

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN JOINT TOWN DISCUSSION ON
MACC Base

June 29, 2020

This meeting was conducted pursuant to State of New Hampshire Emergency Order #12 pursuant to Executive Order 2020-04, temporary modification of public access to meetings under RSA 91-A. As such, the meeting was conducted online using these connection instructions that were listed on the posted meeting agenda: "The Public is encouraged to participate remotely, call in on your phone @ 1-646-558-8656 and enter the meeting ID# 893 1515 6853 and the password is 773938, or join the Zoom Meeting @ <https://zoom.us/j/89315156853>. Please try to log in 5 minutes before the meeting's scheduled start time in case you run into any technical difficulties".

PRESENT: Gary Daniels, Chairman
Paul Dargie, Vice Chairman
Laura Dudziak, Member
Chris Labonte, Member
Dave Freel, Member
John Shannon, Town Administrator
Andrew Kouropoulos, Videographer

Chairman Daniels declared that an emergency exists and he was invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to the community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, he also finds that this meeting is imperative to the continued operation of Town government and services, which are vital to public safety and confidence during this emergency. As such, this meeting will be conducted without a quorum of this body physically present in the same location. Information for accessing this meeting can be found on the Town web site in the red banner.

Chairman Daniels welcomed members of the public accessing this meeting remotely. Even though this meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct and decorum apply. Public comments will be limited to three minutes per person. Any person found to be disrupting this meeting will be asked to cease the disruption. Should the disruptive behavior continue thereafter, that person will be removed from the meeting.

All votes that are taken during this meeting must be done by Roll Call vote. **Roll call attendance: Paul Dargie, no one present. Selectman Dudziak, no one present. Selectman Labonte, no one present. Selectman Freel, no one present and Chairman Daniels, present Andrew Kouropoulos, Videographer.**

Dispatch Discussion with Milford, Wilton and Mont Vernon Boards of Selectmen.

1. CALL TO ORDER: Chairman Daniels called the work session to order at 5:00 p.m. Chairman Daniels said this is a work session and it will be recorded and minutes will be taken. This meeting is open to the public. The purpose of this work session is to discuss the current 2013 Dispatch Inter-Municipal Agreement, (IMA).

Mont Vernon Select Board – Chairman Jack Esposito, Selectman Tim Berry and Selectman Kim Roberge.

Wilton Select Board – Chairman Matthew Fish, Selectman Kermit Williams and Selectman Kellie-Sue Boissonnault and Town Administrator Paul Branscombe.

Discussion:

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Milford is suggesting three changes:

1. Section 9. E) page 10: Strike “shall not receive any rebate, payback, or other refund or credit against charges and amounts paid by it pursuant to this agreement, and”. It would say, “It is clearly agreed and understood by all parties hereto that any town withdrawing from participation in this agreement shall in fact forfeit any rights to any of the assets or income acquired by the member town in the course of the operation of this agreement, except as otherwise provided with respect to the designated member towns”.
2. Update Appendix A so it conforms to the by-laws
3. We accept a 3-year extension to the current 2013 IMA.

Selectman Boissonnault, (Wilton), asked why the 2013 IMA and not the 2018 which was signed by Mont Vernon and Wilton two years ago. Chairman Daniels said the 2018 version was problematic to Milford.

Selectman Boissonnault said we are not addressing the borrowing of funds for upgrades. It's a short term fix and she asked if Milford still wants to go on their own and disband MACC Base? Chairman Daniels said the three year extension addresses the borrowing. Selectman Boissonnault asked if the police communications issue has been corrected. Captain Frye, Milford Police Department, said there are still problems with mobile and portable communications. Chairman Daniels said there isn't much they can do until the next town meeting.

Chairman Esposito, (Mont Vernon) asked what the issues were with the 2018 IMA. Chairman Daniels said the ten year term and loss of one vote. Chairman Fish, (Wilton), said Milford voters didn't show their support with a new dispatch. Chairman Daniels said we are looking at this on an ongoing basis.

Selectman Labonte said his Board didn't discuss the 2018 IMA, only the 2013 IMA. It wasn't decided by the whole Board. Chairman Daniels said it was decided by the majority to discuss the 2013 IMA.

