

Town of Milton
Board of Selectmen Meeting
August 19th, 2019
Milton Town Hall

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

Public Attendance: Richard Burke, Rhonda Burke, Bob Carrier, Richard Krauss, Glen Bailey, Bruce Woodruff, Nick Marique, Robert Graham, Charles Montgomery, Ricky Gates, Karen Golab, Nancy Barca, David Cormier Jr.

Town Administrator Ernie Creveling excused from attending meeting.

Meeting call to order

R. Thibeault welcomed all in attendance and stated the board would conduct the first of many nonpublic meetings.

***Motion:** R. Thibeault moved to start nonpublic meeting with non-agenda item #1, 91A: 3 II (c). A. Rawson seconded 3-0*

***Motion:** R. Thibeault moved to reopen public meeting to continue in nonpublic item #2, 91-A:3 II(c) E. Hutchings seconded. 3-0*

***Motion:** R. Thibeault moved to reopen the public meeting sealing meeting minutes for one year. A. Rawson seconded. 3-0*

R. Thibeault welcomed all in attendance reciting the pledge.

Stated the Board excuses Town Administrator Creveling from the meeting.

Public Comment

None

New Business:

1. Fire Station Driveway Parking Repairs

N. Marique presented the board with three quotes for resealing and restriping for the fire station driveway and made a suggestion of Armor-Guard Sealcoating due to their quote and the references of the company he previously requested. E. Hutchings questioned why the project was needed for such a new building. N. Marique stated this was normal wear and tear and acts of general maintenance and preventive measures for complete repaving. Stated the sealing would last 3-5 years where it would be upwards of \$50,000 to repave the driveway in 10 years and the monies would be expended from the remaining fire station bond as opposed to the budget or warrant for the full repaving approach.

***Motion:** A. Rawson moved to continue with the project with the use of Armor-Guard Sealcoating for \$6,399. A. Rawson seconded. 2(Thibeault, Rawson)-1(Hutchings). Motion passed by majority.*

2. Casey Road Restrictions and Parking

K. Golab presented the board with a drafted welcome sign for the Casey Road property explaining what will be permitted (hiking, nature study, cross country skiing, snow shoeing, fishing) and prohibited (motorized vehicles, bicycling, hunting, trapping, target shooting,

camping, horseback riding, all fires) uses requesting the Board of Selectmen's approval on continuing.

Motion: *E. Hutchings moved to approve the signage request as written. R. Thibeault seconded for discussion.*

R. Krauss questioned the specification of bikes, if it was intended for all bikes or just motorized. K. Golab stated it was designed to be for all bikes due to the land damaging factor and safety of patrons walking the trail. R. Thibeault questioned if it were a possibility to enforce comparable restrictions in place for the hiking trails near the Farm Museum. K. Golab stated they were comparable upon her belief. R. Thibeault questioned the possibility of the Conservation Commission agreeing to restricting bike usage for particular dates or seasons of the year or allowing usage of bicycles as a trial basis. K. Golab stated that would be a possibility.

Motion: *Roll call vote on presented motion; 0-3. Motion failed.*

E. Hutchings moved to approve amended sign to exclude bicycling use as a prohibited use all other portions to remain as proposed. R. Thibeault seconded. 3-0

K. Golab stated regarding the parking discussion, there is a proposal to expand the parking and turn around area to allow busses from the school to turn around for day trips. Stated she spoke to Public Works Director, P. Smith, and said the tree work needed to continue the project would be completed this fall.

3. Milton Mills Flag Pole Replacement Request

R. Graham stated the Veterans of Milton have annually replaced the flags at both Veterans park as well as in the center of Milton Mills. Stated the current flag pole in Milton Mills is damaged and in need of replacement due to not being able to repair the damages. Made a request to expend from the Durgin Fund for the replacement of the flag pole once an exact pole was decided on. R. Thibeault requested the project have quotes along with a suggestion of product for the board to then make a final decision but supported the project. R. Graham stated he would research options and report back at the next Board of Selectmen's meeting.

4. September Meeting Schedule Adjustment

R. Thibeault stated the first Monday in September falls on a holiday which requires a date adjustment to the following week.

Motion: *R. Thibeault moved to adjust the September Board of Selectmen meeting schedule to be Monday September 9th and 23rd, 2019. E. Hutchings seconded. 3-0*

Old Business:

R. Thibeault stated due to the Town Administrator being excused the scheduled town owned property discussion as well as the auctioned property discussion would be tabled until the following meeting.

5. Law Firm Selection

Motion: *R. Thibeault moved to continue with Drummon & Woodsum Law Firm as the Town's legal counsel. E. Hutchings seconded. 3-0*

Motion: *R. Thibeault moved to authorize Town Administrator Creveling to notify as well as work with the current counsel as well as Drummon & Woodsum for transition purposes. E. Hutchings seconded. 3-0*

6. 2020 Budget Process

R. Thibeault stated the joint Board of Selectmen and Budget Committee budget meeting to discuss all town budgets will be Saturday September 14th, 2019 beginning at 9:00AM.

