

**APPROVED**  
**MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING**

September 9, 2019

**PRESENT:** Gary Daniels, Chairman Mark Bender, Town Administrator  
Paul Dargie, Vice Chairman Tina Philbrick, Recording Secretary  
Mike Putnam, Member Tyler Berry, Videographer  
Laura Dudziak, Member  
Chris Labonte, Member

**1. CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING**

**INSTRUCTIONS:** Chairman Daniels 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 Daniels 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. – Approval of Two (2) Land Use Change Tax Forms, Map 45 Lot 3-39 & Map 52 Lot 29 – Assessing Director Marti Noel.**

Both Lots have construction underway for new single family homes, rendering the lots ineligible for Current Use. Homeowners have been notified.

Selectman Dargie made a motion to approve the two Land Use Change Tax (LUCT) Forms for Map 45 Lot 3-39 & Map 52 Lot 29. Seconded by Selectman Dudziak. All were in favor. The motion passed 5/0.

**5:35 p.m. – MS-1 Report and Update Summary – Assessing Director Marti Noel.**

**Summary of the MS-1 Report:**

The MS-1 is the standard report that helps to set the tax rate. The tax rate should be determined by mid-October. The report is usually due by September 1<sup>st</sup> but an extension was requested for September 30<sup>th</sup> due to the partial revaluation.

- Net valuation increase over 2018 is calculated to be 15.6% including growth from new construction and statistical increases from market trends. The total Gross Valuation is \$1,610,193,048 after reduction for certain credits and exemptions totaling \$9,382,000 the Net Valuation is \$1,600,185,432.
- Total residential property valuation has increased 19.4% year over year, with approximately 1.5% attributed to growth from new construction – primarily single family homes.
- The year over year overall change breakdown for residential property assessments indicates:
  - Mobile homes @ 23.8% increase
  - Single Family @ 18.5%
  - Condos @ 15.4%
  - Res Apts. @ 12.9%

Not all homes were visited, but every home was assessed, some through statistical analysis. We have been to every home in Milford over the course of multiple years. Everyone is encouraged to call to make sure the data is good.

- The year over year overall change for Commercial/Industrial properties is .69%
- Residential property value represents roughly 82% of our property base and Commercial property value represents 16.6%. Utilities and Current Use Lands would account for the remainder.
- By parcel count, the number of residential units represents 81.5% of the total properties. The number of commercial units represents 7.9%. Utilities, Current Use land and Exempt properties making up the balance.

Selectman Putnam made a motion to approve the MS-1 report as presented. Seconded by Selectman Dudziak. All were in favor. The motion passed 5/0.

**Exemption and Credit Report**

- For 2019 there are a total of 86 Elderly Exemption recipients, down from 94 in 2018.
- The number of Veteran's Tax Credit recipients is slightly up at 526 for 2019 from 520 for 2018.
- Blind Exemption and Solar Exemption have had minor increases in # of recipients as well.

**A Brief Discussion about the 2019 Residential Update**

A valuation update has been conducted on the residential sector. Between revaluation years, sales are reviewed annually to determine the level of assessment. This is broken down by sectors and reviewed/audited by the NH Department of Revenue. Since the 2016 Revaluation, sales have indicated that the residential market diverged from the commercial market to the point that there was growing inequity between the commercial and residential sectors. The statistical data

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indicated a town-wide divergence measured between sale prices and assessments of 16.7 (83.6 EQ Ratio). This was measured using sales from October 1 2017 through September 30, 2018.

### Informal Hearings

Once preliminary values were determined, letters were sent to every residentially coded property owner. Those letters included the KRT website showing the sales that were used to determine values and 3 separate sorts so that anyone could review the changes to all the properties. That website is still up and available to view.

The letter also contained instructions as to how to schedule an informal hearing. The Informal Hearings were conducted over 8 days. There were 128 appointments scheduled. In addition, Marti responded to many unscheduled requests to discuss the results with property owners both by phone and email.

The chief concern was that it was a big jump overnight. The value change did not happen overnight – it occurred over 3 years covering the time frame since the 2016 revaluation. We have conducted other mid-cycle reviews and updates, including one in 2013 where condominium assessments were adjusted downward based on a review of the same statistical data review for that time frame. It is expected there will be some downward effect on the tax rate, but, of course, property value is only one component in that equation.

