

# MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

Monday October 28, 2024

**PRESENT:** Tim Finan, Chair Lincoln Daley, Town Administrator  
Paul Dargie, Vice Chair  
David Freel, Member (online)  
Chris Labonte, Member  
Tina Philbrick, Member

## 1. CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING INSTRUCTIONS:

Select Chair Finan opened the public meeting at 5:30 pm in the Town Hall Select Board Meeting room with introductions of the Board Members and the Pledge of Allegiance.

## 2. APPOINTMENTS:

### EDAC Nominations:

Nominees Doug Knott and Kevin Boette were in person, with Chris Constantino online.

Kevin Botte representing Marmon Utility which is one of the larger employees in the area, he feels it is an important part to be involved with the local community. He would like to look at how to attract talent to the area.

Doug Knott is the Planning Board Chair, sharing membership on EDAC with Janet Langdell in his absence. Selectwoman Philbrick explained that they can't miss too many meetings, and having the backup ensures this doesn't happen.

Selectman Labonte had some questions including why the crossover on Boards. TA Daley explained that it's about environmental issues, as well as the larger planning and strategy and the knowledge will be shared between other boards and EDAC.

Chris Constantino, resident, Library Trustee and the Conservation Commission, was on the original EDAC, noted growth is coming to Milford and she wants it to be smart growth and that's what motivated her to participate.

**Motion to accept the nomination of Kevin Boette, Doug Knott and Chris Constantino to the Economic Development Advisory Council (EDAC) with terms ending March 31, 2025 was made by Selectman Labonte and seconded by Selectwoman Philbrick.**

### A Roll call was taken:

**Finan – Accepted**

**Dargie – Accepted**

**Freel – Accepted**

**Labonte – Accepted**

**Philbrick – Accepted**

**All were in favor. Motion passes 5/0.**

### November 5<sup>th</sup> elections:

Moderator, Pete Basiliere and Captain Frye shared November 5<sup>th</sup> election preparations with the Select Board. He noted Milford NH has roughly 10,500 registered voters and about 75% of those are expected to vote in this election. He has about 141 people doing various roles from helping voters to checking them in. He currently has 3 openings on the second shift and four on the third shift. Because of the large turnout they have rearranged the flow of the voting area a little bit. He also explained the parking layout and time restrictions for parking, fire lanes and traffic flow. Captain Frye noted they are trying to control the traffic and potential for backup into West Street.

The Moderator explained electioneering and where it would be and would not be allowed at the voting location along with other groups, one being the Vietnam Veterans Memorial and possibly one other group that is to be confirmed.

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Motion to designate the westerly and southernly parking lots by the high school as indicated on the map, as one hour parking and further, that the West Street Parking will be restricted to handicap parking was made by Selectman Labonte and seconded by Selectwoman Philbrick.

**A Roll call was taken:**

**Finan – Accepted**

**Dargie – Accepted**

**Freel – Accepted**

**Labonte – Accepted**

**Philbrick – Accepted**

**All were in favor. Motion passes 5/0.**

### 3. PUBLIC COMMENTS

There were no public comments at this time.

### 4. DECISIONS

#### A. CONSENT CALENDAR

1. The Milford Lions Club is submitting their annual requests for approval:

- a) To decorate the Oval for the Winter Holidays from November 30, 2024 until January 5, 2025 (dates subject to change due to weather)
- b) To host Santa on the Oval on December 8, 2025 from 12:00 pm to 2:00 pm

**Motion to approve the Consent Calendar item 1.a and 1.b by Selectwoman Philbrick, seconded by Selectman Labonte.**

**A Roll call was taken:**

**Finan – Accepted**

**Dargie – Accepted**

**Freel – Accepted**

**Labonte – Accepted**

**Philbrick – Accepted**

**All were in favor. Motion passes 5/0.**

#### B. OTHER DECISIONS

##### 1. Pillsbury Bandstand Restoration Project – Leo Lessard, Public Works Director & Ms. Katherine Kokko

Mr. Lessard presented the bid results for the Bandstand repairs. He noted one contractor responded, Target New England Historical Renovations, they met with the contractor. Mr. Lessard followed up with four people on the contractor's resume for references, the feedback was all good. The bid will be awarded to this bidder, he was at \$76,000. The funding will be \$28,000 from town coffers and the rest donations. TA Daley asked for clarification on the time line of the project, and Mr. Lessard noted he told the vendor to start in January after the holidays. The vendor will work on some parts at home over the winter and finish up the rest of the project late spring or early summer. Selectman Labonte asked about the Towns payment schedule, TA Daley noted we will follow the contract. Ms. Kokko explained the process of moving money into the restricted line item for the Bandstand to make it non-lapsing. Mr. Troy Neff, Finance Director explained whether we cut a check or we establish a P.O. for it, it doesn't matter as long as we've appropriately moved the money into the fund it will work.

