

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
April 26, 2021

This meeting was conducted pursuant to the State of New Hampshire Emergency Order #12 pursuant to Executive Order 2020-04. As such, the meeting was conducted online and in person.

PRESENT:	Gary Daniels, Chairman	John Shannon, Town Administrator (Zoom)
	Chris Labonte, Vice Chairman	Tina Philbrick, Executive Assistant EXCUSED
	Laura Dudziak, Member EXCUSED	Nate Addonizio, Videographer
	Paul Dargie, Member (Zoom)	
	David Freel, Member EXCUSED	

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

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 with some members participating via Zoom and some members attending in person. Information for accessing this meeting can be found on the Town website 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 five minutes per person. Any person found to be disrupting this meeting will be asked to cease the disruption. If the disruptive behavior continues thereafter, that person will be removed from the meeting.

All votes that are taken during this meeting must be done by Roll Call vote. Members who called in from home were asked to state their name and state whether there was anyone in the room with them during this meeting, which is required under the Right-to-Know law.

Roll call attendance: Selectman Dargie, yes, (zoom) no one is present. Selectman Labonte yes, present in the Auditorium room, and Chairman Daniels yes, present in the Auditorium

2. APPOINTMENTS – (Approximate times)

6:00 p.m. – Joint Discussion of Dispatch Options – Selectmen from the Town of Milford NH, Mont Vernon NH, and Wilton New Hampshire.

Milford Selectman present: Chairman Daniels, Selectman Labonte and Selectman Dargie (zoom). Wilton Selectman Present: Chairman Kellie-Sue Boissonnault, Selectman Kermit R. Williams and Selectman Matt Fish (zoom). Mont Vernon Selectman present: Chairman John M. Esposito (zoom), Selectman Tim Berry and Selectman Kim Roberge (zoom).

Chairman Daniels said tonight's meeting was being held to discuss the IMA and ideas going forward, for what we can agree on and what we will have to work on.

Chairman Boissonnault feels they are not at a point to discuss the IMA. She feels that the Board of Governors, (BOG) should come up with an agreement and bring it before all the Select boards. She feels that an IMA doesn't work for the towns at this point. She suggests turning the IMA over to the BOG with instructions that they start looking at avenues that will benefit all of the communities as partners and also look at a mutual aid district. She encourages the Select Boards to form a sub-committee of people who are involved with MACC Base to come up with a plan that will be successful for all the communities. NOTE: This is something that Chairman Daniels previously suggested. She asked Chairman Daniels to explain Milford's issues with MACC Base.

Chairman Daniels said the main problem is that the equipment is not acceptable for the coverage that we need in town. This started a discussion on Milford not adding upgrades to MACC Base by Chairman Boissonnault. Chairman Daniels proceeded to talk about Milford paying 71% to fix the other town's problems. Milford spent \$85,000 to find out what they needed for coverage and the other towns have not done that. Mont Vernon has stated that they are all set, but Wilton has dead spots and other issues.

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Chairman Boissonnault said that is why this should be handed over to the BOG so that they can determine those things. Wilton is aware of their dead spots but it isn't a huge problem and they know they are not going to get 100% coverage no matter what is put out there.

Selectman Fish said it should be addressed at a higher level. He would like to see a commitment to MACC Base from Milford. He brought up the two failed warrant articles from Milford. He thinks we can come to a mutual agreement and there are no hurdles we can't overcome. There is no reason to talk about this if Milford is not going to go with MACC Base.

Selectman Esposito agrees with Wilton, he doesn't want to start over from 10 years ago. Mont Vernon is only interested in being a partner with MACC Base, re-writing the IMA for a period of 5 to 7 years, and changing the present wording of payback extensive equipment that they have to buy. They can't afford a large payment for a 1-year term. He would like things resolved this year and start with a new agreement.

Selectman Fish asked what some of the tough issues are. Chairman Boissonnault repeated that this should be handed over to the BOG. She believes that Milford is still stonewalling and not moving forward.

Chairman Daniels said they give direction to their BOG, he can't speak for the other towns. We are getting together because it was the other towns that asked for this meeting. He isn't ready as a Board member to tell the BOG to go off and do what they want. Chairman Boissonnault said we try to give leeway to our BOG so his hands are not tied and he can work with MACC Base.

Selectman Berry agrees, the members of the BOG represent the town's interest and they should work out the details of our dispatch service. We already discussed these goals. He gives Milford credit for finding out what they need and Mont Vernon hasn't done that. We are having this meeting because the chances of Milford moving off on their own are less than they were last year. He agrees that the BOG should setup something up and come up with some ideas. He heard today that MACC Base has an idea to completely change the structure of the dispatch service and Lyndeborough would-be partners and there would be 4 partners and 5 votes.

