

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
September 10, 2018

PRESENT: Kevin Federico, Chairman Mark Bender, Town Administrator
Gary Daniels, Vice Chairman Tina Philbrick, Recording Secretary
Mike Putnam, Member Hazen Soucy, Videographer
Laura Dudziak, Member
Paul Dargie, Member

1. CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING INSTRUCTIONS: Chairman Federico called the public meeting to order at 5:30 p.m., introduced Board members and then led the audience in the Pledge of Allegiance. Chairman Federico indicated that those people in the audience who want to speak or add to the discussion should please use a microphone in order to be heard on the PEG Access live broadcast.

2. APPOINTMENTS: (Approximate times)

5:30 p.m. – Interview of Traffic Safety Committee Candidate – Nick Darchik

Chairman Federico thanked Nick for volunteering. Chairman Federico asked Nick why he wanted to be on the Traffic Safety Committee. Nick said he worked for the City of Nashua in the traffic department for 26 1/2 years. His duties in the traffic department were to oversee the sign department, maintain 86 signalized intersections, maintain 660 lane miles of roads. This included pavement markings and any and all signage that might need replacement, updating or reviewing. He feels that his background will help the Traffic Safety Committee. Selectman Putnam moved to appoint Nick Darchik as a member on the Traffic Safety Committee. Selectman Daniels seconded. All were in favor. The motion passed 5/0.

5:35 p.m. – Vending Request: Keyes Field – Kathy Fae-Clancy, Charlie Vitali and Gail Gagnon

Chairman Federico said the vending request is to sell concessions and food vending services during football events. Because this would be done on Town property, they need approval from the Board. He asked if the Board had any questions.

Selectman Dudziak said she was okay with it. Selectman Dargie asked if there were legal issues in regards to sanitation for concessions. He asked if it was different from the summer pool concessions. Chairman Federico said it's different because it isn't an established permanent stand, but they have to follow all of the rules and regulations from the state.

Selectman Daniels clarified that they would not be competing with the concession stand at the pool. Charlie said no. Gail said it would only be run on Tuesdays, Thursdays and Saturday mornings. Charlie said it wouldn't interfere with the pool; they want to work with the Town. Chairman Federico said the pool is currently closed for the season.

Selectman Daniels moved to allow the Milford Jr. Spartans to sell concessions and apparel during football practices/games/events at Keyes Field. Selectman Putnam seconded. All were in favor. The motion passed 5/0.

5:45 p.m. – 1st Public Hearing: Eversource Water Utilities Easement – Brian Emerson, Patty Quinn and Elizabeth Larocca.

Brian and Patty work for Cornerstone Energy, Elizabeth works for Eversource. Brian said that Eversource started a tri state access road initiative about two years ago where they identified certain roads that they've used in the past for temporary access. This was started to try to memorialize some of the access road permissions with permanent or long term agreements. We think everything is in place as well as the terms and conditions of the easement.

Chairman Federico said that this is something specifically for Water Utilities. Selectmen Putnam said the Town of Milford owns the property and the power lines have been there forever. Eversource has always been able to go through the property and this is just making it official. The Water/Sewer Department doesn't have any problem with this.

Selectman Dudziak clarified that the Town of Milford owns it, but it's in Amherst. Selectmen Putnam said yes. Brian said the purpose of the easement is to provide Eversource with perpetual access to the power lines. It doesn't give them any rights to erect any structures or wires. Typically they have access within their right-a-ways but in this in-

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 09/10/2018

stance there are a couple of bodies of water within the right-a-way and access to this road will provide them a way to get around the water.

Selectman Dudziak clarified that there is already a road there but no easement. Brian said yes. We are working hundreds of these around New Hampshire. Chairman Federico said they are just formalizing easements so that they have guaranteed access to the power lines to do the maintenance. This is Town property that is managed by the Water Utilities Department. He asked Selectman Putnam if Water Utilities had any problems with this. Selectman Putnam said no, Eversource has done work out there putting up utility poles and they don't get in anyone's way.

Selectman Daniels asked if we were to grant this access to the public service company doing business as Eversource, if Eversource changed hands, would we have to come back and change the name on the easement or would it be good going forward. Patty said the language includes successors in the signature area, so there is a sign ability to it, but there is no intent to sign it to anyone outside of the electric utility use. It's intended to keep it internal.

Selectman Dargie asked if we have to do anything with Amherst as far as legal requirements because it's in Amherst? Do they have to go to the Amherst Planning Board. Selectman Putnam said no because we own the property and pay taxes to Amherst for it. Brian also said no because there is already an existing road and curve cut there.

At this time, Chairman Federico opened up the Public Hearing for the Eversource Water Utilities Easement.

Nate Carman, Milford resident asked if the easement had any value that would create any tax liability for Eversource. Brian said no because it doesn't extend any ownership to Eversource in the property and the road, it just gives us rights to use it. Chairman Federico closed the public hearing at 5:46. There will be a second public hearing at the next Board meeting on September 24th and two weeks later at the October 8th meeting they will make a decision. Chairman Federico thanked everyone for coming in.

