



Board of Selectmen Regular Meeting

Minutes

Monday, October 28, 2024 at 6:30 pm

Non-Public Session @ Municipal Office Bldg @ 5:30 PM

Resume Regular Meeting @ Old Town Hall @ 6:30 PM

1. Call to Order

Minutes:

The meeting was called to order by Scott Ferguson - Chair of selectmen at 6:32 PM

2. Pledge of Allegiance

3. Roll Call

Minutes:

The members of the board of Selectmen were present were: Scott Ferguson-Chair; Tim Cremmen-Vice-Chair; Roxanne Tufts-Keegan-Member; Tracy Donovan-Laviolette-Member; Mike Green-Member

4. Approval of Minutes

Minutes:

The minutes for October 7, 2024 have been reviewed by the Board of Selectmen. Tracy Donovan-Laviolette motioned to accept the minutes as read. The motion was seconded by Roxanne Tufts-Keegan seconded the motion and all in favor. Motion was carried.

Signature Action

5. Tax refunds

Minutes:

The Board of Selectmen have requested backup for the Tax Refunds.

6. Election signatures

Minutes:

The form for the State of New Hampshire for the election was signed by Scott Ferguson-Chairman.

Department Heads:

7. ZBA Application new form submission - from 10/7/24 meeting

Minutes:

The BOS reviewed the rules and procedure forms for the application process. It has been reviewed and looks appropriate. Tim Cremmen will bring it back to the ZBA board.

8. Follow up on Mr. Moody

Minutes:

In previous meeting Mr. Craig Moody brought up a concern that he was mistaken for being in attendance and comments. He has requested that an amendment of the ZBA minutes be made and remove his name. Also he requested an audit going back 500 days to be conducted to see if he was misidentified and documented in any minutes generated. Roxanne Tufts-Keegan did an audit as requested and the results are: Mr. Craig Moody has not been mentioned in any minutes. Tim Cremmen mentioned that the ZBA will publically apologize for the mistake.

9. New Portsmouth Rd Maintenance

Minutes:

The discussion was in regards to whether continuing maintenance and plowing of New Portsmouth Road up past the old Snyder property since this portion of the road is not a Town road. Around 1978 it was voted by the Town residents to continue maintenance and plowing through a warrant article.

There was much discussion on this topic. Please see video for detailed discussion. The matter was tabled until 11.4.24 so that the road agent can go down and assess the situation.

New Business

10. Dept Heads HWY

Minutes:

Dan Phillips Road Agent went over time frame of 9.10.24 to 10.28.24. There is a list attached for review. A summary of the work done is: haul materials from New Durham pit to stock yard. Had chemical toilet picked up & garbage clean from town beach. Put in pad at Municipal bldg for new propane tank. Changed bits on york rake. Please see attached for full details.

11. Fire

Minutes:

The Fire & Rescue submitted a summary for the Month of September. Please see attached. There was a total of 12 fire calls that ranged from C/O alarm activations to building fires. There were 10 medical emergencies, of which 5 were covered by Middleton and the remainder 5 covered by neighboring towns.

12. Police

Minutes:

The Police department submitted a summary for the month of September. Please see attached.

Cruisers received regular maintenance. Mileage was reported. Activity 1 arrest, 25 calls for service. Motor vehicle 80 warnings, 7 summons and 2 accidents.

13. Town Clerk/Tax Collector

Minutes:

The Town Clerk/Tax Collector submitted the numbers for the month of October. Please see attached.

14. Treasurer

Minutes:

The Treasurer submitted the monthly report for September. Please see attached. Reported balances in the accounts as well as outstanding deposits.

15. Budget

Minutes:

There have been some departments/committees that have submitted their justification forms in preparation for the budget season.

16. Joint meeting Budget Committee

Minutes:

The joint meeting with the Board of Selectmen and the budget committee will be 11.18.24 as well as the department heads for October.

Bonnie Gagnon mentioned that there are some budget committee members that they may want to have 3 nights to meet instead of 1.

17. Warrants

Minutes:

There were warrants in the agenda and the typical warrants were in the agenda.

18. Fire Chief

Minutes:

Chief Laviolette has given his resignation to step down from Chief position. He will remain in position until a replacement has been hired and trained. Tim Cremmen regretfully accepted the resignation and many years of service and Scott Ferguson seconded the motion. All in favor.