The next full re-assessment is scheduled for 2021. If the Board prefers, that can be moved up one year to 2020. The town has elected to dedicate \$15,000 per year for the past 3 years to help defray the impact of the cost for this. The remainder cost, an estimated additional \$45,000 would need to be added into this year's budget if the Board feels this is a reasonable measure. She would need direction from the Board within the next few weeks.

Selectman Dargie would be in favor of moving it up a year. He feels that the residential apartments are way under-valued and brought in line.

Marti said they have three categories for multi-unit buildings. Two are coded as residential – 1110 and 1111. This includes older structures containing 4-8 units as 1110 and apartment complexes with multiple buildings having 4 units or less per building as 1111. The third is coded commercial where there are multiple buildings having more than 4 units per building, coded as 1120. This coding structure has been in place for many years and is not new this year.

Another analysis for the 1120's rated commercially. Since 2011 they've increased 18 to 20%. The 1111 residentially rated buildings have increased 30%. If we go back to the prior revaluation in 2005, the commercially valued properties increased 60% and the residentially valued properties increased 48%. Selectman Dargie said rents for the building have increased at a high rate and the value of the buildings relate closely to the rents that the buildings generate.

Marti said when they look at commercial properties; they also look at storage units, mobile home parks land. There is a bigger market that we look at than just those 8 large apartment buildings.

Chairman Daniels is concerned about the Assessing Capital Reserve running out; we currently put \$15,000 in it each year through a warrant article. Marti said we have \$45,000 in that account and she is estimating \$90,000 for a total, it could come in less. If we waited the extra year we would have another \$15,000 and only need \$30,000.

Administrator Bender said to clarify those apartment buildings considered commercial, the assessed valuation of those are at \$54,000,000. The total commercial and industrial valuation on the MS-1 is \$201,000,000. The residential apartments represent about 25% of the total commercial value. If you look at the \$54,000,000 as a percentage of the total valuation, it's about 3%. Our total larger apartment valuation is about \$96,000,000 so that part that is considered residential makes up 44% and the part that represents commercial is 56%.

Selectman Putnam said we should stay with the existing schedule. He made a motion to stay with the 2021 revaluation date rather than moving it up. Chairman Daniels said a total revaluation is going to cost \$90,000 and we just did a partial, why do we need another \$90,000. Marti said we send out an RFP to look at all the properties, it's required by the state. We can't take two partial updates and put them together to make a total revaluation. Selectman Labonte asked how much the partial revaluation cost. Marti said \$20,000 which was a good price because many prices she received were close to \$40,000. KRT can come in to do a total revaluation knowing that they already did a lot of the leg work already. Any other bidder doesn't have that leg work behind them, it could come in lower.

### Additional Warrant Articles for Consideration

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### **Elderly Exemption Parameters**

Most of our elderly exemption recipients live on fixed income, and many live in manufactured homes that have been most heavily impacted by valuation increases. Once the tax rate has been set, Marti will be proposing an increase to the exemption amounts based on any increase in tax burden to this most vulnerable portion of our community. The last time income parameters were adjusted was in 2012. The last time these parameters were changed was in 2011.

Marti would also like the BOS to consider if there should be any increase for the income limits of \$38,600 for a single applicant and \$46,000 for married applicants. The last increase for these parameters was in 2012.

Marti also asked the Board to consider whether to increase the asset limit of \$85,000 which has not changed in over 15 years. The Elderly exemption is a safety net, not a benefit, but we do need to periodically consider if the parameters should be adjusted. We are on the low side.

### **Veteran's Tax Credit**

The standard Veteran's tax credit is \$300 per year. This has remained the same for well over 10 years. The last proposed change for this credit was by petition warrant article with a proposed increase to \$400 in 2014 but it didn't pass.

This is just an informational overview, a "head's up" on what is being considered for 2020 warrant articles to see if the BOS would support further review for increases to exemptions and credits. There are no defined recommendations at this date. However, over the next few weeks she will review DRA data and review where other communities stand with their exemption and credit limits.

Selectman Putnam made a motion to stay with the 2021 revaluation date. Seconded by Selectman Dudziak. The motion passed 4/1 with Selectman Dargie opposed.

Marti mentioned the postcards that went out to about 50 homes from DRA. It's standard procedure to use statistical change in value when we are using sales. The DRA is concerned that the data we are using for sales is good data so they are back checking. It's an audit of the information on the record cards to make sure they are good. They are hoping to be able to review at least 35 of the 50 homes.