Selectman Roberge asked if there has been a discussion on this with the Milford Board since the March vote. Is Milford looking to engage in an IMA that extends this to a 5 to 7 year time or is Milford open to the BOG, if they were tasked with changing something with a regional mutual district? Other than that, this is wasting her time and her town's time. If Milford isn't looking at something long-term, then they are wasting our time.

Chairman Daniels said his Board has not discussed the IMA since the March vote. He finds it hard to believe that the other Boards would send a representative to MACC Base, tell him to work out the deal, and not know what the elements are without guidance.

Selectman Berry said they are not going to fly blind and that they will get some type of guidance. They will give their Select Boards feedback. The people who we ask to be representatives for MACC Base are responsible for MACC Base; they are the ones that utilize the service. Selectman Roberge interrupted Selectman Berry and asked if Chairman Daniels could answer her question. If Milford isn't interested in the long term, she doesn't know why they are here tonight. She brought up towers, which no one previously brought up, and said it's workable unless Milford isn't looking for a long-term agreement. If Milford isn't interested then Selectman Berry can return to Wilton because we have work to do.

Chairman Daniels said if that's her attitude, he can adjourn the meeting now and Selectman Roberge can attend to her business. Milford hasn't talked about this. We wanted to get the Boards together; obviously, some people feel we shouldn't have done that. Chairman Boissonnault said the IMA isn't working and Milford isn't willing to work with the other towns to try and fix it and that they are tying their representative's hands by not allowing him to visit other avenues. They are the experts, we are not. The BOG will come back for our approval; they know they don't have the authority to go forward without our approval.

Selectman Labonte said he doesn't have a problem negotiating a long-term agreement or having the BOG try to facilitate the negotiations. The Select Board wouldn't lose control by letting the BOG do this. Selectman Dargie supports the CTA report; it was comprehensive and looked at the total picture. He supports a public safety grade system which we don't currently have. Moving dispatch to the Police Station ensures that you have a public safety grade system; it can't be done where it is now. He isn't in favor of continuing with a new IMA, the old one doesn't work very well, it's complicated and we need something simpler. He's open to discussing a mutual aid system.

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Selectman Esposito said Mont Vernon and Wilton want a long-term IMA and want to be partners, not tenants. Milford wants to go on their own and we won't be tenants to them.

Jeff Marshall, Milford resident, said neither RSA 53:A (IMA) or RSA 154:30 NH Fire Mutual Aid specifies any contractual language. When the towns get together to construct contractual language they get that language from either the Attorney General's office or the Fire Marshalls office to make sure it doesn't violate laws. It doesn't matter what RSA it's written under other than if it goes under RSA 154:30, the Fire Chiefs are in charge. The agreement can be polished to fit under either RSA. He feels that one of the problems with the agreement is that it doesn't have any language at all of what MACC Base is supposed to do. In 1984 it wasn't responsible for infrastructure at all, just dispatch services. It changed in 1987. In 1992 Brookline left because their infrastructure needs were not being met. The agreement said they would fix Brookline's radio issues and it was never done. It was an animosity-based exit. In 2004 Lyndeborough and Amherst had the same problems. Is the agreement responsible for infrastructure or is it a dispatch service/call center? In the IMA, they don't have to provide any service at all. Let's fix the agreement by understanding how the towns are going to work together and what the purpose of the agreement is. Without that statement, these Boards won't get anywhere. What Milford has is infrastructure problems. All emergency services should have the responsibility to tell you what they need. In his opinion, MACC Base should be out of the infrastructure business

Selectman Fish said we are stronger together and staying together is the right solution. He would still like big picture discussions. He thanked Milford for inviting them. Chairman Daniels said he's open to letting each town do what they want with their BOG representative. The BOG needs to decide what MACC Base is going to be.

Selectman Williams said there are a lot of details to determine what we want to end up with. Getting all these Boards together isn't an efficient way of doing it. Starting with something proposed from the BOG's would help start that discussion. Chairman Daniels agreed.

Selectman Berry liked what Jeff Marshall said. We need people like him to come up, with our input to come up with what we need. Selectman Roberge agreed. She still has questions about the length of time; Mont Vernon needs a longer-term to spread out the cost.

