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**Town of Milton  
BOARD OF SELECTMEN MEETING  
February 27, 2023**

**ATTENDANCE:**

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

**Staff:** Chris Jacobs -Town Administrator, Chief Richard Krauss- Police Department, Bruce Woodruff- Planner, John Gagner- Town Clerk, Karen Brown- Recreation

**Public:** Kym Libby, Renata Gamache, Virginia Long, Rep. Glenn Bailey, Robert J. Watson-County Commissioner, George Maglaras-County Commissioner, Ray Bower-County Administrator, Peter Schmidt-County Delegation Chair, Deanna Rollo-County Commissioner, Rep. Michael Granger, Katherine Ayers

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. March 14<sup>th</sup> - Elections.

**4.) NEW Business – Discussion and Possible Actions:**

- a.) **County Commissioner George Maglaras:** Mr. Maglaras, Chairman, introduced himself and the other representatives from the County office. Their purpose in attending was to inform the town of county operations and the contributions to the town of Milton. Services provided to the town include: 27 employees who currently reside in the town; funding agencies who provide services in town; Meals on Wheels – have served over 3000 meals and provided over 2000 safety checks; currently 41 clients from Milton being served by the County Extension. The

County funds all Medicaid payments to anyone in nursing home. In 2022, they closed 221 cases for the town; they prosecute all domestic violence and felony cases and all arrests go to their jail. Dispatch for Fire/EMS/Police all go through them – 7,622 service calls were handled through their dispatch.

Mr. Williams said the town is looking for increased communication from them especially regarding the budget. The last budget was 3 times higher than previous years and there was no proactive communication. Mr. Bowers agreed and said they do need to be more up front with increased visits, and preparing information for all of Strafford County communities. Mr. Williams said it's important the communications come before budgets are finalized. Ms. Burnham agreed and said while the budget is presented, there are no breakdowns offered. Regarding the tax rate: Mr. Bowers – they do not set the tax rate, that is set by the Dept. of Revenue. Mr. Jacobs- while the population has decreased, however, the portion has increased. Mr. Bowers – it has nothing to do with the town's population; they do not set the tax rate for any community. It matters how the community compares to other communities. More than likely it's due to the lakes. When the town grows in value, the town pays more. Mr. Williams asked if they would make all of the information available? Mr. Bowers said yes, they will send. There is also a new initiative underway for a new nursing home to help prepare for the increase in aging populations. Currently the population over age 65 is ~16,000; that will increase to ~50,000 which means an increased need for nursing home beds. For every \$1.00 spent, \$0.50 comes directly from the County. This new facility will increase beds and expand home-based services to help keep folks in their own homes. There will be a large price tag associated with this, however the plan would be to build a facility that would last 50 years. They emphasized the county commissioners care about all of the towns, and not just the cities. He said communication does work both ways and the town should call them with questions.

**b.) Department Head Reports:**

**Recreation – Karen Brown:**

Basketball – the 2022-2023 season will wrap up Saturday, March 11<sup>th</sup>. Players will receive certificates for participation. We will have a pizza party and host some parent-child basketball games. We want to thank all the parents who stepped up to coach and to help with the season. The 5<sup>th</sup>/6<sup>th</sup> grade players will head to a tournament on Sunday, March 5<sup>th</sup> to end their season. We wish them the best of luck and hope they play well.

Kid's Night Out – Held on February 10<sup>th</sup> and had a Neon Glow night and played games with neon paint and black light. They had fun. The event was full. Next month we will be looking at moving the program back outside for the kids to have plenty of room to run around. We will team up with the Milton PD for this kid's night program.

Zumba – The free Wednesday night Zumba program is going strong, averaging around 30 people per class. This is a free program hosted by instructor Nancy Coyne who also teaches at the YMCA.

Upcoming includes Camp 3 Ponds Planning; Senior Bingo/Luncheon – 3/7, 3/14, 3/21 and Irish Dinner Luncheon on March 28<sup>th</sup>. Greater Wakefield Lions Club – hosting a free vision screening event at the Emma Ramsey on March 29<sup>th</sup>. They are also looking to increase participation from Milton. Easter Basket/Candy Drive begins March 1<sup>st</sup> running through March 31<sup>st</sup> (basket and related items). Easter – will host our event on April 1<sup>st</sup> at the town beach. Spring Soccer Kick-around – Date TBD.