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**Motion to award the bid from Target New England Historical Restoration not to exceed \$76,640.00 by Selectman Dargie, seconded by Selectwoman Philbrick.**

**A Roll call was taken:**

**Finan – Accepted**

**Dargie – Accepted**

**Freel – Accepted**

**Labonte – Accepted**

**Philbrick – Accepted**

**All were in favor. Motion passes 5/0.**

Ms. Kokko says the Heritage Commission says “Thank You” and noted she is also working with Mr. Lessard and the Preservation Alliance to see if we could have an assessment of Town Hall. They all toured the Town Hall today and they will put their heads together and do an assessment of the building and they would like to get an application into the Preservation Alliance and ask them for the 50% funding and there would be a request from the Select Board as well for the other 50%. She expects it to be around \$5,000 the Town would have to come up with, she will bring it to the Heritage Commission as well.

## **2. Weight Limit Restriction on Joslin Road – Leo Lessard, Public Works Director**

Mr. Lessard went to Joslin Road with Captain Frye and looked at the road. He doesn’t feel like it’s in failure, but after looking at the 72-inch culvert he noted the culvert was rotting out and in failure. He said it will take a year and half to get all the required permits and get it repaired. He recommends for this time to restrict the weight limit to slow down the deterioration of the culvert. This will allow them to get the money in the budget to do the repair as well.

Selectman Freel asked what is the largest vehicle that should be allowed, and asked if a landscape truck for instance would be able to go over the bridge and whether there will be an issue policing this weight limit? Mr. Lessard said residents will let him or the police know and it can also be regularly patrolled as another option. Captain Frye said they would contact the owner of the company if the trucks had identifying marks on them and were reported to be going over the bridge. If the police actually did catch a truck out there, they would stop them, and the truck would have to sit while the State Police Truck Division were called to come out with scales and actually weigh them, to see if they were too heavy. If they were over the posted weight, the state takes over from there.

**Motion to establish a 10-ton weight limit for the section of Joslyn Road going over the culvert (bridge limit) by Selectwoman Philbrick, seconded by Selectman Labonte.**

**A Roll call was taken:**

**Finan – Accepted**

**Dargie – Accepted**

**Freel – Accepted**

**Labonte – Accepted**

**Philbrick – Accepted**

**All were in favor. Motion passes 5/0.**

## **3. Employee Health Care Benefits – Selection of Provider – Lincoln Daley, Town Administrator; Karen Blow, HR Director; and Troy Neff Finance Director**

TA Daley was accompanied in person by Karen Blow and online Mr. Troy Neff. TA Daley said there was a good constructive dialog at the work session with staff and Board. He is asking

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the Board for their input on the level of support with the HSA. He wants to make sure they make the right decision for the employees and also the Town. Selectman Dargie has asked to recuse himself from this discussion. Ms. Blow noted they need direction from the Select Board on several points, regarding the high deductible health plan. Mr. Neff gave a demonstration of the spreadsheet model they were using. This tool would give employee cost perspective as well as for the Town side, he ran a three-year projection where they could change values and see the effects of various changes. Selectman Freel feels we should be making a decision now instead of kicking this down the road any longer. TA Daley said we can come back with two scenarios. One, will be 50% funding of the deductible, 100% of the premium. Two, do 75% of the deductible and 100% of the premium. A work Session will be on November 6<sup>th</sup>, to further discuss this topic. TA Daley suggests Wednesday Nov 6<sup>th</sup> at 5:30pm. Selectman Labonte asks that the materials be distributed ahead of time so that they can review them before this meeting.