6:00 p.m. – Pumpkin Festival Update – Wade Scott Campbell and Carol Gates

Carol said the vendor spaces are filling up quickly. There are no more spaces left at the Oval or Middle Street. They have 6 spots remaining at Emerson Park and 14 inside the Town Hall. They received their permit and insurance policy from Atlas Fireworks. The Boys and Girls Club is doing the talent show and if any of Board would like to be a judge on the 29th for the auditions and on the 6th for the actual show please let them know. The carnival didn't file a permit to setup next to the Boys and Girls Club so they will leave it empty this year and maybe, with permission use the space for parking. Deadline for sponsors is this Friday. Shirts are being printed soon with all sponsors listed on the back.

Wade said they are meeting with the electrician tomorrow. Freel is heading it up but Morneau is going to be the go too guy. Friday they are meeting at the Town Hall to finalize everything with all emergency agencies and DPW. Selectman Dudziak asked if they are on schedule. Wade said yes. Some other volunteers have also stepped up. Chairman Federico asked if there was anything not being done that could prevent you from pulling off your version of the Pumpkin Festival. Wade said no. Carol said they've received lots of help from the Lions Club and Rotary, without them it would be tough. As far as the funds coming in, we should be able to raise the last stretch of it before the Festival comes and the bills need to be paid.

Chairman Federico said if there was anything the Town could do, please let them know. He thanked Wade and Carole for coming in.

6:15 p.m. – MRI Dispatch Study – Thomas Garrity and Brian Duggan

Chairman Federico said they sought MRI to do a study in reference to our involvement and participation in the Milford Area Communications Dispatch Center. Brian Duggan, Director of Fire Services for MRI and the team leader Thomas Garrity gave a brief summary:

1. The study included a comprehensive evaluation of the current facilities and technology in the existing MACC Base dispatch center and an assessment of the center's ability to continue to host such a consolidated emergency communications operation, including, but not limited to, the following aspects:
 - ☐ Overall review and evaluation of existing MACC Base operations
 - ☐ An evaluation of the current dispatch space

- Identification and analysis of the current known deficiencies and potential future challenges that confront MACC Base
 - An evaluation of current and proposed upgraded dispatch equipment at MACC Base
 - Evaluation of the potential to further expand MACC Base operations
2. Evaluate for the Town of Milford the feasibility of operating its own dispatch center for Police, Fire, Ambulance, and Department of Public Works (DPW)
 3. Analyze and make recommendations relative to the Town of Milford becoming a regional dispatch center (RDC) for up to four towns including Milford, Wilton, Mont Vernon and Lyndeborough.
 4. Identify methods for providing connectivity and redundancy in order to deliver 911 calls from each of the three communities to the proposed host community of Milford, with appropriate levels of backup to provide for continuity of operations.
 5. Perform an interoperability assessment and develop cost estimates to connect all involved jurisdictions to the proposed host community.

To accomplish this task, members of the study team gathered the following information and documentation: community demographic data; existing rules, regulations, and standard operating procedures/guidelines for MACC Base; maps and square mileage calculations; budgets for MACC Base; service trends and call volume data from MACC Base; appropriate collective bargaining agreements; mutual aid agreements; a list of communication lawsuits; personnel rosters; department organization charts; and annual reports. MRI consultants met with various direct and indirect stakeholders from each community and the director of MACC Base. Personnel also made site visits to each of the existing communication system sites to evaluate the existing infrastructure. The following represents a summary of thirty-one (31) recommendations developed within the report; these recommendations are listed by chapter.

CHAPTER V -EXISTING COMMUNICATIONS SYSTEM AND INFRASTRUCTURE

Recommendation V-1:

With support and assistance from their State Representatives, and regardless of their ultimate decision on whether to remain with MACC Base, the Town of Milford should explore the possibility/feasibility of constructing a new communications tower and site at the Federal Hill location.

Option 1: Erect a 110' monopole communications tower. As part of this process the town should consider negotiating with U.S. Cellular for use of their existing equipment building for the placement of radios as it has environmental controls. Permission to use the building could be a tradeoff for allowing U.S. Cellular use of the monopole tower.

Option 2: Consider relocating all Milford Fire, Police and EMS radio equipment to this location and constructing a Milford-only public safety tower site.

Option 3: If it is deemed to be infeasible to construct a new tower and/or necessary approvals cannot be obtained the town and/or MACC Base should work collaboratively with the State to re-engineer and strengthen the existing tower to allow the proper attachment of necessary communications antennas for Fire, Police, EMS and U.S. Cellular. This option would also involve possible use of the U.S. Cellular building for the public safety radios.

