction documents, and ensure everything is code compliant.

Mr. Rawson motioned to use Daniel Bisson, P.A., as architect consultant for the new Town Hall at a cost of \$4,800 to come from ARPA funds. Ms. Burnham seconded the motion. All were in favor; the motion was approved.

- f.) **Request to rent the Townhouse Building – Milton Historical Society:** Mr. Jacobs – Ryan Thibeault requested the use of the Townhouse Building and filled out an application. This would be monthly, second Tuesday from 6-8:00PM. He requested the fees/insurance be waived. Mr. Williams said it’s not good for the building to sit idle and we do want it to be used; however, electricity costs will need to be monitored. Ms. Burnham said there are other items that need to be looked at including parking, setup, etc. We have to ensure protocols are followed; this can be re-evaluated.

Ms. Burnham motioned to approve the Milton Historical Society to use the Townhouse Building and waive insurance and fee; we will continue to evaluate to ensure all procedures are followed, and to re-evaluate in case of any changes. Mr. Rawson seconded the motion. All were in favor; the motion was approved.

- g.) **Request to enter into contract with Vachon Clukay & Co for audit of Town Clerk / Tax Collector's Books:** Mr. Jacobs – with the recent departure of the Town Clerk/Tax Collector, the town is required to have the Tax Collector's books audited. Mr. Jacobs contacted Vachon Clukay who submitted a proposal to provide this service. While there is no fee indicated in the proposal because they generally task this to newer personnel, the last time the audit occurred, the cost was ~\$4,000. It's estimated the audit would take several weeks; the Town is mandated to do this.

Mr. Jacobs recommended, and asked for future BOS approval, a potential Warrant Article to separate the Town Clerk and Tax Collectors positions. While the Town Clerk is an elected position, the Tax Collector does not have to be. The town is being audited because the Tax Collector's office was vacated, not because the Town Clerk resigned. Mr. Jacobs believes having the two positions separated would provide stability to the town. Mr. Williams said an additional benefit of having separate positions, there are more options for hiring as the Tax Collector does not have to be a town resident; only elected positions are required to be a resident of Milton. Mr. Rawson said for the upcoming interviews we will have to be clear with the interviewees about what this could mean for them. Mr. Williams said legal should be consulted on whether this elected official position could also be an employee of the town, if holding the tax collector job. Ms. Burnham said this would also impact the salaries. Mr. Jacobs agreed clarifications with legal needs to happen, and will need to let those currently interviewing know. Voters would elect the Town Clerk, and the BOS would hire the Tax Collector. Mr. Williams – right now we are looking to fill the combined position until March.

Mr. Rawson motioned to use Vachon & Clukay for the Tax Collector audit. Ms. Burnham seconded the motion. All were in favor; the motion was approved.

- h.) **Request to enter into contract with Morrill & Sons for mowing of cemeteries:** Mr. Jacobs said this would be the same contract as last year.

Ms. Burnham made a motion to accept the contract with Morrill & Sons for cemetery mowing. Mr. Rawson seconded the motion. All were in favor; the motion was approved.

5.) EVENT PERMITS

- a.) **Memorial Day Parade:** Mr. Jacobs said they agreed to have this year's Memorial Day parade in Milton Mills. Chief Krauss said during his discussions with them, they did ask if the plan is to hold it there every year? He explained the reason for this year is due to manpower issues with the Police Department.

Ms. Burnham motioned to approve the event permit for the Memorial Day Parade submitted by Daniel Wilson. Mr. Rawson seconded the motion. All were in favor; the motion was approved.

6.) OLD BUSINESS

- a.) 2023.04.17.05 WWTP Facility Study – select workshop date. Mr. Williams recommended this wait until June to have the meeting.
- b.) 2023.04.17 – Dawson Street sidewalk repairs (discussion from earlier in the meeting)
Pat Smith, Public Works – presented information on the current street conditions due to the recent storm and the high amount of rain received in the past 24 hours. He listed roads with washouts and other varying degrees of damage – these included Bolan Road, Hare Road, Governors Road, Silver Street, Ford Farm Road, Teneriffe, Mason Road, Nutes Road, Thurston, Bare Hill, Willey Road, Northeast Pond, Picket Hill, Park Place.