## 4. Milford Community Lands Gravel Operation Removal Contract – Lincoln Daley, Town Administrator

Chair Finan noted the changes to the contract since last discussed. Selectman Labonte questioned the discussions, including what was discussed, what was solved, what were outcomes? TA Daley noted the major question being raised was how to measure the material leaving the site.

So, Mr. Lessard, the contractor and TA Daley met to go over various possibilities and options. There was a discussion about putting an official scale out there, this was cost prohibitive so they didn't ask the contractor to put a scale in as part of the first portion of the previous contract. They also discussed measuring devices in the actual loader itself, but that is not a solution as you can't legally sell material if you use that type of scale.

Chair Finan noted we got a significant 50% increase in rate with the new contract. Selectman Labonte asked Mr. Lessard if he was content with the contract the way it's written now. Selectman Philbrick asked if the contractor is also content with the new terms and his response was yes, they were. TA Daley noted they have been a good contractor to work with through the overall project and incurred costs at their own expense. The scale would be cost prohibitive for a project with a short life span.

Mr. Kevin Brown, Northeast Sand and Gravel (NE S&G), noted he feels the contract is acceptable, and probably more in the Town's best interest than NE S&G's. TA Daley noted Mr. Lessard would like the scale, but questioned if it was worthwhile to add that extra expense. The contractor has incurred a great deal of cost and has assisted the Town when they had to go to court and overall, it's been a good partnership. Mr. Brown said we'd all love to have the scale but the site is contentious and has been shut down a few times. With that being said they could spend \$150K to \$200K and be shut down in a few months. It's cost prohibitive, because they can be shut down again and there is not a large volume of material left at the site to justify the cost. Selectman Labonte questioned the contract not being put out to bid.

**Motion to approve the contract as presented by Selectman Dargie, seconded by Selectwoman Philbrick, to include the recommendation from TA Daley regarding the amounts of materials listed on page three.**

**A Roll call was taken:**

**Finan – Accepted**

**Dargie – Accepted**

**Freel – Not Accepted**

**Labonte – Not Accepted**

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**Philbrick – Accepted**

**Motion passes 3/2.**

## 5. TOWN STATUS REPORT

### a) Fire Department – Engine 3 (2006 Pierce Enforcer)

The Fire department is selling this to a Fire Department in Clymer Pennsylvania for \$30,000. Chief Flaherty feels this price is a fair price given the market is over saturated with used apparatus and the Town of Clymer is severely financially impacted by the recent hurricanes and flooding.

Selectman Labonte asked if we could counter the offer, and Chief Flaherty said they did that, and the agreement was that the sale fee would be split between the two communities as a result. TA Daley, said we should be cognizant that we are trying to assist a Town in need, and most likely we won't get much more.

Selectman Labonte feels we need to look at a policy in the future as far as value and the Town Administrator approving sales.

**Motion to approve the sale of the vehicle (2006 Pierce Enforcer) to Clymer Pennsylvania by Selectman Dargie, seconded by Selectwoman Philbrick.**

**A Roll call was taken:**

**Finan – Accepted**

**Dargie – Accepted**

**Freel –Accepted**

**Labonte –Accepted**

**Philbrick – Accepted**

**All were in favor. Motion passes 5/0.**

### b) Repurposing of a Fire Rescue Truck

According to Chief Flaherty the value of truck in question is about \$6,000. Based on response from the DPW they are interested in converting or repurposing the old fire rescue truck into a pipe vehicle for the pipe crew. The pipe crew is combined of water utilities and the DPW, this vehicle would allow them better efficiencies to transport personnel and equipment during some not so friendly conditions during the year.

Selectwoman Philbrick asked about cost of additional maintenance on the vehicle. TA Daley indicted the repairs are expected to be about \$4k and could be done in house (this would include a steering box and painting). Selectman Labonte asked what the guess for leftover useful life in the vehicle. Mr. Lessard feels another 10 years is reasonable. TA Daley said this follows the Select Boards encouragement to repurpose vehicles and this falls perfectly into that wheelhouse and benefits employees.

### c) Municipal Budget Update

Joint meeting with BAC on Saturday November 16<sup>th</sup> starting at 9:00 a.m. and we are starting the process to organize that going forward. It will be held at the Fire Station this year and he encourages the Select Board members to attend.