Recommendation V-2:

The Town of Milford and MACC Base should work collaboratively with the State of New Hampshire and U. S. Cellular to provide site security to the Federal Hill facility. The entire site should be fenced in and security cameras should be installed so that MACC Base personnel can monitor the site for possible vandalism in real time.

Recommendation V-3:

Additional site security should be considered for the Pead Hill communications site. The entire site should be fenced in and security cameras should be installed so that MACC Base personnel can monitor the site for possible vandalism in real time.

Recommendation V-4:

Whenever feasible/possible, the other MACC Base member communities should consider replacing all their existing copper lines and circuits with new fiber optic lines that will continue to be supported.

CHAPTER VI - STAKEHOLDER PERCEPTIONS/CONCERNS REGARDING MACC BASE

Recommendation VI-1:

Each municipality should be responsible for the purchase and upkeep of all radio communications equipment used by their town departments, as well as communications sites located within their borders. Each town should also be responsible for the cost of establishing and maintaining (and would also own) infrastructure necessary for connectivity to MACC Base.

CHAPTER VII - COMMON PROCEDURES/GUIDELINES

Recommendation VII-1:

The MACC Base BOG, Director, and the chiefs of the public safety agencies they serve should work collaboratively, and make it a priority, to develop and implement as many standardized dispatch and communications procedures as possible. Standardized procedures are necessary to reduce the potential for critical errors, reduce the time necessary for telecommunicator training, and be consistent with the standards required for CALEA Accreditation.

CHAPTER VIII - PROPOSED MACC BASE COMMUNICATION SITE IMPROVEMENTS

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 09/10/2018

Recommendation VIII-1:

MACC Base and the Town of Mont Vernon should take steps as soon as the grant funding is awarded to procure and install the microwave links for the purpose of improving the existing regional communications system.

Recommendation VIII-2:

If MACC Base is going to remain operational by making the major infrastructure upgrades necessary, each participating town should assume the cost for its radio equipment and each of the communications sites built within their respective towns (an additional tower site is proposed for each town). This would result in each town basically owning their own communication system that has been integrated into the overall regional operation. However, if a town ever wanted to withdraw from MACC Base they would still retain their own equipment and infrastructure which could be used to connect them to their new dispatch site.

Recommendation VIII-3:

Where the use of communication system transmission sites may be shared use by more than one community, the town where the site is located should still own it, while the cost for radio equipment and installation used by the other town should be paid for by them. There could be a cost-sharing agreement for expenses such as utilities and basic upkeep and maintenance at the site.

Recommendation VIII-4:

Any capital improvements that are made at MACC Base, along with repair and maintenance of radios and equipment, should be funded based upon a fair and equitable formula agreed to by all participants.

CHAPTER IX - MILFORD POLICE DEPARTMENT DISPATCH FACILITY

Recommendation IX-1:

The Town of Milford should proceed with financing to install municipally-owned communications equipment at the proposed sites in the town. Whether the town stays with MACC Base, or if it decides to start its own dispatch operation, installing the recommended infrastructure at the in-town locations will significantly improve communications within the town.

Recommendation IX-2:

The Town of Milford should initiate the process to assume responsibility for dispatching its own Police, Fire, EMS, DPW, and other town government functions.

CHAPTER X - MILFORD DISPATCH CENTER CONFIGURATION, INCIDENT ANALYSIS, AND STAFFING

Recommendation X-1:

The Town of Milford should develop job position descriptions and wage classifications for the positions of dispatch supervisor and public safety dispatcher or telecommunicator.

Recommendation X-2:

The dispatchers currently employed by MACC Base should be provided the first and primary opportunity to apply for, and be hired for, for dispatcher positions at the Milford Police

Department since they are already familiar with the community, department, and emergency services operations in the town and surrounding area.

Recommendation X-3:

A critical policy that must be developed is one that allows/requires dispatchers to be recalled to work during times of major incidents or anticipated significant events.

Recommendation X-4:

The Milford Police Department should give consideration to staffing the dispatch center with two dispatcher's on-duty, per shift, 24 hours a day.

Recommendation X-5:

In order to operate in the most cost-effective manner possible, the Milford Police Dispatch Center should use a staffing plan comprised of a combination of full and part-time personnel.

Recommendation X-6:

The Milford Police Dispatch Center should employ a total of six (6) full-time and multiple part-time personnel to provide proper 24/7 staffing.

Recommendation X-7:

The full-time Milford Police Dispatch Center staffing should consist of one (1) supervisor and five (5) call takers/dispatchers.

Recommendation X-8:

The Milford Police Dispatch Center supervisor should split his/her time between administrative duties and serving as a line dispatcher.

Recommendation X-9:

The number of Milford Police dispatchers should be adjusted based on call volume and number of communities. This flexibility allows for staffing based upon needs, as well as allowing for future growth.

Recommendation X-10:

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 09/10/2018

The Town of Milford should look at other dispatch centers to ensure they are offering a wage and benefits package that is competitive with what is presently being offered in the Southern New Hampshire area.

