

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

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

Chairman Daniels welcomed members of the public accessing this meeting remotely. He intends to continue using zoom at the Board meetings because there is more participation using this tool.

2. APPOINTMENTS – (Approximate times)

5:30 p.m. – Moose Plate Grant Permission – Conservation Commission

Chris Costantino, a Conservation member, said that Conservation would like to apply for Moose Plate Grant to pay for the BROX conservation easement, she needs the Boards permission to do this. She assumes the easement will be part of the conditions for the AoT permit.

Selectman Labonte asked if the AoT permit doesn't get approved, could we use the grant somewhere else. Chris said she will request a deadline of 2022 and if we don't get the AoT permit there would have to be an amendment to make a change to the contract but they could lose the grant and the money would go to fund something else.

Selectman Dargie asked what the value of the grant was. Chris said she wasn't sure of the cost, they may ask for \$50,000 to cover both the easement and survey, but she may go to \$75,000. When they asked for it last year, it was \$15,000 because they didn't know what the Stewardship would be. She just needs permission to go forward, the application is due mid-September.

Selectman Dudziak made a motion for the Conservation Commission to apply for the Moose Plate Grant. Seconded by Selectman Dargie. All were in favor. The motion passed 4/0.

3. PUBLIC COMMENTS (regarding items that are not on the agenda)

Kathrine Kokko, a Milford Resident asked why discussions with 2 Way radio communications were not on the agenda. Chairman Daniels said they will be talking about dollar amounts with them in non-public. Ms. Kokko questioned the basis for going into non-public. Chairman Daniels replied, (RSA 91-A:3, II(dl)) – Land Acquisition. Ms. Kokko asked the Chairman to identify the specific parties. Chairman Daniels said no, for one party to disclose their price gives them a disadvantage when we go out to bid. Ms. Kokko asked if this concept will be put out to bid or is it undecided. Chairman Daniels said undecided. Ms. Kokko objects to going into non-public based on (RSA 91-A:3, II(dl)) – Land Acquisition.

4. DECISIONS – Selectman Labonte asked that 4. a) 4 be removed from the consent calendar for discussion. Selectman Dudziak made a motion to accept the consent calendar except for 4. a) 4. Seconded by Selectman Labonte. All were in favor. The motion passed 4/0.

a) CONSENT CALENDAR

1) Approval of one (1) Petition and Pole License – Armory Road, Milford NH.

2) Approval of Intent to Cut Wood or Timber Map 53 Lot 67-3 Federal Hill Road

3) NH RSA (31:95(b)) Request for Acceptance and Appropriation of Unanticipated Revenues under \$10,000 –

- Donation of 40 bags of oil dry (Speedy Dry) from Kent's Towing to the Milford Fire Department - \$720.00
- Donation of cleaning supplies from Lowes to the Milford Fire Department - \$1,496.

4) Re-approval of Final Minutes for January 25, 2021, February 8, 2021, March 22, 2021, April 12, 2021, April 26, 2021, May 10, 2021, May 24, 2021, June 14, 2021 and June 28, 2021.

Selectman Labonte asked why these minutes have to be approved again. Chairman Daniels said it was brought to our attention that several public minutes from 2021 were not noted that minutes were sealed when we came out of nonpublic. They were sealed, it was our mistake for not noting it in the public minutes. The minutes were adjusted to reflect that the non-

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 7/26/2021

public minutes were sealed. There are a couple of sets of minutes that are not sealed, it's now noted and they are posted on the website. This is correcting the lack of notation.

Ms. Kokko thanked the Board for making the corrections and asked that the videos be maintained. Tina Philbrick, Executive Assistant clarified that all of these nonpublic minutes were noted as sealed on the nonpublic form that they were directed to use. That information was just not redundantly put on the public sets of minutes because we were not directed to do so. She will make sure they are put on both sets of minutes in the future for clarification. We did not make a mistake; we did it exactly as we were directed to do. Chairman Daniels said he stands corrected. Selectman Labonte asked for a vote correction on line 517 to be made on the minutes of January 25, 2021.