Selectman Boissonnault said Wilton will agree to a three year agreement. They would be willing to go with a five year agreement which would help with MACC Base upgrades. Milford is tying everyone's hands by not putting money into upgrades. If Milford's Police Department is having issues why didn't they go to the Police Union. Milford's previous Fire Chief said there wasn't any problems with the Fire Department's communication. This isn't a fair partnership. Milford is holding the vote and tying their hands. We need equal votes to move forward. We need to allow other communities to join in. An even vote number doesn't work.

Selectman Williams, (Wilton), said a three year extension isn't really an extension, it's a new agreement. All towns should be able to submit changes. Chairman Daniels said it was his hope that the other towns were looking at changes that they wanted. Selectman Williams said that is what was done in the 2018 agreement.

Selectman Roberge, (Mont Vernon), said she is confused, the 2018 agreement was approved unanimously by the Board of Governors and given to the towns. MACC Base holds most of the licenses. What is the benefit for Milford taxpayers for a standalone system and why does the Milford feel there is a tax benefit, she doesn't see any. Chairman Daniels said our recent study showed numbers differently. If they decide to stay then Milford commits to paying 71% to fix Wilton's dead zones. Selectman Roberge said the 2013 IMA prevents others from joining MACC Base, the 2018 IMA allows other towns to become partners. Chairman Daniels said he hasn't heard of anyone else wanting to join.

Selectman Freel said Milford town's people voted to have a study done with CTA and CTA came back to say a standalone system was the best fit for Milford. He asked if the other towns had thoughts on how the system can be fixed.

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Selectman Berry, (Mont Vernon), asked what Milford wanted to do? What is your long range plan for Dispatch service? We know you don't want to sign a long range agreement or make any equitable changes. Are you just going to slop along until your voters approve a stand alone? We need to know so we can negotiate in good faith. Selectman Freel said he would hope Selectman Berry's comments are not personal.

Chairman Daniels said the tall tower wasn't part of what CTA looked at. Selectman Berry said he sat through talks and heard about the tower several times. Selectman Freel asked if the other towns went out to get numbers. Selectman Roberge said in 2017 MACC Base received numbers in a draft report from Beltronics and Motorola. Milford didn't think those numbers were beneficial at that time.

Selectman Dudziak said the Milford Board needs to look out for what is in the best interests of Milford. Are the other towns willing to chip in a third to upgrade MACC Base? We were told that any money put into MACC Base would be merely a band aid fix.

Chairman Fish, said they weren't asking Milford to subsidize Wilton. A study can come up with any outcome that you want. Selectman Esposito said Mont Vernon solved their own problems at their own costs, not MACC Bases's. Mont Vernon is concerned about borrowing funds.

Chairman Daniels said he's asked before whether MACC Base was to be a system or a service. It would help to know if the towns were willing to pay for their own towers. Selectman Boissonnault said they should ask the BOG to look into it.

Chairman Daniels said CTA recommended a private firm to look into it. They looked at the modifications to see whether or not the MACC Base changes needed would trigger required upgrades. Based on what was seen, upgrading equipment doesn't constitute a renovation. We are currently grandfathered in on an emergency service on the 4th floor of an old building. He asked if the other towns were willing to keep MACC Base up their knowing it wasn't up to standards. Both warrant articles failed at the last meeting. We want a solution to our communication problems. Milford's Board will review the differences between the 2013 and 2018 IMA to understand what the position of Mont Vernon and Wilton are.

Selectman Roberge said we already went through this. The biggest reason for the 2018 IMA is the financing for upgrades. We can't do them until we come to an agreement on the borrowing of funds. If Milford is really concerned about officer safety, they wouldn't be blocking upgrades.

Selectman Freel said if it's going to be \$1 million to update MACC Base, it would be like throwing water down the drain. Would other towns be willing to pay 1/3 of the cost? If Milford leaves, the equipment stays and will still need to be upgraded. Selectman Williams said the cost is based on usage and Milford uses 78% of the system. If we all pay 1/3, we will be subsidizing Milford. The upgrade costs should be specific to the towns. Why hasn't Milford bought repeaters for their cars. Spending money to fix individual problems should be the responsibility of the towns.

Selectman Freel asked Cheryl Giggetts, CTA Consultant, why they feel it would be a waste of money for Milford. Cheryl said to put repeaters in the existing system, which is currently not fixable, will extend the portable coverage but won't fix the problem. They will not work with the new P25 system. It would be a waste of money to buy repeaters if they plan to go with a standalone system. Selectman Dudziak said it would be cheaper for Milford to do a standalone system.