19. HealthTrust Open Enrollment

Minutes:

The new rates for medical and dental that will be affected 1.1.25 have been set. The employees and retirees that are affected have been notified. The Town capped the amounts so that the employee pays 10% and the employer pays 90%.

20. MS-434R

Minutes:

The MS-434R has been submitted to the DRA State of New Hampshire.

The preliminary tax rate has been set. The Town will need to review and submit. Roxanne Tufts-

Keegan reviewed the tax rate with everyone. Roxanne Tufts-Keegan mention whether or not to pay down on the tax rate or leave as is. After review, Tim Cremmen motioned to leave the tax rate as is and not pay down. Tracy Donovan-Laviolette seconded the motion, all in favor motion carried. The Tax rate has been uploaded to the DRA.

Public Comment

21. Public discussion

Minutes:

Tracy Donovan-Laviolette mentioned that Peter Cicolini has been employed for 18 years with the Town of Middleton. Big Congratulations

Dan Phillips: has apologized for the outburst. New Portsmouth road has been gravelled and maintained and fixed.

Bonnie Gagnon - The halloween party was fantastic. There were about 80 people that showed up. Bonnie would like to that all those individuals that helped out as well. Thank you for your help. The craft fair will be 11.2.24. Also on 12.14.24 will be the pancake breakfast with Santa. The breakfast is free. Donations are very much appreciated.

Non-Public

Adjournment

22. Motion to Adjourn

Minutes:

Roxanne Tufts-Keegan made the motion to go into non-public meeting at 7:48 for 91A:3 IIb. Tim Cremmen seconded the motion, all in favor. Motion carried.

The non-public adjourned at 8:32 PM going back in to the BOS meeting. The BOS meeting adjourned at 8:34 PM.

| Minutes published on 10/28/2024, adopted on 11/04/2024

Sept. 10 → Oct 28

- 1) Haul Materials from N.D. Pit to stockyard.
- 2) Had chemical toilet picked up & Carbage Can. from town beach.
- 3) Levelled up turn around on K.H. ^{N.D. End}
- 4) Took care of poles on pincher (Too Close to Rd)
- 5) Put in pad for propane tank Municipal Bldg & Border
- 6) Took Flags down - ^{need new flags + military flags}
- 7) Shoulders on K.H. were done (Gravelled)
- 8) Cut Branches on N.D. by Buttermilk. (Sight.)
- 9) Had all trucks inspected
- 10) Changed bits on yolk Rake.
- 11) Put new tires on #24 for inspection
- 12) Put gravel on dirt Rds where needed
- 13) P-lot Job started and finished (S.U.R) ^{another top coat on spring}
- 14) Had C.B. ^{with basins} cleaned out by Cameron's Use Trk. ^{see recorded for heavy job all work}
- 15) Put sand in trk #27 oiled & greased.
- 16) Put new chain and bearing in #22 sander ^{will watch weather to put wings on}
- 17) Replaced Hyd. Hoses on loader (tool Release)
- 18) Filled Pot Holes silver st.
- 19) Moved dead End sign on Fox Rd. ^(cut brush around 25 ft)
- 20) New truck came in took up for plow gear.
- 21) Ditched & Rip Roped by PD on Ridge Rd.
- 22) Picked up (2) spare spreader chains
- 23) Ordered salt and pushed up (10) loads
- 24) Raked N.D. Rd. dirt.
- 25) Put 2025 Budget together
- 26) Fixed Header in trk #22
- 27) changed cutting edge on loader
- 28) Took Beaver Dam out of Nicola Rd culvert.

STATE OF NEW HAMPSHIRE

To the inhabitants of the Town/City (Ward) of Middleton in the County of Strafford, New Hampshire.

You are hereby notified to meet at Middleton Elementary School / 116 Kings Hwy (name and location of polling place) on Tuesday, the fifth day of November, 2024. The polls will be open between the hours of 7 a.m. and 7 p.m. to act upon the following subjects:

To bring in your votes for President and Vice-President, Governor, United States Representative, Executive Councilor, State Senator, State Representatives, and County Officers.
To bring in your votes for Constitutional Amendment Questions

Given under our hands and seal, this 28 day of October, in the year of Our Lord two thousand and twenty-four.