Selectman Labonte asked if we can put forth some direction to what is our next step instead of leaving like we accomplished nothing. Chairman Daniels said we have determined that we will work through our BOG. Selectman Esposito repeated that they didn't want MACC Base dissolved, they want to remain a partner. Our problems can be solved. Mont Vernon can't afford a big hit on an annual basis. Selectman Roberge asked about a time frame to follow for our BOGs as to when we expect something back.

Chairman Daniels said he doesn't think we will resolve the time frame tonight. It's something we need to get started on how to move things forward.

Chairman Boissonnault made a motion to adorn. Seconded by Selectman Labonte. All towns were in favor. 9/0.

6:40 p.m. – 2nd Public Hearing - Keyes Memorial Park, East Entrance - Performance Stage. Donation of equipment, personnel/labor, and materials to the Town pursuant to RSA 41:14-a Acquisition or Sale of Land, Buildings, or Both for the assembly/construction of the performance stage.

Chairman Daniels opened the public hearing. Lincoln Daley, Community Development Director gave a brief overview. In Summary: the Demontigny family had previously donated granite stone material from a 30' x 60' stone structure building on their property. The material was used to construct the performance stage. Through the collective efforts and coordination of eighteen (18) local companies, they disassembled/removed the material from Demontigny property and then reassembled the material at the Keyes Memorial Park – East Entrance to create the 30' x 30' (approx.) performance stage.

The construction of the performance stage was included as an important element of the 2016 Keyes Memorial Park East Entrance Master Plan. The granite stone material, equipment, and services used to relocate the material and the construction of the project was donated by the referenced individuals/companies at no expense to the Town. The total approximated cost of the donated equipment, materials, and labor is approximately \$100,000.

The purpose of this public hearing is for the Board to determine whether to accept the donation of equipment, personnel/labor, and materials used for the assembly and construction of the performance stage located at the Keyes Memorial

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Park – East Entrance (former Fletcher Paint Superfund site). Although the stage has been constructed, to formally accept said donation (categorized as property), the Board of Selectmen is required to hold two public hearings in accordance with NH RSA 41:14-a Acquisition or Sale of Land, Buildings, or Both. The first of two public hearings is scheduled for April 12th followed by a second hearing on April 26th. The Selectmen's final vote would take place at the May 10th meeting.

Chairman Daniels closed the public hearing. A decision will be made on at the next Board of Selectmen's meeting on May 10, 2021.

Selectman Labonte asked if it was common to accept stuff after it was done. Lincoln said it's a technicality, the Board already accepted the material but not the labor and equipment used to assemble the stage for the project. This is for accounting purposes. Chairman Daniels asked if this covers everything. Lincoln said no. We are working with the parties on the final design elements and cost for the roof. He will be coming back before the Board when that is complete.

6:45 p.m. – Approval of Land Use Change Tax (LUCT) Map 3, Lot 12, Veterans Tax Credit (Housekeeping), Standard Veterans Credits (13), All Veteran's Tax Credits (4), Veterans Service Connected Disability Tax Credits and Veterans Change of Status Tax Credit, Exempt Properties (34), Exempt Properties (1) Little Arrows Child Care Services and Solar Exemption and Abatement Map 3 Lot 12 – Assessing Director, Marti Noel

Approval of Land Use Change Tax (LUCT) Map 3, Lot 12 - This parcel has been disturbed for construction of a new home. The property owner is aware of the action being taken tonight regarding their property. The parcel includes 13.5 acres, and 1.5 acres are being removed as the area needed to support the home and curtilage.

Selectman Dargie made a motion to accept the recommended LUCT for Map 3 Lot 12. Seconded by Selectman Labonte. All were in favor. The motion passed 3/0.

Veterans Tax Credit (Housekeeping) - During a recently conducted audit of Veteran's Tax Credit Applications, it was discovered that 12 forms PA-29 (Permanent Applications) had erroneously been left unsigned. I have reviewed the applications and have presented these PA-29 forms to be signed this evening.

Selectman Dargie made a motion to accept the recommended 12 PA29 forms. Seconded by Selectman Labonte. All were in favor. The motion passed 3/0.

Standard Veterans Credits (13), All Veteran's Tax Credits (4), Veterans Service Connected Disability Tax Credits – Marti presented a list of property owners who have applied for the various Veteran's Property Tax Credits as indicated on the spreadsheet attached.

Selectman Dargie made a motion to accept the recommended 29 Various Veteran's Tax Credits. Seconded by Selectman Labonte. All were in favor. The motion passed 3/0.

Exempt Properties (34), Exempt Properties – Marti presented a list of properties to be exempt from taxation.

Selectman Dargie made a motion to accept the recommended 34 Exempt Properties. Seconded by Selectman Labonte. All were in favor. The motion passed 3/0.