**Town Clerk/Tax Collector – John Gagner:**

January – Received \$79,342 motor vehicle revenue (paid \$29,494 to state); additional revenues received for dog license renewals, filing fees, notary services, transfer station decals, \$2 for fishing & game license revenue (paid \$73 to the state for the two licenses), etc.

Received \$1,031,207.00 incoming tax revenues – liens, tax agreements, etc.

Town elections will be March 14<sup>th</sup> – the Town Clerk’s office will be closed (staff will work at the elections). They found a typo in Article #10 (word “original” should have been “optional”) – that has been corrected. Official sample ballots will be posted. The Voter’s Guide has been mailed. Congratulations to all those who chose to run. April 30<sup>th</sup> – due date for dog license renewals. Reminder that almost all services are available online. There is a secure/safe drop-off box at the Town Hall (do not leave cash in the drop-off box). Absentee ballots should either be mailed or dropped off directly with the Town Clerk’s office – do not put an absentee ballot in the drop-off box. Committees should submit their minutes.

**Police Department – Chief Krauss:**

A reminder – going into tax season, the IRS will not call you and request any payments over the phone; they will not threaten you with arrest from the local police department; they will not require you to purchase gift cards, green dot cards or any other type of pre-paid card. These are scams. Also, be aware of bank scams that send fake text message which appear to be from your bank or another bank advising of a purchase/transaction and that asks for your private information. Do not reply to any of these and contact your bank directly to resolve any issues. We continue to move towards filling all open positions. There are three conditional offers out. Two of the conditions offers are to uncertified candidates and the third is to a full-time certified NH Police Officer. If the uncertified officers meet all hiring standards, they will go the academy in June. We had a resignation from one of our part-time officers who took a School Resource Officer position with another community.

We are increasing motor vehicle enforcement throughout the town; we have seen increase throughout the town and state with aggressive and inappropriate driving. The plan is to use highway safety grants, along with daily patrols to try and decrease aggressive driving and improper use of cell phones, failure to remove snow and ice from vehicles and unsafe modified vehicles.

We will participate in the 2023 NH Special Olympics Law Enforcement Winni-Dip on March 10<sup>th</sup>. Officers Bachert and Cummer and I have been fundraising for the Special Olympics and plan to jump into the froze Milton Three Ponds on March 10<sup>th</sup>. This is an amazing program and we are proud to participate again. Officers Bachert and Cummer participated with the Nute students during Nute Week. We all truly love being part of this community and involvement in community events. Our ongoing collaboration with NHSP and the National Guard to continue DARE at the MES is going extremely well.

**Public Works – Submitted by Pat Smith:**

Handled 9 weather events and are currently preparing for another event; they also posted roads due to all the weather; deliveries will still be allowed on posted roads. Added stone to some areas; small repair to Church Street Bridge. Truck #1 has been repaired. Transfer Station is now back to full staff.

**c.) Appointment – Community Power:**

Chris Jacobs – there was no confirmation email.

**d.) Conservation Commission – Virginia Long:**

Ms. Long, Chair of the Milton Conservation Commission – discuss putting into effect easements from the Old Ski Area and Jones Brook Park/Payne Parcel (from previous town vote – 2003 & 2004 approving easements be placed on the parcels). Moose Mountain Regional Greenways has agreed to take the easement on the Jones Brook Park/Payne Parcels. The next step in the process – MMRG is asking for the BOS to agree to and sign their Memorandum of Understanding. Ms. Long read the letter submitted from MMRG. Both parcels are owned by the town of Milton. The MCC held a public hearing in November 2, 2022 about the two projects and their plan to disburse monies (\$7,000) from the Conservation Fund and designate MMRG as easement holders. The letter also affirms the town will donate the conservation easement – development rights – to MMRG and that MCC will provide \$7,000 in financial support. The projected timeline is 2023-2025.

Mr. Jacobs – the town currently owns the land, and now we are paying someone else to put an easement on it? Ms. Long – MCC, in control of the Conservation Fund and is agreeing to donate the \$7,000 as part of the process; the total projected cost of completing the easement is ~\$50,000. The \$7,000 donation is our part; they will also do private fundraising, grants and other funding sources. \$7,000 comes from the Conservation Fund (coming from the Land Use Change Tax).

