

Town of Milton
Board of Selectmen Workshop Meeting
July 18th, 2019
Milton Town Hall

Work Session Meeting

Board of Selectmen Attendance: Chairman Ryan Thibeault, Vice Chair Erin Hutchings, Andy Rawson, Town Administrator Ernie Creveling, Recording Clerk; Danielle Marique

Public Attendance: John Katwick, Larry Brown, Deb McCormack, Wadleigh, Starr & Peters Attorney; Michael Tierney, Mitchell Municipal Group Attorneys; Walter Mitchell, Laura Spector-Morgan, Steven Whitley.

Meeting call to order

R Thibeault welcomed all in attendance to the workshop session.

New Business:

Appointment of Conservation Commission Alternate

***Motion:** R. Thibeault moved to appoint Deb McCormack as a Conservation Commission Alternate with a term expiring in 2020. E. Hutchings seconded. 3-0.*

Old Business:

Town House Heating/Cooling System Follow up Discussion

J. Katwick reported the new figure for the Mitsubishi Home Comfort System unit from Currier Plumbing is \$11,000 with the quote from Strogens Service Experts being \$14,000. R. Thibeault questioned the remaining balance of the current Townhouse Capital Reserve Fund. J. Katwick stated there is roughly \$4,000 remaining in the fund, however, the heating/cooling project does not classify as a restoration purpose. R. Thibeault questioned if the remaining balance of funds would be used and expended. J. Katwick stated the funds would be exhausted. A. Rawson questioned if the unit was electric or other means of service. J. Katwick stated it was an electrical unit. A. Rawson questioned the operating expenses for the future. J. Katwick stated it was not something that has been accounted for currently but comfortable with the option of renting the facility the rental fees will offset the utility expense to heat/cool the building. R. Thibeault questioned if the Public Works Director was aware of the future funding expense need as it would be a Government Building operating expense. J. Katwick stated he received approval from DPW P. Smith. E. Hutchings questioned if there were any other plans for the remaining monies in the Municipal Buildings Capital Reserve Fund. E. Creveling stated the air conditioning unit in Town Hall needs attention in the near future as soon as next year as there has recently been a relatively serious malfunction with it just this week. R. Thibeault stated this next step is a great option for the Town and the entire project has shown a great deal of success however details of this nature lacked especially for future planning. E. Hutchings stated it is difficult to spend within a default budget especially when there are other areas in need of assistance. J. Katwick stated within the over \$200,000. project, no money was of tax dollars.

***Motion:** R. Thibeault moved to approve the purchase of the Mitsubishi Home Comfort System from Currier Plumbing for \$11,800. to be expended from the Municipal Buildings Capital Reserve Fund. E. Hutchings seconded. 3-0*

Wadleigh, Starr & Peters Law Firm Presentation

M. Tierney reported Wadleigh, Starr & Peters has 32 attorneys and currently represent 7 different Towns in New Hampshire. E. Hutchings questioned what the general policy was regarding legal inquiries from other board or committee members other than the Town Administrator. M. Tierney stated it is dependent on how the Town chooses and wishes to establish those guidelines to be followed. R. Thibeault questioned the possibility of differing interoperations and opinions amongst the firm. M. Tierney stated there is constant open communication between the lead attorney for any needed consultation, that not all cases need or require consultation. R. Thibeault questioned how those discussions are then charged and billed for. M. Tierney stated billing and deferral is dependent on the case and the specialty and any requirements. E. Creveling questioned which attorney would be representing the Town. M. Tierney stated S. Bennett would be the lead attorney for all representations. A. Rawson questioned how past legalities and the associated material would be retrieved and the costs associated in retrieving the needed information. M. Tierney stated it is not common practice to charge for review of past or current litigations. E. Hutchings questioned the approximate percentage the firm represents municipalities. M. Tierney stated S. Bennett represents approximately 90% municipalities, however, he is one attorney, in regards to full firm the equivalent to municipality work is approximately 10-20%.

Safety Fencing

E. Creveling reported East Coast Fencing has provided a quote for a 1 year fencing rental at 565 White Mountain Highway for \$1,200. including installation, suggesting the funds to be expended from the unanticipated expenses line item which currently has approximately \$12,000 remaining.