Other Business

Municipal Agreement for Town House Bridge Project

Town Planner B. Woodruff stated the Town House Road bridge project is within the stage of board of selectmen approval and signing for continuation of the project.

***Motion:** E. Hutchings moved to accept and sign the municipal agreement for the Town House Bridge Project. R. Thibeault seconded. 3-0*

Planning Board CIP Extension Request

Town Planner B. Woodruff stated the Planning Board is requesting a time extension for the CIP report completion and submission to the Board of Selectmen due to applicants being tardy on their application requests and are currently a month behind schedule. B. Woodruff proposed an extension from September 5th to October 16th.

***Motion:** R. Thibeault moved to approve the Capital Improvement Program Board of Selectmen approval date extension to October 16th, 2019. A. Rawson seconded. 3-0*

Meeting Minutes

A. Rawson moved to approve the July 11th, 2019 workshop session meeting minutes. R. Thibeault seconded. 3-0

E. Hutchings moved to approve the July 15th, 2019 workshop session meeting minutes. A. Rawson seconded. R. Thibeault abstained 2-0-1

A. Rawson moved to approve the July 15th, 2019 meeting minutes. R. Thibeault seconded. 3-0

E. Hutchings moved to approve the July 18th, 2019 workshop session meeting minutes. R. Thibeault seconded. 3-0

Expenditure Report

None

Public Comments

R. Burke: Requested a brief description for course of discussion for public knowledge for topics discussed.

L. Brown: Expressed concerns with Casey Road prohibits.

D. Cormier: Expressed concerns with drainage and condition of general road of Silver Street, believing it is an extreme safety concern. Stated he spoke with Director of Public Works, P. Smith, recently and was disclosed the department is short staffed.

Administrator Comments

R. Thibeault stated per the request of the Economic Development Committee, they had inquired with the Town Administrator of the request of a recording clerk for the EDC to be compensated out of their budget. R. Thibeault expressed the town was operating under a default budget, if they choose to include it in the 2020 budget request they may but focus for 2019 remains with default spending.

Selectmen Comments

A. Rawson: Stated fall soccer registration through the Recreation Department have started.

E. Hutchings: None

R. Thibeault: None

Motion: R. Thibeault moved to continue in nonpublic meeting with nonpublic item #3, 91A: 3 II (c). E. Hutchings seconded 3-0

Motion: R. Thibeault moved to reopen public meeting sealing meeting minutes indefinitely and to continue in nonpublic item #4, 91-A:3 II(c) E. Hutchings seconded. 3-0

Motion: R. Thibeault moved to reopen public meeting sealing meeting minutes indefinitely and to continue in nonpublic item #5, 91-A:3 II(c) E. Hutchings seconded. 3-0

Motion: A. Rawson moved to reopen public meeting sealing meeting minutes indefinitely and to continue in non-agenda nonpublic item #6, 91-A:3 II(c) R. Thibeault seconded. 3-0

Motion: R. Thibeault moved to reopen public meeting and to adjourn. E. Hutchings seconded. 3-0

Next Board of Selectmen Meeting Date:
Monday September 9th, 2019 – 6:00PM

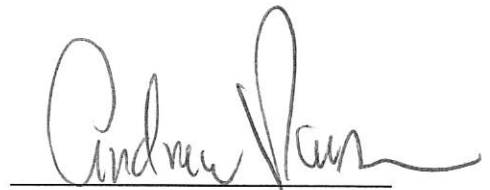
Respectfully submitted;
Recording Clerk,
Danielle Marique



Chairman Ryan Thibeault



Erin Hutchings



Andy Rawson

**Nonpublic Session Minutes
Milton, NH Board of Selectmen**

Non-Agenda Item

Date: August 19, 2019

#1/Le

Members Present: Chairman Ryan Thibeault

X

Erin Hutchings

X

Andy Rawson

X

Motion to enter Nonpublic Session made by R. Thibeault seconded by E. Hutchings.

Specific Statutory Reason cited as foundation for the nonpublic session:

 RSA 91-A:3, II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, **unless** the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request be granted.

 RSA 91-A:3, II(b) The hiring of any person as a public employee.

X **RSA 91-A:3, II(c)** Matters which, if discussed in public, would likely affect adversely the reputation of any person, **other than a member of this board**, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.

 RSA 91-A:3 II(d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

 RSA 91-A:3 II(e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against this board or any subdivision thereof, or by or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled.

 RSA 91-A:3 II(f) Consideration or negotiation applications by the adult parole board under RSA 651-A

 RSA 91-A:3 II(g) Consideration or negotiation of security related issues bearing on the immediate safety of security personnel

 RSA 91-A:3 II(h) Consideration or negotiation of applications by the business finance authority under RSA 162-A:7-10 and 162-A:13

 RSA 91-A:3 II(i) Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.

 RSA 91-A:3 II(j) Consideration or negotiation of confidential, commercial, or financial information that is exempt from public disclosure.