CHAPTER XI – TRAINING

Recommendation XI-1:

In addition to completion of the minimum, basic training required by the State of New Hampshire, ALL personnel employed by the Milford Police Dispatch Center should be required to complete the advanced training/certification classes listed below.

Recommendation XI-2:

Based on experience and ability, one of the senior full-time dispatchers should be selected for the position of training officer to oversee and coordinate all training for the dispatch center. The supervisor should also be certified to conduct training.

Recommendation XI-3:

The Dispatch Center supervisor should be required to complete appropriate supervisory, management, and leadership training courses, and/or certification programs.

CHAPTER XII - FEASIBILITY OF CONTINUED REGIONAL OPERATIONS

Recommendation XII-1:

The towns of Wilton, Mont Vernon, and Lyndeborough should consider making an investment in capital infrastructure to upgrade radios and equipment in each of their respective towns and correct known system deficiencies.

Recommendation XII-2:

Should the Town of Milford decide to leave MACC Base and initiate its own dispatch center, the Town Manager and Public Safety Chiefs should meet with their colleagues from Wilton, Mont Vernon, and Lyndeborough to offer them the dispatching services of the Town of Milford Police Department. Consideration should also be given to offering dispatching services to other nearby - preferably contiguous - towns as well.

Recommendation XII-3:

Any town that may seek dispatching services from a new Milford communications center should work collaboratively with Milford and its own communications vendors to determine the appropriate types of equipment upgrades needed to fully integrate its system with Milford's system.

CHAPTER XIII - REGIONAL SERVICE GOVERNANCE

Recommendation XIII-1:

Should the Town of Milford decide to offer dispatch services on a contract basis to other communities, an advisory operational board comprised of the Police and Fire Chiefs of each participating community should be created for the purpose of assisting with the development of standardized operational procedures used by the dispatch center. Consideration should also be given to separate Police and Fire subcommittees.

CHAPTER XIV - FINANCIAL APPORTIONMENT

Recommendation XIV-1:

The Town of Milford should offer contract emergency dispatch and communications services to surrounding communities for a fee, based upon that community's percentage of the overall population served by the Milford Police Dispatch Center.

Recommendation XIV-2:

To the extent possible, Milford should consider offering the same dispatch services under contract that MACC Base presently does. Also, to the extent possible, Milford should attempt, at least initially, to do this for the same cost other communities now pay. However, any infrastructure improvements necessary for the other towns should be done at their own expense as they will own and maintain their own systems.

Recommendation XIV-3:

Once the new dispatch center is built at the Milford Police Department, the square footage of the dispatch area should be calculated to determine what percentage of the Police building it occupies. The cost of utilities should be estimated so that the dispatch center can be charged for a percentage share of the overall cost of the utilities, based on the percentage of the building it uses. This becomes important when, and if, Milford decides to offer dispatching services to other communities.

CHAPTER XV – OPERATIONS

Recommendation XV-1:

Should the Milford Police Department decide to offer dispatch services to other communities, once the dispatch center is ready to accept additional towns wanting to join, it is recommended that there be a minimum of 60 days between the times each town transitions into the center. This will allow sufficient time for technical glitches to be resolved.

Brian said by doing this, it solves the operational problems. It creates 5 antenna sites. It produces state of the art technology that not only meets the needs of Fire and Police but also upgrades to meet the needs of EMS in terms of data and reaching hospitals in Manchester. It can be expanded to include Water Utilities and DPW. It builds a system customized to the Town of Milford. It gives you 100% ownership and control. It does away with a dark Police Sta-

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 09/10/2018

tion, unstaffed and locked. We feel this is the way to go for the Town of Milford. He asked if the Board had any questions.

Chairman Federico thanked Brian and Thomas for their presentation. Selectman Daniels referenced a sentence on page 4 “It takes into account the financial ability and fiscal commitment of the existing and potential partners to undertake this endeavor”. He asked how they determined that Milford had the fiscal ability to fund the \$1,750,000 that you’re recommending. Brian said it also talks to how did we look at the other communities ability to fund this and what was the ability of MACC Base to fund the improvements, we saw no ability to do that. Selectman Daniels said he understands that through Mont Vernon and Lyndborough, you separated it out well because they seem to think their problem is fixed. Left as a regional proposal that was put forward, how did you identify that Milford had the financial ability to fund this?

Thomas said he personally doesn’t know that Milford has the ability to fund it, but the alternative is, you need to run a dispatch center and if MACC Base doesn’t run a dispatch, it has to be run somewhere. He assumed the Town of Milford would be running the dispatch center if they pulled out of MACC Base. Thomas said he didn’t expect it could be funded in 1 fiscal year. If you borrowed it over a 20 year bond, it’s a doable thing. That’s the way that most cities and towns would handle that.

Brian said they looked at it as one way or another, be it MACC Base or Milford, there needs to be some investment to upgrades typically through a bonding process. Milford could offset some of the expense by being in control of revenue coming back in. We don’t see a tremendous fiscal increase given the potential of revenue.