There are two different projects with two different processes involved. Conservation Easement Deed is different than a Conservation Restriction Deed. Jones Brook Park – the MCC wants to move forward on the Conservation Easement and MMRG is willing to do the project to get and hold the easement. The Old Ski Area – while the town voted to also put an easement on this property, because we can't find an entity willing to take the easement, we are suggesting the alternative of putting a Conservation Restriction Deed on the property.

Mr. Jacobs – Why is there a need for the \$7,000? Ms. Long – the Conservation Easement Deed is an agreement between the town and an easement holder who agrees to take on all the responsibilities; these are monies for now and into the future. Ms. Burnham asked why is MMRG going to oversee this property and why would the MCC want this? Ms. Long – the town would still own the land; MMRG will oversee the land, walking the boundaries, checking on abutters, taking legal responsibility if abutters built or had items on the parcel. The town voted in 2003 not to build on this parcel by having an easement placed on the land. Ms. Burnham asked if this is the responsibility of the MCC to watch over the lands? Ms. Long – a conservation easement is the best way to make sure a parcel is not developed. Mr. Jacobs – as a voter for may have voted for this in 2003, but not for the \$7,000, I would feel misled. Instead of being asked to use that money to purchase other land, I'm instead being asked to give money to someone else to do what I thought the MCC would be doing. Going forward, I'd ask the MCC to use language like "to raise & appropriate monies" for specific projects. This would give tax-payers the opportunity to vote yes or no on where their money is being used for. Ms. Long – the MCC held a public hearing in November to explain to the town about this project. Mr. Williams – my thought is we were building up the Conservation Fund in order of such a

situation where there were abutters issues. Ms. Long – there is a yearly Warrant Article asking if voters approve \$1,000 to the Conservation Fund for legal issues.

Ms. Long – you cannot be an easement holder on your own property – it requires a separate entity. The landowners are separate from an easement holder. The town of Milton holds easements on several private properties; these fall to the responsibility of the MCC to look over these properties. Because the town holds the easements on these properties, we are legally liable – this is what the Conservation Funds would be used towards. It can be confusing and difficult to understand.

Ms. Burnham – I think we need more information before making any decisions and look at the 2003 Warrant Article. Mr. Williams agreed, especially concerning the legality of MCC request. The voters need to have more understanding. Ms. Long – again we did hold a public hearing about the donation. Ms. Burnham requested the minutes of that public hearing and meeting. Mr. Williams asked to also get the budget for this project from MMRG.

Ms. Long – there were two parts – the second is to have a Conservation Restriction Deed on the Old Ski Area. Mr. Williams requested more information to help increase overall understanding before making any decision. He asked for additional information on the related mandates and legal language about overseeing easements. Mr. Woodruff said the fundamental question should be why can't the Conservation Commission oversee the conservation restrictions or conservation easement on town-owned land? Ms. Long – answer is the same as before, you can't hold an easement on land you own. The MCC is an advisory board who does not hold any easements on town-owned properties. It is the town who holds the easement. Mr. Woodruff – according to Chapter 36 of the RSA talks about authority, how money can be expended, related processes, requirements, etc. He recommended MCC review the related RSA and help drill down through the information to provide answers needed in order for the BOS to make those decisions. Chief Krauss – the related RSA to review is RSA 477, Sections 45-48.

Ms. Long submitted a letter of interest to the BOS to renew a three-year term for her to continue on the Conservation Commission, with one-year term continuing as Chair.

Mr. Morrill motioned to reappoint Virginia Long to the Milton Conservation Commission for a three-year term. Seconded by Mr. Williams. All were in favor; the motion was approved.

**e.) Request from Morrill & Sons to waive Ordinance 00-01; Travel on Willey Rd:**

Mr. Morrill – the property is a private road off of Willey Road; he needs truck access from Willey Road; there are times where the trucks exceed the 8-ton limit.

Mr. Williams made a motion to approve the exemption for Willey Road. Seconded by Ms. Burnham. Mr. Morrill abstained. The motion was approved.

**f.) Town Hall Hours on Election Day, March 14<sup>th</sup>:**

Mr. Jacobs – It has already been posted, the Town Clerk's office will be closed on March 14<sup>th</sup>; Both John and Virginia Grey will be working at the elections. As School Moderator, Mr. Jacobs will also be out on that day. Jen will also be helping at the elections. This means there will be

very limited staff at the Town Hall on March 14<sup>th</sup>. Mr. Morrill recommended posting a notice that the doors to Town Hall will be closed and locked on March 14<sup>th</sup>. Mr. Williams agreed.

