

**Town of Milton
BOARD OF SELECTMEN MEETING
February 6, 2023**

ATTENDANCE:

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

Staff: Chris Jacobs -Town Administrator, Chief Richard Krauss- Police Department, Pat Smith-Public Works Director, Bruce Woodruff-Planner

Public: Kym Libby

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: Ms. Burnham 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 mic. This will give those unable to attend the meeting in person with improved listening.

There was no public comment.

3.) Announcements and Community Calendar:

1. The Town and School Deliberative Sessions will be held on February 11th at the Nute High / Middle School Cafeteria. The Town starts at 9:00AM and the school portion starts at 1:00PM.
2. The Town has put together a Voter's Guide for use during the Town Deliberative Session. Copies are being mailed to Milton addresses. A copy can be obtained on the town's website, at Town Hall, and at the meeting itself. The meeting will be recorded and also available for live view.

3. Town and School Candidate's Night will be held on February 12, 2023, at 3PM in the Selectmen's Meeting Room. It will be video recorded and transmitted live.
4. Town Offices will be closed on Monday, February 20, 2023, in observance of President's Day.
5. The Transfer Station will be closed on Monday, February 20, 2023, in observance of President's Day.
6. The Assessor has been called to jury duty starting February 13th. Her schedule will fluctuate depending upon which cases she may be assigned.
7. You don't need to wait until spring to register your dog. The Town Clerk's office has the tags for this year and the deadline is April 30th.

4.) NEW Business – Discussion and Possible Actions:

- a.) **Request from Planner:** The Planner submitted a Request for Proposals; all received proposals were to be opened at 6:00PM on February 6th. RFP2023-3 – for Engineering Services for Asset Management. Three proposals were received and accepted: 1.) Underwood Engineers; 2.) HGB Engineers; 3.) Wright-Pierce. The process is to interview each of the firms with the selection by the first week of March. Upon selection, a contract would be presented to the BOS for final approval.

Bruce Woodruff explained he had worked with Pat Smith on the pre-grant application for the Asset Management program. From the grant (not a loan), they expect to receive \$60,000 - \$30,000 for the stormwater and \$30,000 for sewer infrastructure. With that, setup Asset Management software. This would help move the town along in the MS4. March 1st is the deadline for completing the process. Mr. Woodruff recommended the BOS name a 'Review Committee' which should include DPW, TA, Sewer Superintendent and a BOS member. The committee would then review the proposals and rank them; after ranking, to negotiate with the firm which ranked highest. The scope of work must be submitted to DES by March 1st.

Mr. Williams made a motion to move ahead appointing the selection committee. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

- b.) **Request from Paey Construction to be released from the Ord #00-01 Road Posting:**
Mr. Jacobs – each year Mr. Smith has the ability to post weight limits for the roads. Like previous years, Paey is requesting to have the ordinance waived for their travel from 76 Piggott Hill Road to Route 125 (only Piggott Hill Road); this allows them to travel in and out of their business.

Mr. Morrill made a motion to approve the waiver. Mr. Williams seconded the motion. All were in favor; the motion was approved.

- c.) **Request to Waive building permit fee for the American Legion:**
Mr. Jacobs was approached from a rep for the American Legion wanting to replace their windows. As this would require a building permit, they are requesting a waiver to the permit fee. They are a community-service organization.

Mr. Williams made a motion to waive the permit fee. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

d.) **Sam Plummer Road – subrecipient request (Pat Smith):**

Mr. Jacobs – as part of last year’s culvert replacement project, the project has been reapproved on the condition the town be named a sub-recipient. Mr. Smith said the project was to be done last summer, however with significant cost increases in materials, Trout Unlimited did not have enough money to proceed. They contacted Mr. Smith, asking if the town would be a sub-awardee for a received grant. Mr. Smith requested the town receive the grant so TU could continue with the project. They will continue to do everything regarding the project; the town will not participate in the project. The grant will just allow them to continue and complete the project. Paperwork still needs to be completed.