Selectman Daniels reference a sentence on page 18, “The Town of Milford is very fiscally conservative and has stopped needed capital projects in the past”. He asked if it was MRI’s statement or someone else’s. Brian said it was their statement. He received those comments through multiple interviews.

Selectman Daniels referenced page 39, you stated that “If upgrades are not made to the communications system, the possibility exists that a police officer, firefighter, or EMT/paramedic could not communicate with dispatch or other personnel during a critical time when they are in a very serious situation”. Did your study go far enough to determine, if we did put something like your proposal in place could we see a decrease in our insurance. Brian said that would be something you would need to take up with Primix, it’s beyond the scope of the study to determine what rates should be.

Selectman Putnam was good with the report. Selectman Dargie said he would be interested to hear what the departments think of this report. Selectman Dudziak said the analysis made sense to her.

Chairman Federico thanked MRI for their efforts in putting the report together. As soon as the Board accepts it, it will be made public to the Town of Milford’s citizens and Department heads. The information was good, straight forward and what we were looking for.

Selectman Putnam made a motion to accept the report. Selectman Daniels seconded for discussion. Selectman Daniels noted an additional “in” in a sentence on page 38. Brian said it should be a slash, they would fix it.

Selectmen Putnam made a motion to accept the report as amended. Selectman Daniels seconded. All were in favor. The motion passed 5/0. Chairman Federico said the MRI report is now accepted and will be posted on the web site tomorrow morning. If anyone doesn’t use computers, they can come into the Town Hall and we will get them a copy.

Chris Labonte came up at the end of the meeting and mentioned that in regards to MACC Base, the CIP committee didn’t vote on it because they didn’t have updated numbers. He asked if they should just stick with the \$2,500,000 dollar amount and have no details. He refused to vote on it because they didn’t have any information. Now that the report is out does the Board have any intention on giving the information to CIP so they can make a decision.

Selectman Putnam said the \$2,500,000 is just a place holder. Chairman Federico said as far as an actual dollar amount, more research is needed. This is still a moving target until it’s nailed down. We just accepted the report tonight. He wants to read the report again because we’ve been given several numbers. He suggests that the CIP committee hold tight until the Board gets more information.

Selectman Dargie asked if there was a plan to have a warrant article MACC Base this year. Chairman Federico said we don't have a plan yet, just ideas. We have to come up with a consensus; it's a possibility and needs more information.

Captain Frye said the prices in the MRI report are almost 2 years old. We would have to revisit everything. He thinks \$2,500,000 isn't bad but he doesn't know if it would be that or less.

Chairman Federico said if we make a decision to go forward, we would have to put out an RFP for quotes on equipment and things. He's not ready to ask for this tonight. Selectman Putnam said this is a subject we might want to have a work session on to concentrate more on it. Chairman Federico agrees.

3. PUBLIC COMMENTS. (Items not on the agenda). N/A

4. DECISIONS.

a) **CONSENT CALENDAR.** Chairman Federico asked if there were any items to be removed from the Consent Calendar for discussion, then asked that item 4.a) 2) be removed from the Consent Calendar for discussion. Selectman Putnam moved to approve the rest as presented. Selectman Daniels seconded. All were in favor. The motion passed 5/0.

Chairman Federico said in regards to 4. a) 2), for an event on September 15th. This event needs a permit from the Fire Department which hasn't been requested or issued yet. He suggests approving the raffle, but they don't have all the permits. Selectman Putnam asked if they were aware that they need a permit. Chairman Federico said yes, communication has been attempted several times. Selectman Putnam asked if they could approve it contingent on obtaining the permits. Chairman Federico said yes. Selectman Putnam made a motion to approve the raffle contingent on obtaining the approved permits. Selectman Daniels seconded for discussion.

Selectman Dargie asked what triggers the need for having the Fire Departments approval. Chairman Federico said the type of event. In this case there are going to be approximately 15 vendors selling items. The function would require crowd control stipulations. He didn't have the exact RSA handy. Administrator Bender said they would need fire and electrical especially because of the 13 bands playing on two stages. Selectman Dargie said he would be interested in the RSA. Selectman Daniels asked if the request to hold the event or just the raffle. Chairman Federico said it was just for the raffle. Selectman Daniels asked if there were going to be hundreds of people at this raffle. Chairman Federico said the request is to hold the raffle at the event and right now the Town hasn't permitted the event to take place. Selectman Daniels asked if the event needed Board approval. Chairman Federico said no. Administrator Bender said it's on private property. Selectman Daniels asked if the permit was the only document needed or do we need to modify the motion to say upon submission of all required documents. Chairman Federico said if the permit was approved he would assume that all the required documents would have been submitted. A motion was made and seconded. All were in favor. The motion passed 5/0.

