



Town of Milton
BOARD OF SELECTMEN MEETING
March 20, 2023

ATTENDANCE:

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

Staff: Chris Jacobs -Town Administrator, Chief Richard Krauss- Police Department, Chief Nick Marique- Fire Department, John Gagner- Town Clerk, Pat Smith- Public Works

Public: Kym Libby, Renata Gamache, Nicholas Gamache

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.

3.) Announcements and Community Calendar:

1. Election Day has been rescheduled for Tuesday, March 28, 2023, at the Nute High / Middle School Gymnasium from 8:00-7:00PM.
2. Dogs need to be licensed by April 30th.

4.) NEW Business – Discussion and Possible Actions:

a.) Department Head Reports.

Public Works: Pat Smith

The Public Works Department had six weather events from 2/27 to 3/20 with a total of 50 inches. Sidewalk snow removal was done as needed. Added stone to some areas as needed to help with early thaw. Cold patching was done on all roads as needed. Trees from the storm are currently being removed and cleaned up. Regular maintenance continues on all trucks and

plows. Cutting edges changes as needed on plows.
Solid Waste Department is operating normal.

Public Works will be holding the 10th annual Earth Day Road Side Cleanup on Saturday April 22 from 9-12PM. Contact the Public Works Department (603.652.9891) to sign up with road name and number of people in your group. They will supply the blue bags.

Mr. Smith had previously submitted a request for BOS approval of hours from May 1st to September 4th. Mr. Williams thanked him for having the split shift which will allow full weekly coverage.

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

Police Department: Chief Richard Krauss

On March 10th, our officers jumped into the frozen Milton Three Ponds while participating in the NH Special Olympics Law Enforcement Winni-Dip. Our officers raised over \$2,000 in fundraising for the Special Olympics. This money stays in the state and goes directly to the athletics in NH.

Winter is slowly coming to an end and with that comes mud season. Be nice to dirt roads and don't tear them up with your 4x4 vehicles. All town roads are posted for weight limits and will be strictly enforced due to the damage it will cause to the roads. Contact DPW if you need delivery on a town road and the weight of the vehicle and cargo is going to be over 8 tons. Winter parking ban will end on April 15th.

We will be conducting a Rabies Clinic with Broadview Animal Hospital on May 6th from 2-5:00PM at the Highway Building. Please make sure to have dogs on a leash and cats in carriers. Bring along previous paperwork or it will only be a one-year vaccination. It will still be \$25 per dog or cat. Dog licensed are due by April 30th; get them done early.

With warm weather, we will see increases in people walking, running, riding bicycles and riding horses on the roadways. Use extra caution and give a wider berth when passing people on the road.

We will be continuing our multiple Highway Safety Grants over the next five months. These patrols – Join the NH Clique, Distracted Driving, Speed Enforcement Patrols and DUI Patrols – allow the agency to put an officer on patrol during specific blocks of time for targeted enforcement of dangerous operation of motor vehicles. Starting in April when the snowbanks are gone we will be putting the speed trailer out on roads again to find areas and times in need of enforcement due to higher levels of speeding and traffic.

Fire Department: Chief Nick Marique

February – Milton Fire/Rescue responded to 59 calls for service. YTD the department has responded to 187 calls (decrease slightly from last year).

Last month the department took delivery of the new command car. We are currently waiting on the delivery of the command box for the vehicle which is scheduled to be completed by April 6th. The vehicle is then scheduled for upfitting at OME the week of April 17th. A reminder this

vehicle was funded in the amount of \$50,000 through the GOFERR locality equipment grant. We would like to thank Rochester Walmart for their donation of 20 cases of bottled water to the department for firefighter hydration at incidents.

Last week we received 3 proposals for the new ambulance. We are currently reviewing the proposals with hopes to have the winning bid awarded at the first BOS meeting in April. Delivery dates of the ambulances for all 3 proposals range from early to late 2025. The proposals cost range is low of \$35,000 with the price of the warrant article of \$405,000 being close to the middle.

The shift schedule for the month of April has been completed; there are 7 shifts with no availability given. These may get filled in overtime, but this again highlights the need for the additional full-time firefighter/EMT as requested on Warrant Article #13.

Finally, I would like to thank Selectman Morrill for his 3 years serving as a member of the Board of Selectmen.

Parks & Recreations: Submitted by Karen Brown

Basketball season ended March 5th with a tournament and banquet. Special thanks to all the families and coaches who participated in the season.

Senior Bingo & luncheon – next luncheon will be in April for the Easter Dinner. Senior Bingo averages 50 people weekly.

Spring Soccer Kick-around will begin in April. Registrations open to Milton / Milton Mills residents; free for all participants. Schedule will be determined. Age groups are U8, U10, U12. Assistant coaches are needed for all groups.