**g.) Town Hall Interior Planning Contract:**

Mr. Jacobs – from a previous BOS discussion about utilizing an outside consultant to help redesign the new Town Hall. An architect with Lassel Architects met with staff to get information; based on that meeting, she submitted a proposal for services. To review the existing building, she proposed \$800-\$1,200; a test fit (reuse of the building) - \$2,400-\$3,600. They are asking for a \$1,000 retainer. It is clear that the way the building is currently laid out means there are things that need to stay where they currently are (i.e., location of Town Clerk's operations being located near the front, larger space would be used as meeting rooms, etc.). However, it's important to understand if the building layout will allow us for optimal use. This is where the professional consultant could help. Funding could possibly come from the ARPA fund line. Mr. Morrill agreed the general plan is good; however, it's helpful to have someone also look at the building. Ms. Burnham asked if there is another company to secure a bid from? Mr. Jacobs said he received the name from Bruce. Mr. Woodruff has worked with Lassel Architects previously and as a planner, he does recommend doing a space study and getting a proposed layout. Mr. Jacobs will try to get another bid. Mr. Williams agreed we do need a plan prior to moving into the new building or starting any construction project.

**h.) Letter of Support to apply for earmarked Federal Funding for Projects:**

Mr. Jacobs recently met with HEB Engineers (along with Pat Smith). They walked the Winding Hill Road Bridge (specifically the Box Culvert). The engineer pointed out the bridge was not in the state's Bridge Aid Plan; due to federal funding, there were an additional 60 bridges being forwarded – unsure if this was part of the 60. The engineer suggested, regarding the earmark funding – Rep. Pappas deadline for submission is March 3<sup>rd</sup> and requires two letters of support (the BOS signatures to the letter could function as one). Senator Shahee's deadline is March 10<sup>th</sup>. While Senator Hassan is not currently taking requests, it may still be worth a call to her office. It's estimated the Winding Road Bridge would easily be a \$1M project.

Mr. Williams made a motion to push forward in the search for federal funding. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

**i.) Asset Management Program – Grant Application Status:**

Mr. Woodruff provided information to the BOS and Town Administrator:

As you are aware, the request for proposals sent out to pre-qualified engineering firms produced three proposals that were opened at a public meeting of the BOS. The evaluation committee consisted of a Selectman, Town Administrator, DPW Director, Sewer Superintendent and Town Planner who reviewed and evaluated the proposals using a points method. Firms were evaluated using the following criteria:

- Responsiveness to submission requirements; Proposals of firms and project team members; Previous related work; and Understanding of required project work and approach.

The three firms rankings were: 1.) Wright-Pierce Engineers; 2.) Underwood Engineers; and 3.) HEB Engineers.

Wright-Pierce, the highest ranking firm, was notified and negotiations occurred on hourly fees for engineering services, terms and contract conditions and applicable insurance coverage. Wright-Pierce submitted a draft contract and scope of work to the town. Upon review, it appears both the contract and scope are satisfactory; the firm has been given the go-ahead to send the contract to NHDES for approval. All of this means it was not necessary to move on to negotiation with the second ranked firm.

The goal will be to use all of the \$60,000 of the grant to get our new asset management program up and running. The next steps are for Wright-Pierce to complete the final grant paperwork and submit to the NHDES by March 1<sup>st</sup>. Once that is done, we will follow the schedule approved in the contract, with a completion date of April, 2024.

Mr. Woodruff also noted once the contract and scope receives NHDES approval, the state date should be June, 2023. Mr. Woodruff requested the BOS vote to authorize the acceptance of grant funds and to authorize the Town Administrator to sign the final contract.

Mr. Williams made a motion to accept the grant funds of \$60,000. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

Mr. Williams made a motion to authorize the Town Administrator to be the signatory. Mr. Morrill seconded the motion. All were in favor; the motion was approved.

**5.) EVENT PERMITS**

a.) No event permits received.

**6.) OLD BUSINESS**

a.) There was no old business:

**7.) Communications Received:**

a.) **2022 Solid Waste Annual Report submitted by the Dept. of Public Works:** Mr. Jacobs will also post this to the town's website.

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

There was none.