## 6. DISCUSSIONS

Dog Control in Public Parks – Leo Lessard, Public Works Director

Mr. Lessard noted dogs in the park are getting out of hand, and his team is trying to improve the ball fields of the parks, and dog owners are allowing them on the fields and not picking up after their dogs. The

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ordinance now says the dogs must be on leads of no more than 16 feet. At the MCAA no dogs are allowed on the fields at all.

Chair Finan said the words seem to be in the ordinance, but is Mr. Lessard asking to ban dogs from the athletic fields. Mr. Lessard said yes, the ball fields are where he was discussing. Blocking off areas for dogs in general was discussed. TA Daley said part of the larger discussion might be to use the 127 Elm Street area. for dogs. He suggested language to prohibit dogs on the fields is in order.

Selectman Labonte said he was contacted about an event with unleashed dogs, they called MACC base and no one was sent out. TA Daley noted there was a dog agility event that day that has occurred for the past 5 or so years, and they rent the entire park for that entire day. Selectman Labonte asked if they pay the Town and sign a release to allow them to not follow the ordinance.

Chair Finan said we can add to this ordinance, and word it so that any town athletic fields dogs will not be allowed. TA Daley will add language and bring back to the Board.

## 7. SELECTMEN'S REPORTS/DISCUSSIONS:

Ms. Coakley, made an announcement, that they have hired a Library Director, Beth and she will start on January 1<sup>st</sup>. She is an exceptional candidate and will help us bring the library to the next steps.

Selectman Labonte asked if the Budget Advisory Committee is required to cancel meetings and put-up notification to that effect. If the cancellation is sent to the TA office, it will be noted online and in the lobby.

## 8. PUBLIC COMMENTS

None

## 9. APPROVAL OF FINAL MINUTES

a) October 14<sup>th</sup>, 2024

Selectman Dargie gave TA Daley minor change to be made.

**Selectman Dargie moved to approve the October 14<sup>th</sup> minutes as amended. Seconded by Selectwoman Philbrick.**

**A Roll call was taken:**

**Finan – Accepted**

**Dargie – Accepted**

**Freel –Accepted**

**Labonte –Accepted**

**Philbrick – Accepted**

**All were in favor. Motion passes 5/0.**

b) September 30, 2024

**Selectwoman Philbrick moved to approve the October 14<sup>th</sup> minutes as amended. Seconded by Selectman Dargie.**

**A Roll call was taken:**

**Finan – Accepted**

**Dargie – Accepted**

**Freel –Accepted**

**Labonte –Accepted**

**Philbrick – Accepted**

**All were in favor. Motion passes 5/0.**

## 10. INFORMATION ITEMS REQUIRING NO DECISIONS

a) Key Dates for 2025 March Town Meeting were read

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295 **11. NOTICES:**

296 Chair Finan read the following public notices:

- 297 - Town Hall will be CLOSED Monday November 11<sup>th</sup> in observance of Veteran's Day. All Non-emergency  
298 Town Offices are closed.
- 299 - The Veterans Day Parade will be on Monday November 11<sup>th</sup>. The assembly area for the parade shall be  
300 the American Legion at 15 Cottage Street at 10:45a.m.
- 301 - The next Select Board's meeting is Tuesday, November 12, 2024 in the Select Board's meeting room, 1  
302 Union Square, Milford NH at 5:30p.m.
- 303 - Joint BAC/Select Board and Department Head Meeting, Saturday November 16<sup>th</sup> 9:00 a.m. in the Milford  
304 Fire Station Meeting Room.
- 305 - The Select Board will be having a meeting on November 6<sup>th</sup> at 5:30 in the Select Board meeting room.

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307 **12. NON-PUBLIC SESSION:** None

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309 **13. ADJOURNMENT:**

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311 **Selectwoman Philbrick moved to adjourn the meeting at 9:30 pm. Seconded by Selectman Labonte.**

312 **A Roll call was taken:**

313 **Finan – Accepted**

314 **Dargie – Accepted**

315 **Freel –Accepted**

316 **Labonte –Accepted**

317 **Philbrick – Accepted**

318 **All were in favor. The motion passed 5/0.**

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Tim Finan, Chairman

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Dave Freel, Member

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Tina Philbrick, Member

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Paul Dargie, Vice-Chairman

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Chris Labonte, Member