Mr. Smith has already been in contact with the Finance Department to discuss what funds are available to pay for the necessary repairs. In the encumbered road construction line, there is currently \$66,572. He is requesting the use of the monies in this line. Mr. Smith said many of the current issues stem back to the Christmas rains and all of the work which had been done at that time are now gone. He indicated it will take a few months to completely fix all of the issues. He does have some crushed gravel on hand to use, although he might need more. He will need to rent an excavator for \$9,000 (for two months). He asked for permission to start the project and use monies from the non-lapsing fund.

Mr. Rawson motion to approve the Public Works request to use \$66,000 from the funds and to rent an excavator at \$9,000 for two months time. If it is needed longer than two months, the Public Works Director can request this via phone call. Ms. Burnham seconded the motion. All were in favor; the motion was approved.

Mr. Jacobs clarified the funds being used are from a non-lapsing road construction fund, and are not encumbered funds.

Mr. Smith also updated the BOS on the Dawson Street sidewalks (from previous meeting discussion). Cold patching can be done – current price is \$128/ton. He recommended patching the areas with the cold patch. While it's a temporary fix, this will get the areas walkable.

Mr. Williams said culverts and ditches will have to be looked at. The public should notify Pat Smith/Town Hall of any situations that need to be addressed.

7.) Communications Received:

- a.) Avitar recommendation letter 2023 04 24: Regarding an abatement request by Eversource: The letter indicated there is no need to act on the utility's request for abatement. Mr. Williams agreed with the recommendation. Mr. Rawson said this has been an ongoing issue with the utility company and agreed as long as everything has been done properly.
- b.) Rodregius Lien Release – recorded: Mr. Jacobs said there was an outstanding lien from 2018 for \$781. The property owner paid the lien and the property was released back to him.
- c.) Strafford Co Exec Committee Mtg notice - May 5, 2023.

- d.) M 36 L 56 NHWB is requesting more information for the wetlands permit: Reference to the Sam Plummer culvert project. The letter was actually addressed to Trout Unlimited with Milton receiving a copy. It is up to Trout Unlimited to respond to the letter.
- e.) M 38 L 35 NHWB is requesting more information for the wetlands permit: They are requesting more information from the applicant.

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

Donation from Greater Wakefield Lions Club: Karen Brown received a \$500 donation from the Greater Wakefield Lions Club to be used for mulching at the playground.

Mr. Rawson motioned to accept the \$500 donation from the Greater Wakefield Lions Club with thanks from the BOS. Seconded by Ms. Burnham. All were in favor; the motion was approved.

Recreation Committee meeting discussion to repair and replace Boat ramp: Mr. Jacobs said at a previous Rec Committee meeting, they agreed to get estimates to replace and repair the Boat ramp. Estimated costs are ~\$125,000. Currently there is \$114,000 committed to the project; there is also a grant application submitted which Ms. Brown is confident it will be approved. Mr. Jacobs suggestion will be to move forward and begin bidding out the project. They will need to get on a construction schedule with a contractor, as there is only a small window of time when the project can be completed. In response to Mr. Rawson's question about the potential use of ARPA funds, Mr. Jacobs said using ARPA funds includes a lot of needed paperwork that are quite time consuming and stressful. Mr. Williams said there are also two possible trust funds that potentially could be used. Mr. Rawson said only the interest could be used.

Chief Krauss: He received email from Consolidated Communications regarding fiber and phone for the Police and Fire Departments, and the Town Hall. A representative is willing to meet with the BOS and provide information and answer questions. He noticed there is no escape clause which will need to be discussed and is a must in any contract.