Kids March Night Out – March 24th.

Zumba has had record attendance. No classes will be scheduled in April.

Camp 3 Ponds planning continues. Registration will open soon. Camp will run from June-August.

Greater Wakefield Lions Club will hold a free vision screening event on March 29th at Emma Ramsey Center.

Easter Event is scheduled for April 1st at the Town Beach.

Town Clerk/Tax Collector: John Gagner

In February, received \$66,730 in motor vehicle revenue (paid \$24,602 to NH state). Additional revenue sources included dog license renewals, copy fees, notary services, decals.

\$76,045 was collected in income/tax revenue.

Town Elections – March 28th; the Town Clerk's office will be closed that day. Absentee ballots are still available.

April 30th – deadline to register for dog license.

Reminder to committees to submit minutes.

b.) Bid Opening 2023-001 Interior Painting:

There were three bids received for interior painting:

- 1.) George Charlotte Painter/Contractor - \$11,760 (11 days to complete project)
- 2.) Peak Painters - \$16,750 (8-10 days to complete project)
- 3.) FA Gray LLC - \$25,995 (28 days to complete project)

Insurance / liability certificate was included in George Charlotte Painter bid submission.

Mr. Williams made a motion to approve George Charlotte Painters for \$11,760. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

c.) Winding Road Bridge-added to list and BOS agreement with NHDOT:

Mr. Jacobs said they received a letter from the state on March 3rd. The state estimates the cost of the bridge will be ~\$1.4M with \$297,120 as the town's portion (construction 2027-2032). The letter is asking if the town is interested in applying for bridge aid. Mr. Jacobs has a concern due to the town had previously agreed with Church Street Bridge. While there are monies in the Milton/ME Bridges account, that is tied to the Town House Bridge. There is ~\$150,000 put away for this bridge. He could anticipate a future challenge if voters would be asked to support two bridges at the same time. Mr. Williams said the town did receive two grants - \$130,000 for road construction and \$109,000 for anything associated with a bridge. Mr. Jacobs – if we would agree to applying for the bridge aid, essentially means putting Warrant Articles before the voters. Mr. Williams said it would be contingent upon the voters' approval.

Mr. Williams made a motion to applying for bridge aid funding. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

d.) Status of Townhouse Road Bridge – email and discussion:

Mr. Jacobs has received resident's questions asking about the status. There have been concerns regarding the project. A meeting was supposed to happen in February to view a conceptual plan which did not happen. Since then, Lebanon ME has met with a bridge design consultant. They indicated they are having difficulty meeting the requirement of having a police boat going under the bridge. Mr. Jacobs said he will wait until after the election to schedule a meeting.

e.) WWTP Facility Study – memo reading and discussion:

Mr. Jacobs – every 7 years they are required to do a facilities study. The study was reviewed by the state who submitted their comments to Wright Pierce. They are moving the project study from draft to final stage. Wright Pierce recommended scheduling a workshop/public hearing to review the study. The project could potentially cost ~\$13M to the town. This is a five-year process to get this completed. There are other options for discussion; two options would include shifting wastewater to other communities. Whether treating onsite or sending to other communities, the cost will be ~\$13M. Mr. Jacobs would recommend sending to another community. Mr. Williams said the option of keeping it in town would require 2 operators which would also increase costs. Mr. Jacobs will add to the next BOS agenda to select a date for the workshop. The report PDF will be posted to the website.

f.) Streetlights on Rte. 125 – expenditure of ARPA funds:

Mr. Jacobs explained he requested adding two streetlights be added at the intersection of Industrial Park with Rte. 125. This will help people find the entrance where the new Town Hall will be. The lighting company said the cost will be \$1,596 which includes installation (LED lights). The BOS will need to recognize the monies used will be from ARPA funds as this is a cost related to opening the new Town Hall. Eversource requests this be put into writing.

Mr. Williams made a motion to authorize the expenditure of ARPA funds of \$1,596 to two streetlights. Mr. Morrill seconded the motion. All were in favor; the motion as approved.

Mr. Williams made a motion to authorize the Town Administrator to send a letter to Eversource saying the town will pay the cost. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

g.) Community Power Action Committee – formation and charge document:

Mr. Jacobs – from the previous meeting’s presentation by Community Power, Mr. Jacobs developed a sign-up form and charge document, which basically would tell the committee what they are charged with doing including develop a Warrant Article to enter into an agreement with Community Power, and that one month after the vote (in 2024), suspending the committee, unless BOS would have additional responsibilities for the committee to continue focusing on (the committee would suspend by June, 2024). He will post the information to the website. Mr. Williams said the sooner the better to ensure this would happen by 2024 voting.