### **5:55 p.m. – Pumpkin Festival Update – Wade Scott Campbell and Zoe Landtaff.**

Wade said things are coming along. Most spots are filled. They are working on Emerson Park. They have a postal first day of release stamp happening at the festival if the site is approved. A DC representative will be meeting with Wade on Thursday. GTFC is selling nice travel cups as a fund raiser. Zoe said they have many events that they will be posting soon. The music venue is full and it's nice to have a third stage this year. The Historical Society will be giving tours around the oval.

Administrator Bender said the first day of issue of a new postage stamp is a big deal. To have a Halloween type stamp issued in Milford is cool.

Selectman Labonte asked if they would be able to use the new stage at Keyes. Wade said not this year. They will look into it for next year. Zoe said there is a lot of talent in Milford. Wade thanked everyone for their help. DPW has gone above and beyond even before the festival starts.

### **6:05 p.m. – Milford Citizen of the Year Sponsored by Keyes Memorial Trust – Janet Langdell and Tim Finan.**

Janet also mentioned that the Community House lawn is full with non-profits for the Pumpkin Festival. They do need jeans, shirts etc. to use for the scarecrows. They have 19 beer, wine and spirits vendors also ready proving it gets approved on the consent calendar.

Tonight they are promoting the Milford Citizen of the Year. They talked to other foundations to help with the review process. The Town Administrator was very helpful in getting things done. She asked if any of the Board members would like to be on the review committee. Selectman Dudziak volunteered.

Nominations will be accepted through September 27<sup>th</sup> through their e-mail at [keyestrust@gmail.com](mailto:keyestrust@gmail.com) and the various boxes around the town.

### **3. PUBLIC COMMENTS. - There were no public comments at this time.**

**4. DECISIONS.**

**a) CONSENT CALENDAR.** Chairman Daniels asked if there were any items to be removed from the consent calendar. There were no items to be removed. Selectmen Putnam made a motion to the consent calendar. Selectman Dudziak 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 Acceptance and Appropriation of Unanticipated Revenues Under \$10,000 (31:95(b)) -
  - \$ 50.00 – Labor Day Parade Donation Granite Financial Partners LLC
  - \$ 50.00 – Labor Day Parade Donation Maurice and Cheryl Cote
  - \$100.00 – Labor Day Parade Donation Steel Associates
  - \$250.00 – Labor Day Parade Donation Sons of the American Legion Squadron No. 23
  - \$ 50.00 – Labor Day Parade Donation Stephen Marx Hair Salon
  - \$500.00 – Labor Day Parade Donation American Legion Ricciardi Hartshorn Post No. 23
  - \$300.00 – Milford Fire Dept. for Fire/Life Safety Education Special Purpose Fund from PEP Response Systems LLC.
  - \$300.00 – Milford Fire Dept. for Fire/Life Safety Education Special Purpose Fund from Cirtronics Corporation
- 3) Request for Approval of Milford Pumpkin Festival Beer, Wine & Spirits Tasting Tent.

**b) OTHER DECISIONS.**

**1. Dispatch RFQ**

Chairman Daniels said two RFQ's were received. They were e-mailed to the Board. Selectman Dudziak and Putnam said they didn't have hard copies. One from CTA Consultants with a requirements definition for \$49,500 and an RFP Development Phase for \$35,250 for a total of \$84,750. The second RFQ came from Communications Design Consulting Group, LLC (CDCG) for \$33,750 it wasn't complete. They are just getting information together so that an RFP can be made. Chairman Daniels said he thought that the RFQ that went out asked for both things, to define what was needed and help with assistance in the development of the RFP.

Selectman Labonte said in the CDCG one, there were also optional items available. Chairman Daniels said they were looking for a package that they could move forward with. They didn't receive that from CDCG. There will be an extra cost for this and that but he doesn't know where it will stop except for the \$85,000. Selectman Labonte said the RFQ we put out was confusing and complicated. He felt things were not explained well. Chairman Daniels said they received considerably more from CTA as far as detail and cost. Selectman Dargie agreed with Chairman Daniels, the CTA was detailed and CDCG was insufficient. Selectman Dudziak also agreed.