- 1) Request for Approval for the Milford Volunteer Ambulance Association (MVAA) to hold their Annual Duck Race Raffle during this year's Pumpkin Festival in October in accordance with NH RSA 287-A:7.
- 2) Request for Approval for Positive Street Art to hold a raffle on September 15, 2018 to benefit Art, Dance and Music Events such as Union Fest in accordance with NH RSA 287-A:7.
- 3) Request for Acceptance and Appropriation of Unanticipated Revenues Under \$10,000 (31:95(b))

Donations to the Labor Day Parade:

- \$ 200.00 - Auxiliary VFW, Harley Sanford Post 4368
- \$ 1,000.00 - Harley-Sandord Post 4368
- \$ 200.00 - Kent's Service Station, Inc.
- \$ 200.00 - Leighton A. White, Inc.
- \$ 500.00 - Ricciardi Hartshorn Post No. 23
- \$ 825.00 - Rymes Fundraiser
- \$ 50.00 - Stephen Marx Hair Salon

Donation for the Milford Police Department K-9 Unit:

\$ 100.00 - Daniel and Joan Ross

b) OTHER DECISIONS.

1) N/A

5. TOWN STATUS REPORT – Town Administrator Mark Bender: Loader Lease Option – Administrator Bender said annually we budget \$16,000 to rent/lease a loader for snow removal and other material handling at Public Works. The charge is billed monthly at \$3,200/month during the winter and \$4,000/month during the balance of the year. We were approached by John Deere Financial with a multi-year lease program that the State of NH and other NH municipalities are using. Financial details include:

- 60 Month Lease at \$13,950 annual expenditure.
- Provides nominal savings of \$2,050 per year.
- Rental and Lease Expense for 2018 will likely be over budget \$10,000 primarily due to unplanned loader repairs forcing us to rent longer. This lease would provide a machine for all twelve months at less cost than our current 5 month rental plan.
- Total lease payments over 5 years would be \$69,750.
- At the end of the lease we can purchase the machine for \$87,200 or return the machine and start a new lease if necessary.

Attorney Drescher has reviewed the lease and provided comments for multi-year leases with non-appropriation clauses that will be included in the document. We feel that the lease provides good operating and financial flexibility for the Town. We are asking if the Board will authorize a long-term equipment lease.

Selectman Dargie asked what the value was of this piece of equipment if we wanted to go out and do a lease/purchase on it what would our payments be. Administrator Bender said it's about \$130,000. If we did a standard lease/purchase the cost would be more per year but we would be building more equity so the buyout would be slightly less. All we are doing is comparing rental and lease cost, the same program we have now that would provide a \$2,000 cost savings per year and gives us the flexibility of having the machine for all 12 months. If we do a standard lease purchase it should be a warrant article and we are not proposing that for this year, we are just looking at a different expense option to reduce the Town's cost.

Selectman Dudziak clarified that we lease a loader in the winter months every year. Administrator Bender said yes. Selectman Daniels asked what extra will be done for the \$53,000 more we will have to spend over the 5 years. Administrator Bender said we lease the machine every year, so every year we build into the budget \$16,000. Now we will build into the budget \$14,000. Chairman Federico clarified that we are saving \$2,000 per year and getting 7 more months on the machine because we are not turning it in at the end of every winter. Administrator Bender said yes.

Selectman Putnam asked if we are responsible for repairs and maintenance on the lease machine. Administrator Bender said yes, it would be the same as if it were our machine. Chairman Federico clarified that we would be building in a non-appropriation clause in the lease so if in default it would cover it. Administrator Bender said the money for a lease is already in the budget so it would be in the default budget. Chairman Federico asked how long have we been leasing a machine in the winter. Administrator Bender said 3 or 4 years.

Selectman Dargie asked if we know how old is the John Deere machine. Administrator Bender said it would be a new one.

Chris Labonte, Milford resident asked if we lease a loader, are we getting rid of a loader. As a member of the CIP he noted that there was nothing in the CIP about buying a loader this year. He would like to know what has changed since July until now as far as the need for this equipment. We have a policy on anything over \$75,000 needs to be on a warrant article, are "skirting" the policy and do we have any other prices on other dealers for this or is it just John Deere that we are going after. Chairman Federico said we are leasing this every year and have been for 3 or 4 year. It goes back at the end of the year, and the following year we lease another new piece of equipment. This has been built into the budget as a piece of equipment that we've been leasing for several years so we are not making any capital request for the purchase.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 09/10/2018

Chris clarified the reason we started leasing is because we have a piece of equipment at the Town garage that is out of service. How come that hasn't been updated, it's in the CIP to be replaced in 2022. Why do we continue to rent. We have a piece of equipment that's been out of service for 4 years. If it hasn't been a priority in 4 years, why is it one now. Chairman Federico said it's not that it hasn't been a priority for the past 4 years, but we have been leasing a piece of equipment to fill in that gap. We are not necessarily seeking alternate ways to do this. John Deere came to us and said they could do this for a better price than what we are already doing and it would give us more time with the machine, which is why we are looking at this now. We are not looking to increase we are looking to better finance what we are already doing. He doesn't know the out of service reasons for the machine that is currently down.