Mr. Williams made a motion to move forward with Community Power documentation. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

5.) EVENT PERMITS

a.) **Memorial Day Parade:** Mr. Jacobs received the application. Chief Krauss submitted information documenting associated signage and road closures. Chief Krauss said the last time the parade was held on White Mountain Highway was 2021. Because Rte. 125 is a state road, a state highway permit must be filed. He provided information on the route, signage, and road closures. He said this would not be possible with only 3 officers. Ms. Burnham asked how many officers would he need? Chief Krauss said the last time they had 6. Mr. Williams asked if Public Works could help? Chief said yes. Mr. Morrill suggested with the current lack of available personnel, could they speak with Dana Wilson about keeping the parade in Milton Mills for this year? Chief Krauss said while that would be easier, the BOS would need to do that. Mr. Morrill said he would reach out and ask Dana. Mr. Williams agreed until there is adequate staffing, this would make sense. Mr. Jacobs will add this to the next BOS agenda.

6.) OLD BUSINESS

a.) **2023.12.19 Sexton Job Description – review and comment:**

Mr. Jacobs said he had made suggested revisions; because the administrative responsibilities of the position are being filled, he titled the position Cemetery Field Sexton. He asked if this is considered a town employee or contractor? Mr. Morrill recommended having it as a contractual position. Mr. Jacobs asked if the position would include mileage reimbursements? Mr. Williams said this should be discussed with any potential applicant. Mr. Jacobs will get this position posted ASAP.

b.) **2022.02.04.00 549 White Mountain Highway – status of building:**

Mr. Jacobs explained he contacted the owners of 549 White Mountain Highway requesting updates and the status of getting something done to the building – either improving or

demolishing the building; this has already been an 18-month process. He reminded the owner this is their responsibility, not the town. The street-facing glass windows have now been boarded up; he recommended either he or Chief Krauss look at the backside of the building. Mr. Jacobs told the owners he wants weekly updates from the owners on the status.

7.) Communications Received:

a.) There were no communications received.

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

There was none.

9.) Approval of Minutes:

Public Minutes:

March 6, 2023 - Mr. Williams motioned **to accept 3/6/2023 public minutes**. Mr. Morrill seconded the motion. All were in favor; the motion was accepted.

10.) Public Comments Relative to Topics Previously Discussed:

Renata Gamache: I would like to say a few words about the presentation that Community Power made to the Board on March 6th. I would like to thank Ryan Polson for putting together a presentation about Community Power. Mr. Polson spoke about (min 20:14) the program itself which allows the Town to develop a Committee and develop a plan that basically groups all the residents of the community together to go out to bid for an electric contract. (min 24:10) The plan would state what the Town wants as their program. The basic feature being able to provide options for the residents.

I am in favor of lower electricity costs and I am in favor of being able to choose an alternative electric supplier. I did so last year when the Utility rates went up.

The biggest item about Mr. Polson's proposal that gave me pause is the Opt-out option for the program.

I am going to talk about Opt-in VS Opt-out. Under Opt-in, the electric account holder needs to sign up for the program. Under Opt-out, the electric account holder will be automatically enrolled in the program if they do not Opt-out within a certain timeframe.

During his presentation, (min 28:05) Mr. Polson said, Community Power did exist before 2019, but it was an opt- in program so you had to get so many people to sign up to do this program that's why he knows it doesn't exist because it would be near impossible to get to make it work that way so they switched the language to opt-out. This statement gave me pause. Why would it be near impossible to make it work as an opt-in program? My electric supplier is an Opt-in Supplier and that works quite well. So why does it not work for this program Mr. Polson is proposing? Mr. Polson kept referring to postcard mailers and residents opting out if they do not want to participate. Again, this made me pause and think..... I chose my energy supplier. No one took that choice away from me by enrolling my electric account with a supplier I did not choose because a deadline was missed.

I would like to refer to RSA 53-E (Aggregation of Electric Customers by Municipalities and Counties) (The Plan Shall Detail) under section 53-E:6 part III (c)

Rate setting and other costs to participants, including whether energy supply services are offered on an opt-in basis or on an opt-out basis as an alternative default service.

(Mr. Polson never mentioned an opt-in option.)

Under section 53-E:7 part III says..... If the plan is adopted or once adopted is revised to include an opt-out service, the municipality or county shall mail written notification to each retail electric customer within the municipality or county service area where such opt-out service is to be provided.

(This is what Mr. Polson spoke about. The opt-out postcards.) the RSA continues to say.....

If an electric aggregation program or energy service is offered only on an opt-in basis, mailing of written notification to each retail electric customer within the municipality or county service area shall not be required. (Again, Mr. Polson never mentioned an opt-in option.)