Scott Ferguson - Chairman
[Signature]
[Signature]

Selectmen of Middleton, NH

October 28th, 2024

The individual(s) who physically post the warrant should document the posting on a copy of the warrant and file that report with details of the posting with the town clerk. The clerk should keep this report with the records of the election. The warrant and posting report is a public document.

Use if all select Board members participate in posting the warrant:

We hereby certify that we gave notice to the inhabitants of the town/city ward within named, to meet at the time and place and for the purpose within mentioned, by posting an attested copy of the above Warrant at the polling place and at the office of the Town or City Clerk or City Hall on the _____ day of October, 2024.

_____ Selectmen of _____

Use if designee of the select Board posts the warrant:

I hereby certify that notice to the inhabitants of the town/city ward within named to meet at the time and place and for the purpose within mentioned, by posting an attested copy of the above Warrant at the polling place and at the office of the Town or City Clerk or City Hall on the _____ day of October, 2024.

Print name _____ Signature _____

Middleton Town Clerk

Deposit Journal

Deposit Dates from : 9/1/2024 to 9/30/2024

Tender Summary

Middleton Drawer	Tender	Amount
	CASH	\$3,736.78
	CHECKS (71)	\$22,587.77
	TRAVELERS CHECKS	\$0.00
	Deposit Total:	\$26,324.55
	ACH	\$1,572.40
	CREDIT CARD	\$16,893.31
	RETURNED CHECK	\$-249.40
	SHORT SLIP ISSUED	\$186.00
	SHORT SLIP PAYMENT	\$-186.00
	DEPOSIT TOTAL	\$26,324.55
	Grand Total:	\$44,540.86

Activity Summary

MOTOR VEHICLE	Count	State Amt	Municipal Amt
CERT-COPY LOST	4	\$0.00	\$72.00
CREDIT (ONLINE)	1	\$0.00	\$86.00
NEW	35	\$0.00	\$7,666.12
REGISTRATION MAINTENAN	4	\$0.00	\$9.00
RENEWAL	158	\$0.00	\$30,493.84
TITLE - AP	20	\$0.00	\$0.00
TITLE - PS	20	\$0.00	\$513.00
TITLE ONLY	2	\$0.00	\$54.00
TRANSFER	11	\$0.00	\$1,596.00
VOID - RETURNED CHECK	2	\$0.00	\$-249.40
VOID - SAME DAY/TELLER	1	\$0.00	\$-235.20
Sub Total:	288	\$0.00	\$40,005.36
TOWN CLERK SERVICES	Count	State Amt	Municipal Amt
BUILDING PERMIT	1	\$0.00	\$25.00
CELL PHONE INCOME	2	\$0.00	\$2,344.90
COPY FEE	1	\$0.00	\$2.00
ELECTRICAL PERMIT	5	\$0.00	\$125.00
MAIL PROCESS FEE	1	\$0.00	\$2.00
MV REVENUE	3	\$0.00	\$423.60
OHRV REGISTRATIONS	1	\$0.00	\$89.00
OTHER PERMITS	3	\$0.00	\$125.00
POLICE ACCIDENT REPO	1	\$0.00	\$10.00
POLICE DETAIL INCOME	2	\$0.00	\$924.00
RETURNED PAYMENT	2	\$0.00	\$50.00
SUBDIVISION APP	1	\$0.00	\$150.00
VITAL STATISTICS	7	\$0.00	\$165.00
ZONING BOARD ADJUSTM	1	\$0.00	\$100.00
Sub Total:	31	\$0.00	\$4,535.50
Total:	289	\$0.00	\$44,540.86
Grand Total:			\$44,540.86