***Motion:** A. Rawson moved to continue with the one year installation of the fencing around 565 White Mountain Highway for \$1,200 from East Coast Fencing to be expended from the unanticipated expense line. E. Hutchings seconded. 3-0*

Other Business

DPW Staffing

E. Creveling relayed message from DPW P. Smith, combined between his 3 departments (Solid Waste, Highway and Government Buildings) there are currently 7 positions either vacant or temporarily vacant due to medical reasoning.

Street and Line Painting

E. Creveling relayed message from DPW P. Smith, there are 3.5 miles of roads within Milton and Milton Mills (Main Street, Jug Hill Road, Town House Road, Dawson Street, Steeple Street and Elm Street) that could be painted with both white and yellow traffic lines. P. Smith proposed a quote from Industrial Traffic Lines Inc. totaling \$6,067.05 for the roadway line painting and offered half the payment be expended from his Highway operating budget and the other remaining half from the Unanticipated expense budget line. E. Hutchings questioned the legalities of road line painting. E. Creveling stated the original project request to DPW Smith was for painting parking lines not road ways. Reported per DPW Smith all parking painting is at Town employee capabilities. A. Rawson suggested continuing with painting road lines on Town House Road. R. Thibeault suggested to continue with the previously approved project alone being just parking and crosswalk areas in need in Milton Mills and any road striping including their suggested reasoning be discussed at a later meeting especially if road construction and potential redevelopment will continue for Dawson and Steeple Streets. Also suggested remaining with the purchasing policy and receive three quotes prior to a decision. E. Hutchings questioned the cost of

waiting on the road painting versus the proposal of next week. E. Creveling stated there is no difference in rate, the proposed company is based out of Londonderry NH and reportedly in the general area the week of July 22nd.

Motion: R. Thibeault moved to allow spending from the Highway operating budget for up to \$3,000 on road line painting with a first priority being of the parking and crosswalk needs in Milton Mills and continuing with line painting of Town House Road as remaining funds allow. E. Hutchings seconded. 3-0

E. Creveling reported SB154 has been signed and the selling of the old fire station can resume with an approximate closing date of September 1st, 2019.

E. Creveling reported his efforts in contacting the State Governors office with potential assistance with cooperation with NH DOT and the two pending projects within the Town being the old Rays Marina location and Route 75 access point.

Nonpublic

Motion: R. Thibeault moved to adjourn the public workshop and continue in nonpublic session 91-A: 3 II (a) and 91-A: 3 II (b), temporarily dismissing the recording clerk. E. Hutchings seconded. 3-0

Motion: R. Thibeault moved to approve Town Administrator Creveling to sign the settlement agreement with the Town and the Ayers. E. Hutchings seconded. 3-0

Motion: R. Thibeault moved to adjourn the nonpublic sessions and continue in the public workshop. E. Hutchings seconded. 3-0

Mitchell Municipal Group Law Firm Presentation

W. Mitchell reported he has enjoyed the time he has served with the Town and will eagerly continue at the Towns request. R. Thibeault questioned prorated agreement or retainer options. W. Mitchell stated it is a feasible option and would provide Town Administrator Creveling a quote for such and that the larger litigations of the recent are tying up and coming to conclusion and generally speaking the town is in a better position than the past but still unpredictable. E. Creveling stated regarding the Auctioned Tax Deeded properties the process was smooth and handled at an understanding level.

As the boards consensus the two in final review firms would be Mitchell Municipal and Drummond Woodsum. Town Administrator Creveling will contact the firms of the decision with suggestion of requesting a retainer option quote from Drummond Woodsum and compare to the pending from Mitchell Municipal for a final decision

R. Thibeault moved to adjourn the workshop session E. Hutchings seconded. 3-0

Next Board of Selectmen Meeting Date:

Monday August 5th, 2019 – 6:00PM

Respectfully submitted;

Recording Clerk,
Danielle Marique

Chairman Ryan Thibeault

Erin Hutchings

Andy Rawson