Chris said for that amount he feels it should go to the voters. He thinks too many things are being built into the budget. We have a new backhoe so do we really need the rental loader. Chairman Federico said we've been using it for 3 years so he would guess yes, if we didn't need it we wouldn't be doing it. Chris feels that as a citizen he drives by and sees the backhoe parked high and dry in the winter, and we are using a rental loader. Now that we have the new backhoe, it should be able to perform those tasks.

Selectman Daniels asked if we rented for a year, and now were faced with the prospect of deciding whether we wanted to pay \$87,200 to buy it out, would that go to the CIP. Administrator Bender said if after 5 years we decided to execute the purchase, it should go to the CIP because it's over the \$75,000. At this point all we are trying to do is reduce the annual operating budget to give us more flexibility with the machine. The machine does more than the backhoe can do.

Selectman Dargie asked how confident are we that we are going to need to have this piece of equipment on an ongoing basis. Is there a chance that after 5 years, we will stop needing it? He thinks if it's an ongoing need, financially we would be better off doing a lease/purchase to buy it. Over a 10 or 15 year horizon, it's a lower cost. Chairman Federico said he recalls this was a piece of equipment that we lease because we were down equipment and we were not able to get the job done with the equipment that we had. Selectman Putnam said we own the pay loader at the DPW and it needs a new motor. He thinks it either can't be replaced, or they didn't make that kind anymore. They don't use it in the summer months, only the winter which is why we did the lease.

Chairman Federico thinks while one loader is on the road with a blade on it trying to keep the plow route clear, the other loader was able to load the sand/salt onto the trucks. If one of our larger pieces of equipment broke for plowing, we could put a blade on the front of this and keep up with the plowing. Selectman Putnam said he may be confusing the pay loader with the grader.

Bob Labonte, Milford resident said you are saying that John Deere approached you, but you should at least talk to the other vendors and ask them to give you their best plan, not just one vendor. They shouldn't be going to just one vendor. Administrator Bender said this was a situation where a vendor identified a need that we had and he came in with a better solution. Bob Labonte said he understands that, you just bought a John Deere backhoe and the salesman is trying to have another good commission or whatever. It should go out to other vendors.

Administrator Bender said that other vendors had the same opportunity to come in and see what our situation is and recommend a different solution. Bob said they probably didn't know you were looking for one. How old is our cat loader and how many hours does it have on it. Are you going to ask for it to be replaced in two years? Administrator Bender said it's the replacement of the cat loader that's going into the CIP program. Bob said you bought a Dodge one ton, was it bought the same way, we want that truck, or did you go under the NH State Bid. Administrator Bender said we followed the NH State Bid. Bob said you use to deal with Ford all the time until NH went with Dodge, you should go to everyone.

Chris Labonte said in last year's CIP the Loader was put under 2020. It isn't to replace the CAT, it's to replace the Kobelco. We also have two loaders in town, one at Waste Water which we currently rent every year for snow removal and one at DPW. We have a John Deere backhoe to load trucks. Administrator Bender said the backhoe would require 3 scoops per loader scoop. Chris disputed Administrator Benders statement.

Chairman Federico brought it back to the Board. Selectman Putnam said it wouldn't hurt to approach other vendors. Selectman Daniels asked what the Purchase Policy says about this. Does the policy address someone

coming to us for something? Administrator Bender said no, if we were going out for bids, we would be going out for at least 3. We were approached by a vendor, how do you take their good work and extend it out to others. Chairman Federico said he doesn't think it's unreasonable when you have someone coming in to make an offer for something. He doesn't have a problem going to someone that we've been renting from for 3 years and saying, these guys are willing to give me this deal, what can you do for me. We should also re-visit our Purchasing Policy. He doesn't have a problem moving into another lease for another year but if we're thinking about changing it, we should go out. Selectman Putnam asked what's changed in the last 3 years saying we need the loader in the summer.

Administrator Bender said age and use of the cat loader and the breakdowns. The Cat is down now which is forcing us to lease this one for another 2 months costing us \$8,000 to \$10,000. Selectman Putnam asked if we own it or lease it. Administrator Bender said we own it. Selectman Putnam asked if there is a time limit on this offer. Administrator Bender said no. Selectman Daniels moved that we table this until we get answers to our questions. Administrator Bender asked what questions. Selectman Putnam asked if we need the loader year round. Administrator Bender said we have a vendor that's provided us with a really good option that will save the Town money. Selectman Putnam said what we have compared it to. Administrator Bender said our existing rental. There was nothing preventing that supplier from coming to the Town and offering us a better deal. Selectman Daniels asked if that provider even knows another offer has been made. Administrator Bender said no.