Selectman Dudziak made a motion to accept 4. a) 4 from the consent calendar. Seconded by Selectman Dargie. All were in favor. The motion passed 4/0.

b) OTHER DECISIONS

1) Employee Policy Review

RSA 659:44-a Electioneering by Public Employees – Chairman Daniels said a complaint was filed with the Attorney Generals' office about Electioneering. The Town Administrator has been working with the AG's office on specific things that needed to be done as corrective action. Everything has been corrected to date. The AG's office has now said that the "case is closed". The information is posted on the Town's website. Part of the process was to update the employee manual.

Administrator Shannon said they developed training and sent it to all employees. There are only a handful of people that can post to the town's social media sites. We also removed what we could find on those sites. Changes were made to the electioneering policy. Chairman Daniels said this would be an amendment to the employee policy.

Selectman Dudziak made a motion to amend the Electioneering section of the employee manual. Seconded by Selectman Dargie. All were in favor. The motion passed 5/0.

Appeal Procedure - Chairman Daniels said there are two different procedures in the appeal, one for department heads and one for employees. Town employees end up appealing with the Town Administrator and Department Heads and the Town Administrator end up appealing at the Board level. He feels they should be consistent and all employees should be able to appeal to the Board. We are not taking anything away from the process, just adding a section.

Karen Blow, Human Resource Director recommended that the Board not vote on this process tonight until they receive more information and advice on how other towns do this.

Selectman Dargie asked what advice Karen was referring to? Administrator Shannon said advice from the Labor Attorney from our Town Councils' office.

Chairman Daniels asked if people thought it wasn't fair for employees to not be able to go to the Board so they can get their side heard. Selectman Dudziak asked how this new one differs from the old one.

Administrator Shannon said he's the end if things are appealed to him. Chairman Daniels wants appeals to be allowed to elevate to the Board for everyone, not just department heads.

Selectman Dargie asked if our labor Attorney has seen this document. Ms. Blow said no. She would like to get it squared away with legal instead of doing this multiple times. She still has questions that she isn't clear on. She mentioned that some of the timelines are different.

Chairman Daniels reviewed the timeline that employees have. His intent was not to take away anything from the process that people already have. Selectman Labonte said he doesn't see the harm in giving someone another step up in the process. It gives everyone the same playing field.

Selectman Dargie is in favor but would like the labor attorney to review it first. It isn't urgent that it be done today. Selectman Dudziak agrees. Selectman Freel said he didn't feel an attorney is needed to review this. Selectman Dudziak said you can run into problems if you have a policy that doesn't support the law. Selectman Freel said he wasn't hearing that we

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 7/26/2021

were not conforming to the law. Selectman Dargie said there was another issue that isn't as clean as what is on this paper. All the pieces should match up with the law.

Chairman Daniels said he's fine with it, he's not looking to change the whole policy. Selectman Freel said basically what you are looking for is for someone to sign off on what we already have in writing. Chairman Daniels said he's hesitant to say that because he doesn't feel we need to spend \$250 an hour for someone to tell us that it's ok for someone to appeal to one higher level.

Selectman Freel said the Board has been elected to make these decisions everyone should have the same process to get to the outcome. Selectman Labonte said if new information comes in, it can always come back to the Board.

Selectman Labonte made a motion to make an amendment to the appeal procedure. Seconded by Selectman Freel. The motion passed 3/2 with Selectman Dargie and Selectman Dudziak opposed.

5. TOWN STATUS REPORT – Town Administrator, John Shannon

1) BROX Alteration of Terrain (AoT) Permit – The Town has been working to get a new AoT permit approved for the Brox property to re-start some suspended work in the pit area. The town is currently working under another extension granted by the state due to some outstanding, required items from other government entities. The Town will continue to work with the appropriate state partners to ensure the project is done under all appropriate regulations and best practices. Any questions or concerns about the project can be directed to the Town Administrator's Office.