Breezeline: Chief Krauss said reps from Breezeline met with him, Fire Chief, Selectman Williams and the Town Administrator. They have not yet submitted the requested documents from that meeting; they want to first meet with Chief Krauss and Mr. Jacobs and discuss the escape clause language.

Chief Krauss said this is a definite need for the Police Department. Current backups are taking a very long time with the current speed level, at times as much as 48 hours (they are not currently at the fiber level). Chief Krauss will arrange meetings for Breezeline and Consolidated to attend future meetings.

9.) Approval of Minutes:

Public Minutes:

April 17, 2023 – Mr. Williams motioned to accept **4/17/2023 public minutes with adjustments**. Ms. Burnham seconded the motion. All were in favor; the motion was accepted.

10.) Public Comments Relative to Topics Previously Discussed:

Virginia Long – comment related to boat ramp discussion: the TPPA has matching grants up to \$500 to add plantings at the beach; this is great publicity for TPPA.

Discussion on separating Town Clerk/Tax Collector positions: Ms. Long recommended using Brian Boyers as an example as he was elected to the Planning Board and is also employed by the town as Code Enforcement.

Nancy Wing – question regarding the rabies clinic: Is it possible to register dogs at the same time?
Mr. Williams – unfortunately they would not be able to do this as this is a function of the Town Clerk position.

11.) Expenditure Reports:

Mr. Jacobs – March – billing for the Three Ponds hearing was \$3,751 bringing the total YTD just for this case to \$13,137; last year the town spent over \$22,000 (total \$35,000). By comparison, all other questions submitted to general counsel amounted to ~\$2,000.

Request for information by 3M – NH state is suing 3M for PFAS contaminations. 3M has sent out request for all land-fill reports (or any documentation which included PFAS in it), also being provided to 3M by the state environmental services. The town received a bill for \$376 to respond to 3M's request. What this all means is the town has already spent 53% of the legal line budget for the first three months of the year.

Mr. Williams said the town is legally obligated for welfare. With the stoppage of federal funds, this will increase welfare expenses.

12.) Town Administrator:

1. The next meeting of the board will occur on May 3, 2023 in non-public to interview candidates for the Town Clerk position. There are 3 interviews scheduled for the Town Clerk, and one for the Field Sexton position.
2. The Board will meet May 8th to discuss the Grade & Step plan, Employee Handbook and Employee Retention.
3. The next public and non-public meeting of the Board is May 15, 2023.
4. NHDOT is trying to schedule a preliminary review meeting with the Milton and Lebanon Selectmen for the Townhouse Bridge replacement project (reference 2023 04 26).
Scheduled for May 22nd.
5. ARPA funds annual report was submitted April 26, 2023.

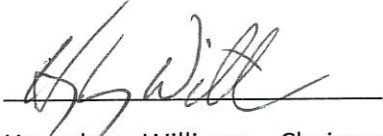
13.) Selectmen Comments:

1. Mr. Rawson – thanks to Pat and his crew for their work during the recent storms. There is a spaghetti supper scheduled on Wednesday at the Nute High School. Cost is \$5.00 and will benefit the seniors.
2. Ms. Burnham – the recent Budget Committee meeting went very well. Mr. Williams thanked Brittney and Mackenzie for attending the meeting.

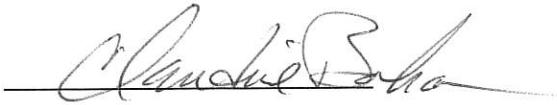
14.) Adjournment:

Mr. Rawson motioned 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 7:45PM.

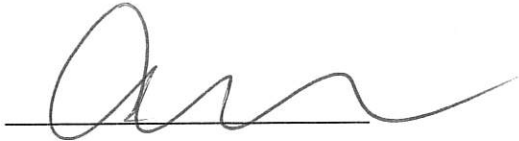
Given under our hands this 15th day of May 2023.



Humphrey Williams – Chairman BOS



Claudine Burnham - Board Member



Andrew Rawson - Board Member

END OF MINUTES – May 1, 2023