Roll Call vote to enter nonpublic session:

Chairman Ryan Thibeault

Y N

Erin Hutchings
Erin Hutchings

Y N

Andy Rawson

Y N

Remove public meeting tape (if applicable) none

Entered nonpublic session at 5:00 2/14 a.m./p.m.

Other persons present during nonpublic session: _____

Town Planner – Bruce Woodruff

Recording Clerk – Danielle Marique

Description of matters discussed and final decisions made: _____

B. Woodruff requested the Board of Selectmen to advise the Conservation Commission and Economic Development Committee of the current Town Planner and the purview of the position.

Note: Under RSA 91-A:3, III Minutes of proceedings in nonpublic sessions shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, it is determined that divulgence of the information likely would affect adversely the reputation of any person **other than a member of this board**, or render the proposed action of the board ineffective, or pertain to terrorism. In the event of such circumstances, information may be withheld until, in the opinion of the majority of members, the aforesaid circumstances no longer apply.

Motion to leave nonpublic session and return to public session by R. Thibeault,
seconded by E. Hutchings

Motion: Passed/ Did not pass (circle one)

Public session reconvened at 5:03 a.m/p.m

Motion made to seal these minutes? If so, motion made by _____ seconded by _____, because it is determined that divulgence of this information likely would:

- ☐ Affect adversely the reputation of any person other than a member of this board.
- ☐ Render a proposed action ineffective
- ☐ Pertains to preparation or carrying out of actions regarding terrorism.

Roll Call Vote to seal minutes:	Chairman Ryan Thibeault	Y	N
	Erin Hutchings	Y	N
	Andy Rawson	Y	N

Motion: Passed/ Did not Pass (circle one)

These minutes recorded by: Danielle Marique

**Nonpublic Session Minutes
Milton, NH Board of Selectmen**

*Non Agenda Item -- Item # 6/6

Date: August 19, 2019

Members Present:	Chairman Ryan Thibeault	<u>X</u>
	Erin Hutchings	<u>X</u>
	Andy Rawson	<u>X</u>

Motion to enter Nonpublic Session made by A. Rawson seconded by R. Thibeault

Specific Statutory Reason cited as foundation for the nonpublic session:

X **RSA 91-A:3, II (a)** *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request be granted.*

 RSA 91-A:3, II(b) *The hiring of any person as a public employee.*

 RSA 91-A:3, II(c) *Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

 RSA 91-A:3 II(d) *Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.*

 RSA 91-A:3 II(e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against this board or any subdivision thereof, or by or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled.*

 RSA 91-A:3 II(f) *Consideration or negotiation applications by the adult parole board under RSA 651-A*

 RSA 91-A:3 II(g) *Consideration or negotiation of security related issues bearing on the immediate safety of security personnel*

 RSA 91-A:3 II(h) *Consideration or negotiation of applications by the business finance authority under RSA 162-A:7-10 and 162-A:13*

 RSA 91-A:3 II(i) *Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.*

 RSA 91-A:3 II(j) *Consideration or negotiation of confidential, commercial, or financial information that is exempt from public disclosure.*

Roll Call vote to enter nonpublic session:	Chairman Ryan Thibeault	Y	N
	Erin Hutchings	Y	N
	Andy Rawson	Y	N

August 19, 2019

Remove public meeting tape (if applicable)

Entered nonpublic session at 7:15 a.m./p.m.

Other persons present during nonpublic session: _____

Recording Clerk – Danielle Marique

Description of matters discussed and final decisions made: _____

A. Rawson made the suggestion with the upcoming joint Budget Committee and Board of Selectmen budget presentation meeting Saturday September 14th, 2019, the recording clerk for the Selectmen would be compensated equally as the Budget Committee's recording clerk of \$250.00 for the daylong meeting. Board was in unanimous decision to agree to payment of the same amount of \$250.00. No motion was needed.

Note: Under RSA 91-A:3, III Minutes of proceedings in nonpublic sessions shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, it is determined that divulgence of the information likely would affect adversely the reputation of any person **other than a member of this board**, or render the proposed action of the board ineffective, or pertain to terrorism. In the event of such circumstances, information may be withheld until, in the opinion of the majority of members, the aforesaid circumstances no longer apply.

Motion to leave nonpublic session and return to public session by R. Thibeault,
seconded by E. Hutchings.

Motion: **Passed/ Did not pass** (circle one)

Public session reconvened at 7:30 a.m/p.m

Motion made to seal these minutes? If so, motion made by _____
seconded by _____, because it is determined that divulgence of this
information likely would:

- ☐ Affect adversely the reputation of any person other than a member of this board.
- ☐ Render a proposed action ineffective
- ☐ Pertains to preparation or carrying out of actions regarding terrorism.

Roll Call Vote to seal minutes:	Chairman Ryan Thibeault	Y	N
	Erin Hutchings	Y	N
	Andy Rawson	Y	N

Motion: **Passed/ Did not Pass** (circle one)

These minutes recorded by: Danielle Marique