Fees Summary

Fee	Count	Amount
AGENT FEE	207	\$621.00
APPLICATION FEE	40	\$80.00
BUILDING PERMIT	1	\$25.00
CERTIFIED COPY FEE	4	\$60.00
CLERK FEE	202	\$404.00
CONSERVATION FEE	4	\$120.00
COPY FEE	1	\$2.00
CREDIT ACCOUNT	1	\$86.00
DMV MAIL-IN FEE	0	\$0.00
ELECTRICAL PERMIT	5	\$125.00
INCOME	2	\$2,344.90
MPF	156	\$157.00
OHRV REGISTRATION	1	\$89.00
OTHER PERMITS	3	\$125.00
PERMIT FEE	209	\$28,302.00
PLATE FEE	29	\$220.00
POLICE DETAIL INCOME	2	\$924.00
POLICE REPORT	1	\$10.00
REGISTRATION FEE	193	\$8,392.38
REGISTRATION FEE RETURN CHECK	-2	\$-98.40
RETURNED PAYMENT	2	\$50.00
SAFETY FUND	2	\$2.00
STATE PARK PLATE	3	\$255.00
SUBDIVISION APP	1	\$150.00
SURCHARGE FEE	1	\$100.00
TITLE FEE	21	\$525.00
TRANSFER FEE	22	\$165.00
VANITY FEE	27	\$1,039.98
VITAL STATISTICS - STATE - ADDL COI	6	\$30.00
VITAL STATISTICS - STATE - FIRST COI	7	\$56.00
VITAL STATISTICS - TOWN - ADDL COI	6	\$30.00
VITAL STATISTICS - TOWN - FIRST COI	7	\$49.00
ZBA APPLICATION	1	\$100.00
Grand Total:	1,165	\$44,540.86

**TOWN OF MIDDLETON
Collections Summary for the Month of September FY 2024**

Warrant	Begin. Balance	Committed & Supplemented	Abated	Decded	Collected		Prior Months' Credits Assigned		Adjustments		Error
					Principal	Int/Pen	Principal	Int/Pen	Principal	Int/Pen	
2022P01	14,000.53	0.00	0.00	0.00	1,991.00	351.73	0.00	0.00	0.00	0.00	0.00
2022P02	22,429.77	0.00	0.00	0.00	2,601.05	283.22	0.00	0.00	0.00	0.00	0.00
2023L01	75,585.93	0.00	0.00	0.00	6,533.76	214.65	0.00	0.00	0.00	0.00	0.00
2024P01	154,306.59	0.00	0.00	0.00	32,979.67	353.19	0.00	0.00	0.00	0.00	0.00
2024T01	6,115.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2024U01	4,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	276,438.07	0.00	0.00	0.00	44,105.48	1,202.79	0.00	0.00	0.00	0.00	0.00

Summary

Summary		Credits	
Principal:	44,105.48	Unassigned Beginning Balance:	20,736.37
Interest/Penalties:	1,202.79	New This Month:	109.34
Unassigned Credits Received This Month:	109.34	Assigned This Month:	0.00
* Net Receipts This Month:	45,417.61	Returned This Month:	0.00
* Including Prior Year Deletions		Deleted This Month:	0.00
* Net Receipts This Month:	45,417.61	Unassigned Ending Balance:	20,845.71
Total Prior Year Deleted Receipts This Month:	0.00		
Total Prior Year Deleted Credits This Month:	(0.00)	Refund Abatements	
Credits Received & Refunded This Month:	0.00	Beginning Balance:	891.00
Gross Receipts This Month:	45,417.61	New This Month:	0.00
		Deleted This Month:	0.00
Total Prior Year Deletions This Month:	0.00	Ending Balance:	891.00

Middleton Fire and Rescue



Good afternoon/evening,

For the month of September 2024 Middleton Fire & Rescue had 22 calls.

There was a total of 12 fire calls that ranged from C/O alarm activations to building fires. This month we trained on scene size up and apparatus placement.

There were 10 medical emergencies, of which 5 were covered by us. The other 5 were covered by neighboring towns.

I personally would like to thank every member of the Department for making this Department what we are. If you would like to join the Department. We are always looking for new members, please send me an email or contact anyone in the department or come down to the Department on Tuesdays at 1830 or 630 pm. No experience necessary. I encourage anyone to reach out if you have any questions.

Thank you.

Chief Michael Laviolette

FireChief@MiddletonNH.gov

6039730670



Middleton Police Department



Chief of Police Randy Sobel
182 Kings Highway, Middleton, NH 03887
Dispatch 473-8288 Office: 473-8548 Fax: 473-8204

MONTHLY REPORT POLICE DEPARTMENT SEPTEMBER 2024

PERSONNEL:

- A. There is currently:
 - a. One Chief
 - b. One Full-Time Officer
 - c. One Part-Time Secretary

EQUIPMENT:

- A. The cruisers received regular maintenance during this month.
- B. Cruiser Mileage:
 - a. Car 1: 40,288
 - b. Car 2: 77,149
 - c. Car 3: 95,194
 - d. Car 4: 80,800
 - e. Car 5: 60,758

ACTIVITY:

- A. Criminal: 1 Arrest, 25 calls for Service
- B. Motor Vehicle: 80 Warnings, 7 Summonses, 2 accidents

OTHER:

We had four cruisers inspected.