Administrator Bender asked if the Board would authorize him to look at a multi-year lease. Selectman Dargie said he would also like to see a lease/purchase agreement to compare the two. Administrator Bender said they looked at that, but it's not comparing to the expense that's in the operating budget. Selectman Dargie said he understands, but over a 15 year horizon, it's a cheaper alternative. Administrator Bender agreed. Selectman Dargie said he likes to look at the total life time cost on things. Administrator Bender said it's just a different financial arrangement; if you want to look at that then it's a warrant article. Over the course of the 5 years plus the buyout, it would be a less expensive option. We are comparing a 5 year rental with this and providing a \$10,000 savings over the 5 years. It's ok if you don't want to do it.

Chairman Federico said we should speak to the original person that we are leasing the equipment from to make sure there isn't a better deal out there, it has to be open. He hates to say it has to go through the bid process because we are bidding for a lease not an ownership. He would table this. Selectman Daniels said they should re-visit the Purchase Policy and have some type of process down for this type of situation.

Selectman Daniels made a motion to table the Loader Lease Option for further information. Selectman Putnam seconded. All were in favor. The motion passed 5/0.

6. DISCUSSIONS

1. Review of Revised Municipal Oval Flag Rules tabled from 8-20-2018 – Chairman Federico said that he made the changes requested at the last meeting and asked the Board if they had time to review it.

Selectman Dargie said under Rule Details, the second sentence dealing with footings should be the same as the first sentence. Only the American Flag, POW Flag, Purple Heart Flag and any United States Military flag will be allowed to fly over the WWI Memorial on the Milford Oval.

Selectman Dudzick said she's all set with the flag poles but she feels there may be issues with the banners. Selectman Daniels asked if it was because of the word discretion. Selectman Dudziak said yes. Selectman Daniels suggested that the sentence be rewritten to say, "Flags representing private organizations, events, and causes will be allowed on the bandstand with the approval of the Milford Board of Selectmen" and leave out the word discretion. Chairman Federico said he agrees there can't be any discretion. Selectman Dargie said the only discretion would be for religious issues. There's is a whole constitutional issue related to religious freedom of speech, it's the establishment clause. Chairman Federico agrees. Selectman Dudziak said she's fine with changing it.

Selectman Daniels said the paragraph that states the Board of Selectmen meet every 2nd and 4th Monday of the month should have something in there that says they normally meet every 2nd and 4th Monday of the month.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 09/10/2018

Selectman Dargie said make a change to the line that reads, “Flags/banner request for the bandstand will only be allowed for up to a 7-day period. He would like to end it with “at the discretion of the Board of Selectmen”.

Selectman Putnam moved to approve the Municipal Oval Flag Rules as amended. Selectman Daniels seconded. All were in favor. The motion passed 5/0.

2. NHMA Legislative Policy Discussion – Chairman Federico

Chairman Federico informed the Board that he will be attending the NHMA Legislative Policy Session in Concord. He will advocate on the Town’s behalf. Selectman Dudziak asked how long it lasts. Selectman Daniels said usually about 4 hours.

7. SELECTMEN’S REPORTS/DISCUSSIONS.

a) FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.

Selectman Daniels said the Recycling Committee had a float in the Labor Day Parade and it was well received.

Chairman Federico said that Granite Town Media is going to attend the September 24th Board of Selectmen’s meeting and discuss the Comcast Franchise Renewal Agreement for review. One of the things they will be asking is if we want to have a public hearing so citizens can ask questions to Comcast.

b) OTHER ITEMS (that are not on the agenda).

Chairman Federico asked the Town Finance Director, Jack Sheehy to give a run-down on the donations for the Labor Day Parade. Jack said we had the \$10,000 warrant article, approved in March, \$4,780 left over from donations in 2017, \$4,125 in donations for 2018 and \$11,780 in expenditures to date. There is \$7,125 remaining for next year providing no other expenditures come in. Chairman Federico said once the paperwork is complete we will post it on the web site.

Note: At the August 20th non-public meeting, the Board of Selectmen voted to unseal the non-public minutes of February 27, 2017 for (RSA 91-A:3,II(e)) Legal, March 13, 2017 (RSA 91-A:3,II(a)) Personnel, July 31, 2017 for (RSA 91-A:3,II(d)) Land and August 28, 2017 (RSA 91-A:3,II(e)) Legal.

8. APPROVAL OF FINAL MINUTES. Selectman Putnam moved to approve the minutes of August 20, 2018. Selectman Daniels seconded. All were in favor. The motion passed 5/0.

9. INFORMATION ITEMS REQUIRING NO DECISIONS.

10. NOTICES. Chairman Federico read the notices.

11. NON-PUBLIC SESSION.

12. ADJOURNMENT: Selectman Putnam moved to adjourn at 7:29 p.m. Selectman Daniels seconded. All were in favor. The motion passed 5/0.

Kevin Federico, Chairman

Gary Daniels, Vice Chairman

Mike Putnam, Member

Laura Dudziak, Member

Paul Dargie, Member