Administrator Bender said there were a series of questions that were asked after the meeting. One of the questions from CTA was about RFP development of a new dispatch center, the responses went to all bidders. Selectman Labonte said the responses should have come to the Board as well, so he felt they didn't come back appropriately. He asked if we know exactly what we are getting out of the consultant, is it going to give us all the answers we are looking for. Chairman Daniels said there may be more things that come to light but he believes that what CTA will give us should prepare us to go with the RFP so we can move this forward and have a warrant article for the March vote.

Selectman Labonte asked if this would be solely for a town dispatch. Chairman Daniels said it was for both, that was the expectation of the RFQ. Selectman Labonte asked what the deadline was for a warrant article. Tina Philbrick said a warrant article has to be put in before the January Budget and Bond Hearing on January 13th. Selectman Labonte has concerns about the due date back for the RFQ. The MACC Base deadline to stay or leave is prior to the last day of December and we should have the response back before then. Chairman Daniels said they are already aware of it and they will contact CTA to have it prior to that date.

Selectman Putnam made a motion to approve CTA as the Consultant. Seconded by Selectman Dudziak. All were in favor. The motion passed 5/0.

Selectman Labonte asked if communication/questions with CTA going forward will be at the Town Hall. Chairman Daniels said a point person will be at Town Hall so that the communication flows smoothly.

**5. TOWN STATUS REPORT – Administrator Bender**

**a. Osgood Pond Update**

The Town received final funding approval from NH Department of Natural and Cultural Resources, Division of Parks and Recreation for additional dredging of Osgood Pond on August 20, 2019. Work is to be completed by August 31, 2020 unless extended.

**The following required permits have been extended:**

1. NHDES Wetlands Permit extended to 3/30/24
  2. Army Corp of Engineers Permit extended to 8/1/22
- Our RFP was posted September 2 with a meeting for questions scheduled on September 13 and a bid due date of September 20. Site inspections by a certified wildlife biologist are part of the terms. Location for spoils is tentatively set for the gravel pit area in the Community Lands unless the BOS specifies another area and that would require an amendment to the RFP or contract award.
  - Residents have expressed concern about a drawdown of the pond in autumn. Keep in mind that NH Fish & Game (NHFG) requires a two week notice for the drawdown and they are aware of our planning.
  - NHFG will have concerns about the Banded Sunfish, Blanding's Turtles, Hognose Snakes and invasive plants like Purple Loosestrife. We have to work around hatching season (now) and winter hibernation schedules.
  - We have asked NHFG to provide information and guidance on the timing of operations, specifically the draw down, silt fence installation and vegetation removal, along with invasive species. Generally, silt fence as a barrier preventing species from entering the site, should be installed around mid-September to mid-October. The following options pertain to the timing challenge:
    1. Maintain the water level as late in fall as possible and then lower the pond, dry out the work area and install silt fence. Winter excavation is possible.
    2. Wait until spring after all species have emerged from hibernation to drawdown the pond, dry out the work area and install silt fence. We then have to hope for a dry spring and early summer to complete the work on time or request an extension.
  - Keep in mind that a resident is challenging the state grant funding award, but the status of that is not clear. He asked for the Boards preference on starting this fall or in the spring.

Selectman Dudziak proposed starting as soon as possible. She spoke with Chris Costantino of the Conservation Commission and she feels that wildlife will be less impacted with an earlier start. She is quite knowledgeable on this. All the Selectmen agreed. Selectman Labonte asked what time the Osgood Pond meeting was on September 13<sup>th</sup>. Administrator Bender said he would get back to him on the time.

Selectman Dudziak made a motion to start the Osgood Pond Dredging Project as soon as possible. Seconded by Selectmen Putnam. All were in favor. The motion passed 5/0.

**b. Fire Station Bond and Expenditures Update**

Voters approved Warrant Article 3 in March 2018 authorizing expenditure of \$3,864,300 for this upgrade. Chief Flaherty has done a very good job monitoring the project and expenses – on time & on budget. Total expenditures to date are \$3,813,000 with an additional \$20,000 due the general contractor putting us at \$3,833,000. The balance of \$31,000 will be used to furnish the bunk rooms and install additional data connections and fiber optics. The bond for the full amount of the warrant article was placed on June 24, 2019.