Exempt Properties (1) Little Arrows Child Care Services - This property listed below is separated from the majority of exempt properties as Chairman Daniels is on its Board of Directors and has historically recused himself from the vote on this property. Marti recommends the Board approves the following applications for the 2021 tax year.

Selectman Dargie made a motion to accept the recommended Exempt Property (1) Little Arrows Child Care Services. Seconded by Selectman Labonte. The motion passed 2/0/1 with Chairman Daniels abstaining.

Solar Exemptions – Marti presented a list of properties that qualify for Solar Exemptions.

Selectman Dargie made a motion to accept the recommended 9 Solar Exemptions. Seconded by Selectman Labonte. All were in favor. The motion passed 3/0.

Abatement Map 3 Lot 12 - A Land Use Change Tax Warrant was signed by the BOS on March 22, 2021. Although the owners had received notice this action was taking place, they did not contact me until after the warrant was issued. This

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Abatement is to cancel the warrant until a few details can be worked out with the property owners who are finalizing paperwork for an Excavation permit with the Planning Board. A new LUCT warrant will be issued after the 155E and AoT permit is in place.

Selectman Dargie made a motion to rescind the previous LUCT warrant for Map 3 Lot 12. Seconded by Selectman Labonte. All were in favor. The motion passed 3/0.

3. PUBLIC COMMENTS (regarding items that are not on the agenda) There were no public comments at this time

4. DECISIONS – Selectman Dargie asked that 4. a) 8) be removed from the consent calendar. Selectman Labonte asked that 4. a) 1) be removed from the consent calendar. Administrator Shannon asked that 4. a) 4) be removed from the consent calendar. Selectman Labonte made a motion to approve the remaining items on the consent calendar. Seconded by Selectman Dargie. A roll call vote was taken with Selectman Dargie yes, Selectman Labonte yes, and Chairman Daniels yes. All were in favor. The motion passed 3/0.

a) CONSENT CALENDAR

1) Request for Approval of Appropriations Voted MS-232

2) Request for Acceptance of Investment Policy Review and Re-Adoption, and Treasurer's Delegation

3) Approval of Report of Wood or Timber Cut, Map 56-52 Lot 1

4) Approval of Intent to Cut Wood or Timber, Map 3 Lot 6, and Map 3-5 Lot 21 through 29

5) Approval of Intent to Excavate Map 58 Lot 1

6) Approval of Reports of Excavation Map 58 Lot 1 and Map 58 Lot 2

7) Request to use the Oval for a 9/11 Memorial Service

8) Approval of Teamsters Request for Temporary Change in position status from Union to non-Union.

9) NH RSA (3:95(b)) Request for Acceptance and Appropriation of Unanticipated Revenues under \$10,000 –

- Donation to Milford Fire Department Special Purpose fund from "Three Wonder Children", Lola Van Germert, Cooper Pare, and Emily Vance-Blais - \$69.10.

- Donation of a tree to the Milford Cemetery Department from Allen and Lisa Durant - \$275.00.

- Donation of Goods and Services for the Town of Milford from Eversource, Lucas Tree, and Asplundh - \$3,490

In regards to item 4. a) 1), Selectman Labonte asked if this was due 20 days after the annual meeting. Paul Calabria, Finance Director said yes but some leeway is given depending on what goes on at the town meetings and making sure there is proper documentation and ballot count verification.

Selectman Labonte made a motion to approve 4. a) 1) consent calendar. Seconded by Selectman Dargie. A roll call vote was taken with Selectman Dargie yes, Selectman Labonte yes, and Chairman Daniels yes. All were in favor. The motion passed 3/0.

In regards to item 4. a) 4, Administrator Shannon said the intent for M 3-5-21 through 3-5-29 has some late discovered issues and the Assessor asked that the Board not vote on that section. Map 3 Lot 6 was fine and the Board could vote on that section.

Selectman Dargie made a motion to approve 4. a) 4) consent calendar for the Intent to Cut Timber on Map 3 Lot 6 only. Seconded by Selectman Labonte. A roll call vote was taken with Selectman Dargie yes, Selectman Labonte yes, and Chairman Daniels yes. All were in favor. The motion passed 3/0.

In regards to item 4. a) 8, Selectman Dargie asked for more clarification on who was making this request. Karen Blow, HR Director said it should read, "Approval of request for temporary changing union position, "teamster" to a non-union position. It's a request by the Water Utilities Department.