Selectman Labonte asked how long is the appeal, don't you only have a year. Administrator Shannon said we are not appealing, we are applying. We are on our 5th extension so he doesn't know if it runs out, we are currently up to September 30th.

Selectman Freel asked if we could get longer extensions like for 6 months. Administrator Shannon said he will check, the current one is the one that Mr. Maucks sent to us to sign and send back. Chairman Daniels said the state budget that passed adds another 3 or 4 people that can be hired for fish and game which is where the holdup is right now. They are hoping that will help take care of the log jam.

Selectman Labonte asked what it cost for the extensions for attorney fees. Administrator Shannon he isn't aware of the cost for extensions, Mr. Maucks sends us the paperwork, we sign and send it back, lawyers are not involved. Selectman Labonte said he sees bills come in for the AoT. Administrator Shannon said they are not related, he thinks they are for Conservation or something else. He will look into it.

6. DISCUSSIONS

1) American Rescue Plan Act Funding (ARPA) – Administrator Shannon said the state gave the town the first half of the ARPA Funding, \$859,030.90. We will receive the other half next year. We will formally accept the money at the August 9th meeting. He asked the Board to prioritize the list received from the Department heads. After some minor discussion, the Board decided to review the list and prioritize it at the next meeting when the money is accepted. It was determined that the money can't be used with federally matched funds.

Selectman Labonte asked for the formula used to determine the dollar amounts of the town's lost revenue, he's still confused about that because the Finance Director has told us that we didn't lose money. Administrator Shannon said he will get that information. Just because we were fiscally responsible last year and did a good job, we still had to use the federal formula. It's either 4.1 for the next 4 years counting this year or your last 3 years before COVID which is 2017, 2018, and 2019. Whichever one is greater, the Department of Treasury said is the one you should use. Chairman Daniels asked if the CARES Act factors into that. Administrator Shannon said no.

7. PUBLIC COMMENTS. (Regarding items that are not on the agenda)

Katherine Kokko, Milford resident, is still having issues about the non-public descriptions and asked if the non-public meeting includes a discussion of non-public minutes and releasing them. Chairman Daniels said he heard Tina say that there wasn't anything wrong with the non-public minutes but the notation didn't show up in the public minutes.

Ms. Kokko feels that there were three places that the minutes were not sealed properly under the description allowed to seal minutes. Those have been formally requested as were ones that were not sealed.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 7/26/2021

Tina said March 8, 2021 minutes were not sealed. She went through them several times and the Board was distracted in many other conversations so they didn't get sealed. These minutes pertain to a resident in town and should not be left unsealed which is why they are on the non-public agenda for sealing.

Chairman Daniels said he thinks the three that Ms. Kokko is talking about pertaining to April 12, May 10, and June 28. Ms. Kokko said yes. Chairman Daniels explained what they were sealed under. Ms. Kokko feels they are not valid reasons for sealing minutes so in her opinion, they are not technically sealed. It's not ok to go back and seal minutes once they've been formally requested. She also wants the basis that all minutes that have been sealed be reconsidered by this Board.

Chairman Daniels said the spirit of the law lays out conditions in which the public can see sets of minutes under the right-to-know law. We may not have had things in the place where you are looking for them, if you are talking about someone's reputation, personnel issues, acquisition, and legal, they are not subject to the right to know the law.

Ms. Kokko claims there are three exemptions for sealing minutes that are separate for going into non-public. When asking for the minutes when they are sealed, they have to conform to one of the three reasons. She didn't have the statute available that she was referring to. Selectman Freel said the three things that Ms. Kokko is asking about should not be available to the public and he will not vote to unseal them. He doesn't know why she is pushing for this. Ms. Kokko is concerned with transparency.

Ms. Kokko said if you go into non-public to protect vendor pricing outside of an RFP process, you have no basis for non-public. She also commented that there were a large number of people at the last meeting that were staying for the non-public meeting and she said there should be as few non-board members in a non-public session. The outside public is not subject to the same rules in non-public as the Board members are subject to.