REPORT FROM THE TOWN TREASURER TO BOARD OF SELECTMAN

Sep-24

I have reviewed the information provided to me concerning the Town of Middleton's finances for the month. To the best of my knowledge:

- All checks are in sequence and have been accounted for.
- All expenditures match those shown on the month's bank statement.
- All deposits match those shown on the month's bank statement.
- The bank statement balance was review with no irregularities found.

All information has been organized and filed for year end review by the town's accountant. Enclosed please find a summary of all transactions for the month including expenditures, summary of deposits, and a summary of outstanding transactions.

Beginning bank statement balance	\$	1,569,749.79
Deposits	\$	96,317.50
total after deposits	\$	1,666,067.29
Service Charge	\$	-
Withdrawals	\$	441,686.14
Ending Bank Statement Balance	\$	1,225,660.13
Sweep Account		
Ending Balance	\$	1,225,660.13
Outstanding Checks		71,956.74
Outstanding Deposits total	\$	-
Return Check		
Total Cash Available	\$	1,153,703.39
Interest to Checking	\$	1,278.98
Interest to Sweep Account	\$	1,284.19
Police Department Revolving Fund	\$	46,280.19
Ambulance Revolving Fund	\$	77,469.14
Conservation Commission	\$	62,822.46

Respectfully Submitted
 Roy Parece
 Town Treasurer

7 October 2024

Dear Selectmen, members of the ZBA and those with duties relating to this matter,

A little over a week ago I became aware it was documented that I was in attendance and participating in the ZBA public hearing from minutes dated 16 April 2024.

I had zero recollection of being there. It set off a WTF moment of concern and a lengthy, painful 2 am detailed reviews of the minutes and video. After further review: **I wasn't even at the meeting.** These are some observations I made:

1. These minutes are an official, legal record of the hearing. It states it right in the header, that is unique to this document.
2. I believe the interaction in question comes at about the 2-hour, 15-minute mark on the video and lasts for a couple minutes. The gentleman's self-introduction was not audible.
3. I'm not on the sign in roster. The minutes don't only reflect my name, they also include my address. Where did my address come from? Why was my absence on the sign-in roster not questioned?

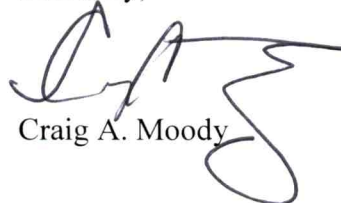
This is what I request:

1. That the town address the issue and amend the ZBA minutes from April 16.
2. That the amended minutes remove my name/ address and add the person in attendances name/ address. If that's not possible have "unknown member" or similar be used.
3. That an audit going back 500 days be conducted to see if I've been (mis)identified and documented in any minutes generated by the town to include non-public and sealed.
4. The written results of the audit. I should be mentioned zero times. I have been in ghost mode.

I understand that accidents happen, but the validity of the minutes are greatly diminished if the town cannot fulfill its baseline duty to obtain proper identification of its participants in public meetings. It probably opens the window of opportunity for lawyers to cast doubt in other areas. They were at the meeting, flanking the local developer/ ZBA chair that recused himself. (LOL, kind of).

I ask for members involved to correct what was wrongfully done.

Sincerely,

A handwritten signature in black ink, appearing to read 'Craig A. Moody'. The signature is stylized with a large, sweeping initial 'C' and 'M'.

Craig A. Moody

ARPA Income	192,419.58	
Paid to Employee's	85,975.04	
Certified Computers - Network Rack	3,537.50	
Certified Computers - Firewall	1,475.00	
Joy's HVAC	35,830.00	
Baron Brothers	28,748.00	
Water Filtration	16,695.00	
Heating system (Vachon)	18,189.00	
Heating system (Vachon) oil credit	(390.91)	
Dead River gas tank	1,950.00	
AED box Municipal building	100.00	not correct amount (less than \$100) 89.99
ARPA Funds Available	310.95	