And part 5 of this section says..... V. Services proposed to be offered by or through the aggregation shall be on an opt-in basis unless the adopted aggregation plan explicitly creates an opt-out alternative default energy service program... (and the RSA continues to talk about price and postcards and opting-out) (Again, Mr. Polson never mentioned an opt-in option. At this point, I ask why?)

I would like to bring to everyone's attention to Section 53-E:6 part III (f) of the RSA.....

How net metered electricity exported to the distribution grid by program participants, including for group net metering, will be compensated and accounted for.

This affects the Residents with Solar.

The Eversource.com website for New Hampshire Net Metering says..... Under the topic. How is my Eversource bill impacted by the installation of net metered generation? Each kilowatt hour of Net Sales will earn a monetary bill credit equal to the sum of the Default Energy Service charge, the Transmission Charge, plus 25 percent of the Distribution.

Charge. Customers who take energy supply service from a competitive retail supplier are not eligible for the Default Energy Service portion of this credit.

The Opt-out option, if the postcard deadline is missed and the Resident is automatically enrolled with a supplier not of their choosing, will have an impact on the monetary bill credit that is received. This needs to be discussed with Mr. Polson.

And another item I would like to bring to everyone's attention is Section 53-E:6 part III (g) of the RSA..... How the program will ensure participants who are enrolled in the Electric Assistance Program administered by the commission will receive their discount.

The Eversource.com website for New Hampshire Electric Assistance Program says..... Please note, the EAP discount does apply to the supplier services portion of an electric bill when a customer chooses an independent supplier for their electricity needs.

This is another item that needs to be discussed with Mr. Polson for the proposed program.

I understand we are just beginning this process and forming a *Community Power Action Committee* to look into this proposal. These items and many more will need to be discussed.

The Community Power Coalition of New Hampshire website states that Community Power was made possible by recent legislation enacted in 2019 amending RSA 53-E, also known as the Community Power Law and is a voluntary program for residents and municipalities.

Being a voluntary program, I ask the Board of Selectmen and will be asking the newly formed Committee to look into creating the Community Power Program as an Opt-in only program. Not as an Opt-out program. Other Suppliers in New Hampshire are Opt-in and are able to make their programs work. Mr. Polson says (min 46:12) they expect to be pretty competitive over the

course of the term or the contract. If that is the case, why would this Program not work as an Opt-in program?

If Milton residents feel this program is right for them, then they should have the opportunity to Opt-in of their own free will, NOT be forced to Opt-out of something they did not choose. I ask the Town and the Committee to give the people the freedom to choose, to Opt-in, not Opt-out, because Opt-out, if the deadline is missed, means someone is making the decision for you. Thank you for your time.

Mr. Williams thanked Ms. Gamache and said it will be good for the future Community Power committee to have this information

Nicholas Gamache: A possible recommendation for Memorial Day Parade, could volunteers be used? Chief Krauss said this would not be possible as workers must be traffic certified.

11.) Expenditure Reports:

Mr. Williams provided a summary. Brittney will make final changes this week. He provided a quick summary of where the town currently stands: 16.4% YTD (February) with expenditures at 15.3%. So far, we are in pretty good shape. 2022 will be finalized by end of next week.

12.) Town Administrator:

1. The next meeting of the board will occur on April 3, 2023.
2. On March 16, 2023, we were notified that NHDES has received and is reviewing the Groundwater Discharge Permit application for Lockhart Field. The application process reviews how the town is managing that specific landfill site. While there were no conclusions provided in the report, February's groundwater results indicated there are PFAS discharges.
3. On March 16, 2023, our consultant for the wastewater treatment plant was notified that the NHDES had finalized their review of the Facility Study and that a final copy should be submitted.
4. The Household Hazardous Waste Collection Day is May 20, 2023 from 8:30-12:30PM at the Waste Management Landfill, Rochester. Additional reminders will be issued as we get closer to the day. Residents can take their used motor oil, unused paints, law chemicals, etc. When residents participate, it really does help out Milton and improve the water quality.
5. Reading of ambulance bids and awarding will be at the April 3rd meeting.
6. Appointment of a BOS Chairman and committee assignments will be at the April 3rd meeting.
7. Town Legal Counsel – monthly bill received included a \$9,340 charge for an evidence hearing. Between previous year and this year, the town has had to spend \$31,617 to adjudicate just one particular case. For the current year, legal services is already at 41% expended. By law, the town can legally exceed the appropriation without holding a special meeting; this is still disturbing to see.

13.) Selectmen Comments:

1. Mr. Williams – March Budget Committee meeting was moved to April 6th.

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 7:22PM.

Given under our hands this 3rd day of April 2023.



Claudine Burnham – Chairman BOS

Matthew Morrill - Board Member



Humphrey Williams - Board Member

END OF MINUTES – March 20, 2023