**6. DISCUSSIONS:**

**a) Review of the Purchasing and Procurement Policy.**

Chairman Daniels asked that this be reviewed due to issues under Procurement Authority, Procurement Process and the bid award. In 2014 a change was made under procurement authority "Greater Than \$25,001: Approval of the majority of the Board of Selectmen is required for the procurement of goods and services in excess of \$25,000, which are not otherwise approved in the budget". This doesn't answer, "what happens if it's in the budget over \$25,000 and language under bid award further complicates it. Part of it says you don't need the Boards approval if it's in the budget and part of it says you do.

Chairman Daniels said he doesn't want the Board to get to the point of micromanaging. We need to determine what thresholds to set. This Board is a Board that gives recommendations to the voters. Once things are approved by the voters he doesn't think it's necessary to go back and reapprove something that was already approved.

Selectman Labonte doesn't agree. The budget needs to have more detail in it so that people can know what they are approving. He feels that all appropriations need to come in front of the Board.



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Chairman Daniels said the Department Heads have the authority to approve procurement within the department's annual budget. The Town Administrator has a chance to approve things that are larger in cost within the Town's budget. What the voters vote on is the bottom line budget then it becomes, where does the money get spent. If it isn't in something that say's something specific, then that would be something that would be out of budget. The policy clearly talks about that. For example, if the keying of Town Hall wasn't more than \$25,000, it wouldn't come to the Selectmen. We are looking to close up some of the loop holes.

The procurement policy was established in 2007 at that time, the procurement authority was from 0 to \$3,500 for department heads, \$3,501 to \$25,000 for the Town Administrator and greater than \$25,000 for the Board. The thresholds were raised in 2014 to \$7,500 for department heads, \$7,501 to \$25,000 for the Town Administrator and greater than \$25,001 for the Board if it wasn't approved in the budget. We need to figure out if it's in the budget, do we let the Town Administrator sign for it.

Selectman Dargie asked if they knew how many individual decisions there are for items over \$25,000. Chairman Daniels said there isn't a lot but then you get into insurance, utilities etc. Selectmen Dargie asked about paving. Administrator Bender said the paving plan goes before the Board for discussion every year. If we bring the plan in, do we still need to bring in individual expenses? It seems like it would have already been covered. An individual purchase of road salt isn't over \$25,000 but cumulatively and in the budget its \$75,000.

Chairman Daniels said that salt was a good example because there is a notation in the process that reads "In no instance may the Authority or Process levels be circumvented by making multiple individual purchases in succession or breaking up common service or vendor procurements. Any justified changes to an original procurement that moves procurement from one level or Authority or Process shall be acted on by the higher level".

Selectman Dargie said if you ever wanted to award not to the lowest bidder you might want to bring that to the Board. Selectman Labonte asked about capital expenditures like buildings, land and vehicles or capital upgrades like re-keying. Things like salt, electricity etc. are your common recurring costs. Chairman Daniels said they could set another threshold like capital improvement for example, anything over \$75,000.

Selectman Putnam said once items are approved in the budget, and the town votes on it, does Selectman Labonte still want the Department Heads to bring things back to the Board for their approval? Selectman Labonte asked at what point does anyone in town actually know what is in the numbers they are approving. Within Fire, Police, and Ambulance you put a dollar amount in for a vehicle, but there isn't anything saying we are buying that vehicle. He feels that the voters approve the budget blindly not knowing what was in it. Chairman Daniels disagrees. We've become very transparent and the Town Administrator gives a very detailed presentation. Police vehicles used to be a separate warrant article, through the request of the people they are now in the budget. We make sure when we talk about the Police budget, we make sure we mention the vehicles. We painstakingly work with the departments to be transparent to the people so that they know what the money is going for. We've done a good job and built up the transparency over the years so people don't have to come back to us with questions about two cars that they didn't know about. People have opportunities to ask questions and get information from both the Budget and Bond Hearings and the Deliberative Session as well as read it in the voters' guide.

Selectman Labonte said it isn't a hard process to go through. If the ambulance wanted to replace a vehicle it goes to the Board for approval. It only takes a couple minutes to review it, not an hour long dialog. Selectman Putnam said it's already been discussed and approved they don't need to come back to us. Chairman Daniels said the Board recommended that it be approved and the voters said yes. Selectman Putnam reminded Selectman Labonte that the voters elected him to take care of this stuff because they don't have the time to do it. The decisions made at this table are fully represented of the people as far as he's concerned.