Mr. Williams made a motion to accept the grant money from Trout Unlimited. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

e.) **Request from Walter Cheney to address the Board regarding zoning:** Mr. Cheney was not in attendance; there was no discussion. Mr. Jacobs said he did inform Mr. Cheney that as a property owner he does have the right to express concerns and ask questions to the BOS.

5.) **EVENT PERMITS**

a.) No event permits received.

6.) **OLD BUSINESS**

- a.) **2023.01.26-Personnel Policy Review:** Ms. Burnham requested additional time for review.
- b.) **2023.01.26-Records Retention Policy:** Mr. Jacobs – this is not a time sensitive issue; Milton is not the only community without any current policy. This stems from received ARPA monies; all communities who receive ARPA monies are required to keep records for a period of time. As this will be a live document for the next five years, this should be revisited each year after elections to allow boards to either change or reaffirm the policy. Mr. Williams said the BOS can begin to move forward with this recognizing there will be changes in the future. Ms. Burnham asked this be added to the bylaws. Mr. Williams said information on Digital Transfer should be considered for this.

Mr. Williams made a motion to move forward with what is currently written. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

c.) **2022.11.21-Church Street Bridge:** Mr. Jacobs provided a memo to the BOS. In November, the town received a letter from the state asking if the town wanted to move forward with the Church Street Bridge. At the same time, the town of Acton was also asking about possibly moving forward with Hopper Road Bridge. Mr. Jacobs recommended responding back to the state indicating an interest in moving forward with design and implementation of the bridge. The state’s letter indicated bridge construction would occur in 2025; a concern with this timeline is not having all the monies required for the town’s portion of the project. Milton’s share would be ~\$400,000 – would not have enough to cover this. Any letter to the state should include adding a caveat this is subject to the voters’ approval to raise and appropriate sufficient funds to meet any deadlines. To meet such a deadline, for 2024 would need a Warrant Article raising \$400,000 all at once or at least half of that with the remaining \$200,000 in March of 2025. Mr. Jacobs indicated to the BOS he is not

confident the town and states could meet the schedule as all parties are very busy. He recommended the BOS authorize a positive response to the state and include the above-mentioned caveat about voters' approval for funding.

Mr. Williams made a motion to move forward with a positive response back to the state with the recommended caveat. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

Mr. Williams asked about the grant money and a request to earmark the money for the bridges. Mr. Jacobs – the state gave additional monies for bridge aid. This money cannot be used to help offset property taxes; it is for anything related to bridges; for example – purchasing equipment needed to maintain a bridge, etc. Mr. Jacobs thought it may be good to earmark the \$130,000 for Milton Bridges so those monies would not get directed to other things.

Mr. Williams made a motion to earmark \$130,445.33 for the Milton Bridges. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

7.) Communications Received: Mr. Jacobs explained he adds the communications to the agenda to help the public understand there is activity going on.

- a.) **Notice of Dismissal from the US Bankruptcy Court on 1-31-2023:** A town resident had previously filed for bank protection. As the debtor failed to file all necessary documents in a timely manner, this had been declined. The town will continue to work to clear up tax issued parcels.
- b.) **Notice of Decision from the NH Board of Land and Tax Appeals. Reference Eversource Energy vs. Milton Docket #30608-21PT:** This was an outside suit between Eversource and Milton regarding a taxation issue. There is some settlement. This is a long-standing issue and continues to be actively pursued.
- c.) **Inspection Notice of a dam on the property of O'Malley Gardens. Ref Dam #D161034:** From the DES-Dam Bureau – refers to a building on Hughes Lane located behind schools. This is important due to the proximity to the school; the dam controls and maintains the waters. This is an inspection notice to the property owners.

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

Mr. Morrill asked if the beach gate could now be opened? In 2020, the BOS voted to open the gate on December 15th. Mr. Williams said he agreed it should be opened now, however, the date of December 15th is arbitrary. This has been a warm season and back in December there was no ice. Each year will be different. Mr. Morrill – like the summer, there is a sign at the gate telling people to enter at their own risk. December 15th is an early date and it does really depend on the year's weather. Mr. Williams suggested adding this to the BOS yearly calendar to ensure we visit the opening of the gate. Chief Krauss explained the gate will remain open; however, the usability is reflected by the town ordinance which says all parks close at dusk.