Cheryl said it was \$2.9 million to do a standalone. It would be \$2 million to be part of a regional system. Selectman Labonte asked if the \$2 million regional system would be at MACC Base. Cheryl said that would be putting up a dispatch center in Milford. Selectman Labonte said if we use the existing center,

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we'd save a half a million dollars. Cheryl said they're concerned with areas of the building that are not up to public safety codes. A manufacturer won't warranty equipment in a building not up to code. Selectman Williams said it sounds like it will be three years before Milford could put something new into place. How can you let three years go by without fixing anything? Chairman Daniels questioned: while we could go and replace all of the equipment we have at MACC Base, is it acceptable when you have a wet sprinkler system?

Selectman Berry thanked Chairman Daniels for letting them know about the other things. Selectman Boissonnault said some of the issues are confusing. You are looking at a term of at least three years before Milford can go out on their own. They will need to overlap coverage. She asked them to consider at least five years. Beltronics came into Wilton and gave a very good presentation. She doesn't think there are any problems; we need to do upgrades but if they'd been done over the years we wouldn't be looking at the costs we're looking at now. She is asking Milford to look at the 2018 IMA and move forward with it.

Selectman Dudziak said they were told it would only take a year to get a new system up and running. Selectman Boissonnault said if CTA had been hired by all of the partners, we might have gotten a more nonbiased answer. The other towns were not asked to participate. We were given a few hours to give input but it didn't give a true picture.

Jason Johnson, MACC Base Director, asked Cheryl about the waiting time for the different options. He didn't think it was adequately explained how the number came about. Cheryl said they developed a list of attributes and then asked the towns to rank them. Jason asked when they came up with the numbers for the other towns to join, did the numbers include infrastructure as well as portables, mobiles and pagers?

Selectman Roberge said Milford needs to decide, she is tired of having these meetings. Step away from MACC Base or look at the 2018 IMA and work through it. Chairman Fish said we're a partnership; we always have been. There is value in that. As partners, we are asking if you want to deal with us or not.

Chairman Daniels said the votes were a sticking point before, we can have a discussion on that again. The Milford Board will take another look at it. Selectman Labonte asked what does anyone propose our next step is to try to stay as partners. We can look at the IMA again. Chairman Daniels said the Milford Board was not in favor of the 2018 IMA the last time they reviewed it.

David Bossonnault, Emergency Management for the town of Wilton, said he worked with MACC Base since 1982 and never had a problem with them.

Chairman Esposito said Milford needs to make up their mind. Chairman Daniels said it isn't just the Board, it's the voters. Selectman Roberge said the bottom line is: is Milford still willing to continue the partnership and move forward with improvements with MACC Base.

Selectman Berry said he stands with the other two members of his Board and would like to know where Milford stands. If they plan on ditching MACC Base, they will not be saving their taxpayers any money. He will wait to hear back on their opinion of the 2018 IMA.

Selectman Roberge asked about a \$4.9 million figure for an upgrade, which wasn't presented to the other towns or MACC Base. She said if Milford had brought just one issue before the voters, there would have been a different outcome. There was confusion with two warrant articles. Both warrant articles didn't have anything to do with the other two partners. We need to communicate through our BOG so that all the towns can bring the proper values before our voters.

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Selectman Labonte said the petition warrant article was increased at the deliberative session. He feels that number was inflated due to the cost of the notion that the town hall needed to be upgraded. We've now decided that was no validity to that. Chairman Daniels said it depends on if you want your building to be brought up to code. Selectman Labonte said it's up to code because it's grandfathered. Selectman Roberge asked what the original warrant article number was. Selectman Labonte said he thought it was \$1.8 million. Selectman Roberge said the number needs to come from MACC Base.

Selectman Williams said the Wilton Select Board would like to see Milford start with the 2018 IMA and make suggestions for modifications if necessary. Wilton and Mont Vernon are in agreement with how it is today. We would like Milford's issues sent to us so that when we address it again we will have time to understand what the issues are.

Chairman Daniels asked both Mont Vernon and Wilton to look at the 2013 IMA to see what Milford's position is. He will send them the changes; they are in the minutes of the June 3rd meeting.

3. ADJOURNMENT: There being no further business to come before this Meeting, Chairman Daniels adjourned the meeting.

Gary Daniels, Chairman

Paul Dargie, Vice Chairman

Laura Dudziak, Member

Chris Labonte, Member

Dave Freel, Member