Selectmen Labonte he's not disagreeing. He feels that when looking at each scenario, it's just another oversight over purchase that's in the best interest of the taxpayers. Selectman Putnam said there is only so many oversites you can to before it becomes a burden, the Department Heads would be doing more work than they should have to. Selectman Labonte said he is voicing his concerns because of the citizens that have come to him and said you need to have oversight over that. After more bantering, Chairman Daniels said they were getting off track.

Chairman Daniels said this board changes yearly. The department heads are making a career of their jobs; it's what they do for a living. He is going to listen to what they say. He can only make his decision based upon the best information he can get. This is why we have department heads that present their budget to us. That is why we have a Town Administrator that works on a day to day basis with his department heads to make things go well. He repeated that that

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he wasn't interested in having the Board micromanage things. He wants to make things as transparent as we can, and we do that through the budget process. Allow the employees to go and do what they are supposed to do.

Selectman Dargie said the Board provides oversight in terms of reviewing all the purchases kind of after the fact. The order is placed and when they cut a check, it's reviewed by the Selectmen in detail. There is management of the process, just not before the order is placed. Chairman Daniels said none of them say, it's not their problem anymore. Their job is to make sure things are running well and they do that primarily through the Town Administrator who is in charge of the day to day operations. There are times that after hearing from a resident, he will bring the issue to the Town Administrator because that is the chain of command. He then handles it at the various department heads. We don't neglect everything that they do, but we do have oversight.

Selectman Dargie recommends that we change the comment about bringing it to the Selectmen that we follow the policy that if it's over \$25,000 and not in the budget, it goes to the Selectmen. If it's in the budget it doesn't have to come to the Selectmen. He would also like to add if we are selecting other than the low bidder over \$25,000, it should come to the Selectmen.

Administrator Bender said that could be changed in item 10, Bid Award. Selectman Dargie agreed. Selectman Labonte clarified that anything up to \$25,000; the Town Administrator can approve it as long as it's identified in the budget. Chairman Daniels said that's correct. Selectman Labonte said who signs it if it's over \$25,000. Chairman Daniels said that is where he was going. Selectman Dargie said he would like to see the Town Administrator have authorization to spend money if it's not in the budget. He has to manage the budget so if something comes up that is unanticipated like \$1,000 he should be able to figure out where to take it from.

Chairman Daniels asked if they wanted to continue to set a \$25,000 threshold to come to the Board for items not in the budget. What if we changed B) that above \$7,500 that the Town Administrator shall have full authority to approve procurement of goods and services that are identified within the budget? Selectman Labonte said he feels that it should be, "except for capital purchases", they should come in front of the board. Chairman Daniels asked him to define capital purchases. Selectman Labonte replied vehicles, land and buildings.

Administrator Bender said by statute, real estate transactions have to go through the Board. Larger pieces of equipment are warrant articles. Selectmen Labonte said in the past there have been questions about leasing and he feels agrees that we aren't going to get many requests and the amount that come before the Board are minimal.

Selectman Dargie asked what kinds of things under \$25,000 are not in the budget. How often do we run into that situation? Administrator Bender said it's rare. We've been doing this stuff for a long time and most things are anticipated in the budget. The run into an occasional consultants fee for things but we have money set aside for that. We know over the year that we are going to incur legal cost and consultant fees to get some of our projects done.

Chairman Daniels asked if the Board has to approve purchase of land from the Conservation Commission. Administrator Bender said yes but not at the Library or Water Utilities. Selectman Putnam said Water and Sewer has to bring their land or building purchases to the Board because it will ultimately it will belong to the town. Selectman Dudziak asked Selectman Dargie what his proposed amendment to B was. Selectman Dargie said it was the issue of not choosing the low bidder and things that are not in the budget. For example DPW may get something that unanticipated but it's really in the budget. Chairman Daniels said the previous comment had something to do with the process amount of \$25,000. On the bid award, it would still come to the Board.

Chairman Daniels asked if there is any time that something goes out to bid that you don't think needs to come back to the Board. Selectman Dargie said insurance, we don't need to get involved that. Selectman Dudziak said she doesn't have a problem with Chairman Daniels proposed amendment to B, striking the \$25,000 if it's already identified in the budget.