**9.) Approval of Minutes:**

Public Minutes:

**February 6, 2023** - Mr. Williams motioned to accept 2/6/2023 public minutes. Mr. Morrill seconded the motion. All were in favor; the motion was accepted.

**10.) Public Comments Relative to Topics Previously Discussed:**

Kym Libby – During the walk through of the new building, there was discussion of paint colors, deciding office assignments, etc. The facility is going to be amazing and should really benefit the whole town. She does think it important to have someone do a space utilization survey and contract someone to do a space utilization plan based on that survey.

Katherine Ayers – At a previous meeting regarding discussion to redo the town website, she agrees this is a good idea. She wanted to discuss the word “defunct”. There are several committees/boards that are listed as advisory groups and asked what the BOS considers as “defunct.” There are several boards that are not currently operating and haven’t operated for over a year. Does the BOS consider those boards as defunct? At a previous meeting Ms. Ayers attended, she encouraged the BOS to solicit membership to these various committees/boards. Ms. Burnham said much effort has been given to reaching out and trying to get residents interested in various committees to no avail. Maybe after the election, they could try again.

Karen Brown – As Chairman of the Trust Fund - Regarding the two properties that had been discussed earlier in the meeting (Jones Brook & Old Ski Area): She recommended to review the original documents of when the parcels were first submitted and understand what the intent of the donor was.

Kym Libby – She was a member of the Government Task Force for two years. The EDC is defunct as it’s been difficult to find people and get people interested. It is difficult when people do not go to meetings.

Chris Jacobs – included in the BOS packet was a letter recently sent to Mr. Putin at the NHDOT about wanting to participate in the Church Street Bridge replacement, subject to the town’s ability to raise the funds. Mr. Putin responded back indicating he had received the letter and will begin working on draft agreements.

#### **11.) Expenditure Reports:**

Mr. Williams – there will be discussion items with Chief Marique and Mr. Smith.

Mr. Williams included the final expenditure report (prior to Brittanie making any final adjustments). The town finished the year at 91.65% of the budget (including Warrant Articles, encumbered funds and Capital Reserve Fund balance issues).

99.39% of the budget was spent. There are adjustments which will be added including the sanitary sewer liner repairs (reimbursable). They were \$203,000 over their budget due to this. The Cemetery expense is over which is reimbursable expense. The other are the Planning and Zoning Board which are also reimbursable due to applicant fees.

Transferable or reimbursable items add up to ~\$214,000. This will be ~96% of the budget expended. Considering the high costs of heat, fuel and electric, and high legal fees in 2022, Mr. Williams feels the town did really good.

Couple of future items to be addressed include GIS and discussion with the Library Trustees.

#### **12.) Town Administrator:**

1. The next meeting of the board will occur on March 6, 2023.
2. An updated version of the Voter’s Guide has been prepared and mailed to all 2,075 households served by the Milton Post Office. The guide is also on the town’s website and additional copies are available at the Town Hall and will be delivered to Milton Mills Post Office.



3. All of the loan documentation to receive the State and Federal funding associated with the Dawson Street drainage improvement project has been submitted to the NHDES. The loan documents still have to be approved by the Governor and Executive Council.
4. A letter has been submitted to the NHDOT regarding the Church Street Bridge replacement. The letter states that the BOS have voted to enter into an agreement with the State based upon the condition that the voters raise and appropriate the funds necessary – committing to Warrant Articles in 2024, 2025 & 2026.
5. The Annual Report is 95% complete. This will be finalized and sent to the printers on Friday.

**13.) Selectmen Comments:**

1. Mr. Williams – appreciation for everything Brittney has been doing with making all the final adjustments along with dealing with the DRA. Thanks to Renata Gamache for reading through and finding a mistake in Article #10.
2. Ms. Burnham – Thanks to Representatives Grainger and Bailey for attending the meeting. Reminder to vote on March 14<sup>th</sup>.

**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 8:40PM.

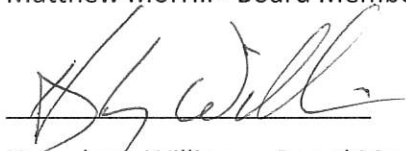
Given under our hands this 6<sup>th</sup> day of March 2023.



Claudine Burnham – Chairman BOS



Matthew Morrill - Board Member



Humphrey Williams - Board Member

**END OF MINUTES – February 27, 2023**