Mr. Morrill made a motion to open the gate on the morning of February 7th, 2023. Mr. Williams seconded the motion. All were in favor; the motion was approved.

9.) Approval of Minutes:

Non-Public Minutes:

January 26, 2023 -

Mr. Williams motioned to accept **1/26/2023 Non-public minutes- RSA91-A:3 II(d) Hamel Tax Repayment Agreement**. Mr. Morrill seconded the motion. All were in favor; the motion was accepted.

Mr. Williams motioned to accept **1/26/2023 Non-public minutes-RSA91-A:3 (IId) Map 33 Lot 203.132 a/k/a 130 Pineland Park**. Mr. Morrill seconded the motion. All were in favor; the motion was accepted.

Mr. Williams motioned to accept **1/26/2023 Non-public minutes- RSA91-A:3 II(d) Map 42 Lot 58 a/k/a 20 Dawson Street**. Mr. Morrill seconded the motion. All were in favor; the motion was accepted.

Mr. Morrill motioned to accept **1/26/2023 Non-public minutes- RSA91-A:3 II(a) Fire Chief Nick Marique**. Mr. Williams seconded the motion. All were in favor; the motion was accepted.

Public Minutes:

January 26, 2023 - Mr. Williams motioned to accept **1/26/2023 public minutes with identified corrections**. Mr. Morrill seconded the motion. All were in favor; the motion was accepted.

10.) Public Comments Relative to Topics Previously Discussed:

Mr. Woodruff provided his public comment on the issue of citizens coming before the board to ask questions/comment about the Zoning or Warrant Articles. He is all for citizens having the right to express their opinions or ask questions. However in the specific instance before the BOS at tonight's meeting, the Planning Board did listen to the individual and made changes to the ordinance which apparently did not go far enough for the individual. He suggested it might be good to talk in advance to people who ask to come to BOS and help them understand the only thing BOS can do is to vote to support for or against Zoning decision; the BOS cannot change language.

11.) Expenditure Reports:

Mr. Williams – as Brittney continues to work to close out 2022, he expects expenditure reports will be ready for the next meeting.

12.) Town Administrator:

1. The next meeting of the board will occur on February 27, 2023.
2. Meet the Candidates – scheduled for February 12th at 3:00PM. This date was chosen since the following is a 3-day holiday weekend. This is not expected to interfere at all with the super bowl. This will be recorded.
3. Notification was received from the NHDES Clean Air Program about diesel trucks. The program allows a town to buy a new truck or get an engine replaced. This could be beneficial to Public Works as a new engine could cost ~\$6,000-\$10,000. The program providing grants has increased to \$900,000, up from \$300,000.

13.) Selectmen Comments:

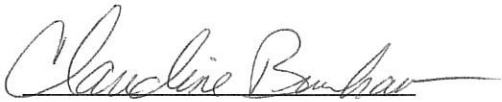
1. Mr. Williams recognized the hard work from Brittney and Chris over the past several weeks. This has been a very trying session working to finalize the Warrant Articles and the recent confusion at the DRA.

2. Ms. Burnham – the Milton Business Association will have a display table at the upcoming Deliberative Session. Ms. Burnham reached out to all committee to let them know they can also have tables. This is a great opportunity to inform the residents about their committee.

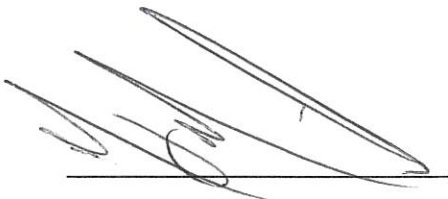
14.) Adjournment:

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 6:52PM.

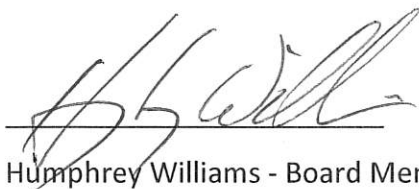
Given under our hands this 26th day of February 2023.



Claudine Burnham – Chairman BOS



Matthew Morrill - Board Member



Humphrey Williams - Board Member

END OF MINUTES – February 6, 2023