Selectman Dargie made a motion to approve 4. a) 8) consent calendar to temporarily change the union position to a non-union position. Seconded by Selectman Labonte. A roll call vote was taken with Selectman Dargie yes, Selectman Labonte yes, and Chairman Daniels yes. All were in favor. The motion passed 3/0.

b) OTHER DECISIONS

1) N/A

5. TOWN STATUS REPORT

1) Town Hall Re-opening - Town Hall will be re-opening on May 17, 2021. The Town has determined that all mask and social distancing requirements will stay in effect for the time being. These requirements will be continuously re-

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viewed and will be relaxed at the appropriate time. All other options for obtaining services (i.e. drop boxes, online, appointments, by phone) are available at all times.

2) American Rescue Plan Funds - The American Rescue Plan Act of 2021 created new Coronavirus State and Local Fiscal Recovery Funds to keep first responders, frontline health workers, and other providers of vital services safely on the job as states, local governments, Tribes, and territories to fight to rebuild Main Street economies. The rules are still being developed by the US Department of the Treasury and are due out by May 10th. Once the rules are promulgated and the Town receives the funding, the BOS will work to identify the most effective way to utilize these monies. Milford's share will be about \$1.6 million.

6. DISCUSSIONS

1) Mail Box Policy Discussion – Tabled from April 12, 2021, reference e-mail – Chairman Daniels said we need to make some changes to this policy. The situation needs to be taken on an individual basis. He would like to discuss this when all the Board is together. Selectman Labonte and Selectman Dargie agreed. This discussion is tabled until the May 10th Board of Selectmen's meeting.

Rick Riendeau would also like to table it. There are liability issues that he would like the Board to be aware of as well.

Selectman Dargie made a motion to table the Mail Box Policy Discussion until May 10th. Seconded by Selectman Labonte. A roll call vote was taken with Selectman Dargie yes, Selectman Labonte yes, and Chairman Daniels yes. All were in favor. The motion passed 3/0.

3) Communications - Chairman Daniels said this is in line with the earlier IMA discussions.

Chairman Daniels made a motion to have Captain Frye continue as our Board of Governors Representative for Milford. Seconded by Selectman Dargie. A roll call vote was taken with Selectman Dargie yes, Selectman Labonte no, and Chairman Daniels yes. The motion passed 2/1 with Selectman Labonte opposed.

Chairman Daniels said he will set up a meeting with Captain Frye to go over some of the ground rules. He doesn't like the idea of sending out our representative to decide how we are going to spend \$500,000 to \$700,000 a year without some direction from the Board. Selectman Labonte asked if he means having the BOG representative have too much authority. Chairman Daniels said no. It isn't fair for our representative to go into a meeting without knowing what this Board wants.

Selectman Labonte said he agrees we should let our representative know how we feel but as long as we set parameters it's still going to come back to the Board for final approval. Chairman Daniels said the more guidance we can give, the better it is, and this is going to take time.

7. PUBLIC COMMENTS. (regarding items that are not on the agenda) There were no public comments at this time

8. SELECTMEN'S REPORTS/DISCUSSIONS

a. FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES

Selectman Labonte said Granite Town Media had a meeting and they are still cleaning up the website.

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

9. APPROVAL OF FINAL MINUTES - Selectman Dargie moved to approve the minutes of April 12, 2021. Seconded by Selectman Labonte. A roll call vote was taken with Selectman Dargie yes, Selectman Labonte yes, and Chairman Daniels yes. All were in favor. The motion passed 3/0.

10. INFORMATION ITEMS REQUIRING NO DECISIONS.

1. Treasurers Report March 2021

11. NOTICES. Notices were read.

12. NON-PUBLIC SESSION a motion made by Selectman Labonte to enter into a non-public session in accordance with (RSA 91-A:3, II(b)) Personnel, (RSA 91-A:3, II(c)) – Reputation and approval of non-public minutes RSA 91-A:3, II (a) Personnel – April 12, 2021. Seconded by Selectmen Dargie. A roll call vote was taken with Selectman Dargie yes, Selectman Labonte yes, and Chairman Daniels yes. The motion passed 3/0.

In non-public, the Board addressed one vote under reputation for approval of minutes

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345 **13. ADJOURNMENT:** Selectman Labonte moved to adjourn at 7:47 pm. Seconded by Selectman Dargie. A roll call
346 vote was taken with Selectman Dargie yes, Selectman Labonte yes, and Chairman Daniels yes. All were in favor.
347 The motion passed 3/0.
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352 Gary Daniels, Chairman

Paul Dargie, Member

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356 Chris Labonte, Vice-Chairman

David Freel, Member EXCUSED

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Laura Dudziak, Member EXCUSED