Selectman Labonte asked Selectman Putnam if the Water Utilities Director has the authority to buy anything or does it have to go before the Board of Commissioners. Selectman Putnam said the Commissioners and anything within the budget, the Director can spend. Selectman Labonte clarified that anytime there is a new vehicle, it doesn't go back to the Commissions. Selectman Putnam said correct. They do the bid opening for the vehicles. We vote to authorize the purchase of the vehicle. Selectman Labonte said that scenario fits this one.

Captain Frye, Milford Police Department asked Selectman Putnam if those vehicles were already in the budget. Selectman Putnam said yes. Sometimes we get a low bid but it isn't exactly what we are looking for so we may go with

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the second lowest or the highest bid. Selectman Labonte said this is why he feels it should come back to the Board. Administrator Bender said our policy on page 7, item 8 says “all bids will be opened by the Town Administrator so that is the difference in how it’s handled.

Eric Schelberg, Ambulance Director said from his perspective, if something of significant value is going into the budget to be approved, and it’s over \$25,000 he goes out and get three bids. He then comes before the Board with his recommendation to go into the budget. If the Board agrees with that, it’s already been approved by the Board. If the budget passes, he will then go out and spend that amount. Now we are just pulling the trigger on that item that has already been approved by the Board. If it’s something different, he feels that it’s his responsibility to bring it back to the Town Administrator and the Board with those changes.

Chairman Daniels said their scenario is different. For example, if you had an ambulance that was in the budget and the voters passed it, you go out for three bids because of the price of an ambulance. The voters have already approved the purchase of that, do you feel that you should just be able to go out and buy the ambulance or bring those bids back to the Board for approval. Eric said he’s already done that. He’s already received that information and know what he’s going to buy and how much it’s going to be. He’s already identified that ambulance. He isn’t just coming to the Board with a random amount. With the warrant articles, they have a rough idea of what they are going to get and the finer details will come at a later date. He needs to identify how much money he needs in advance. Chairman Daniels clarified that Eric knows what he’s looking for prior to going out to bid. Eric said yes, he gets three bids in and identifies how much it is and then he goes to the Board to let them know he either needs a warrant article or needs it put in the budget.

Chairman Daniels said there is a difference of being in the budget and doing a warrant article. Eric said the point is, before it can go into the budget, you need to know how much to put into the budget. He will come with very specific details. The same thing would happen for a Police cruiser, they know what they want so they will get that information and come to the Board. The Board approves it to go into the budget and that is what they are going to buy.

Selectman Labonte said bringing it back to the Board would give them more specifics on things like, what is being traded in; it’s the oversight of the whole thing. Eric said that is what he gives to them in advance unless something changes after the fact. He’s already done his due diligence.

Chief Viola, Chief of Police said the details on the budget are what is given to the Board during the Saturday BOS/BAC Department Heads meeting. We go over everything at that time and explain the vehicle and cost. At the end of this meeting everyone knows the cost of everything. Last year the Budget Committee wanted two vehicles and the Board wanted one. We decided on one based on everyone’s input. He though this was why we have the big meeting. All Department Heads review their whole budget with the Board. Selectman Labonte said he still feels it should come to the Board for approval. Should we start cutting everything that comes before the Board to be approved? Selectman Putnam asked Selectman Labonte for an example. Selectman Labonte didn’t have one.

Chairman Daniels repeated that we are not approving anything; we are making a recommendation to voters. Once approved by the voters, does it need to come back to the Board? Why would we need to give approval again when the voters have already given their approval? Selectman Labonte didn’t have an answer.

Selectman Labonte asked how many times this policy has come back to the Board in the last five years. Chairman Daniels said the problem is that we have conflicting things in the policy. These things need to be straightened out. As a Board member, he reports to the voters. If they say it’s ok to spend something, why does it have to come back to me to say, go ahead. If we say no, we are going against the very people who elected us.

Selectman Dudziak said for tonight’s purpose we should fix some of the discrepancies. We don’t have to go into detail about all of the amounts. We could schedule a work session if you want to get into more detail. Selectman Labonte asked why did the Board approve \$30,000 of additional paving that was in the budget for paving. Selectman Putnam said it was money being shifted from its original purpose for another use. Administrator Bender said it came out of paving but we were working with some funds that had been authorized for the Water Utilities Commission and we were consolidating the procurement of that with Public Works. We were being transparent about it.

Selectman Labonte agreed, that was his point, it fits the question. Administrator Bender said you couldn’t identify that paving transaction in this policy. That is the judgement of the Town Administrator deciding what should come to the Board as being good governance. Selectman Labonte said he feels that decision would have fallen over the \$25,000. We know there are problems and it’s just a matter of when we are going to fix it.



## APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 9/9/2019

Selectman Putnam said in the past a couple of Selectman reviewed this document and made recommendation so we are not sitting here for hours. Chairman Daniels said we can do that but he wanted everyone's input. Selectman Dargie said he would like to ask the Town Administrator to put together a modification of the document that cleans discrepancies on the amount and low bids.

Selectman Labonte asked what purchases wouldn't be included in the budget. How much do we spend outside the budget? Administrator Bender said in his four plus years he can think of just one or two occasions where there was a purchase of something that wasn't in the budget or we were re-allocating money within the budget that he brought back to the board. Selectman Labonte said if it's re-allocated it's still within the budget. Chairman Daniels said a couple years ago we bought a Police cruiser in December so that we didn't have to buy as many the next year, which was out of budget. It came back to the Board for approval.

Selectman Labonte said it depends on where it is in the budget. If he has to be the one to do it, he will sit at the Saturday meeting and asked each department exactly what are you going to buy for a vehicle. It shouldn't have to be done; it should just be bought to the Board. Selectman Putnam asked Selectman Labonte what is he looking to change, permission on a vehicle that they want to purchase versus the one you think they should buy? Selectman Labonte said it wasn't a case of micromanaging the department; it's oversight for what we were elected to do. Selectman Putnam referenced a previous meeting where Selectman Labonte sounded like he didn't want a truck that DPW was buying. Selectman Labonte said he wasn't against buying the truck, he would have preferred to trade a different one in. Chairman Daniels said they were getting off track again. Selectman Labonte interrupted him to continue his opinion.

Administrator Bender summarized what was discussed tonight; he is being asked to re-write item B on page 2. We can add additional verbiage at the next meeting we can discuss it. He will leave C alone. On page 7 under Bid Award he will re-write it to include if we are not selecting the low price bidder. On page 6 number 4 he will correct lease to least. Selectman Dargie referenced item 10 on page 7, it will go to the Board if the selection isn't the low bid or the purchase was out of budget, other than that, it doesn't have to go to the Board.

**7. PUBLIC COMMENTS:** There were no public comments at this time.

### **8. SELECTMEN'S REPORTS/DISCUSSIONS.**

#### **a. FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.**

Selectman Dudziak said the Library Trustees are in the process of working on a warrant article for their renovation/expansion project. There should be a video coming out online.

Selectman Putnam said they will be having a second parking committee meeting when they can agree on a night to have it.

Administrator Bender said Finance is doing internal audits, which is good business practice. One was recently completed at the Transfer Station. They are looking into changing the Transfer Station hours slightly. There is a conflict with the New Hampshire Department of Labor on the Friday schedule. They would like to close the Transfer Station at 12:00 on Fridays and add an additional hour on Thursday. They would like to start October 1<sup>st</sup>. It will be advertised on the web site as well as signage at the Transfer Station.

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

**9. APPROVAL OF FINAL MINUTES.** Selectman Dargie moved to approve the minutes of August 12, 2019 as amended. Selectman Dudziak seconded. All were in favor. The motion passed 5/0. Selectman Dudziak moved to approve the minutes of August 19, 2019 as amended. Selectmen Dargie seconded. All were in favor. The motion passed 5/0. Selectmen Dargie moved to approve the minutes of August 22, 2019 (Special Meeting). Selectman Dudziak seconded. The motion passed as amended 4/0/1 with Selectman Putnam abstaining.

### **10. INFORMATION ITEMS REQUIRING NO DECISIONS.**

**11. NOTICES.** Notices were read.

## APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 9/9/2019

**12. NON-PUBLIC SESSION.** Selectman Dudziak made a motion to enter into a non-public meeting in accordance with (RSA 91- A:3,II (a)) – Personnel and (RSA 91- A:3,II (c)) – Reputation. Seconded by Selectman Putnam. All were in favor. The motion passed by roll call vote 5/0.

**13. ADJOURNMENT:** Selectman Putnam moved to adjourn at 8:10 Selectman Dudziak seconded. All were in favor. The motion passed 5/0.

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Gary Daniels, Chairman

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Laura Dudziak, Member

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Paul Dargie, Vice Chairman

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Chris Labonte, Member

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Mike Putnam, Member