8. SELECTMEN'S REPORTS/DISCUSSIONS

Chairman Daniels said the Recycling Committee review the Transfer Station and will be discussing changes in the future. They are trying to shift focus from plastic recycling to compost recycling. Selectman Labonte asked about the top being closed off. Chairman Daniels will look into it; he's unclear of what the plans are.

Selectman Labonte said that Granite Town Media meet last week and they are working on trying to stay on top of the sound issues.

Captain Frye said MACC Base is getting ready to start working on the Budget. Milford and Wilton received their surplus money back. Mont Vernon is going to keep some of their money up there to work on a channel for them, FCC licensing. There may be a budget meeting on August 3.

Selectman Freel asked if it was normal for MACC Base to do the frequency. Captain Frye said they have been trying to get a frequency for their Fire Department; they are still on the low band, they need to go to a narrow band. Selectman Freel asked if MACC Base does that for the towns. Captain Frye said if they want them to, yes.

Selectman Labonte said a question was asked if MACC Base had interest, meaning the rest of the towns, in doing Crown Castle. Captain Frye said they do and it would be individually by each town.

FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES

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

9. APPROVAL OF FINAL MINUTES - Selectman Dargie moved to approve the minutes of July 12, 2021, as amended. Seconded by Selectman Dudziak. All were in favor. The motion passed 5/0.

10. INFORMATION ITEMS REQUIRING NO DECISIONS.

1. N/A

11. NOTICES. Notices were read.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 7/26/2021

12. NON-PUBLIC SESSION a motion made by Selectman Dudziak to enter into a non-public session in accordance with (RSA 91-A:3, II(d)) – Land Acquisition, (RSA 91-A:3, II(l)) – Legal Advice Provided by Legal Counsel, and approval of non-public minutes RSA 91-A:3, II(a)) Personnel and RSA 91-A:3, II(b)) Personnel - July 12, 2021 and sealing of non-public minutes RSA 91-A:3,II(c)) Reputation – March 8, 2021. Seconded by Selectmen Dargie. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte no, Selectman Freel yes, and Chairman Daniels yes. The motion passed 4/1 with Selectman Labonte opposed.

At this point, the Board determined that part of their non-public discussion did not need to be done in non-public. These are the minutes from that section:

(RSA 91-A:3, II (d)) Land Acquisition – Bill Bartlett, 2 Way Communications, provided the Board with 1 summary sheet and three CONFIDENTIAL pricing sheets to review as a scaled-back version of the larger picture. The intent is to get a foundation for improvement.

Chairman Daniels said they previously talked about a process to implement a solution, the first being what to do with infrastructure then switching out other equipment. Mr. Bartlett said it included doing some of what you just said at the same time. Some of the equipment is obsolete or end-of-life and needs to be replaced. The lack of infrastructure also needs to be addressed.

Chairman Daniels asked what the figures would be if we ended up going with Crown Castle. Mr. Bartlett said he's helped with the initial process but he doesn't know the fees for Crown Castle.

Administrator Shannon referred the Board to the memo. If the Fire Department receives a grant for around \$230,000 the price will be \$453,083 and without the grant, the price will be \$681,888, to put phase I into effect. This includes the lease on Crown Castle.

Selectman Labonte asked why we were focusing on 4 departments when the issue is with the Police Department. Administrator Shannon said we have 4 departments that need the fix and we have the opportunity to do that now. It's better to do them all at once. Mr. Bartlett said that's true if the goal is to get everyone on the same platform. Piecemeal will be more expensive in the long run. Developing all 4 at once saves a lot of steps.

Selectman Labonte said funding is a problem. Administrator Shannon said he doesn't see it as a problem right now with this price and ARPA funding. Town Council said if we needed to go into the fund balance, we need to send a letter to the DRA, no town meeting is required. We have many options. We have an opportunity with ARPA that we didn't have in the past. The lower number in phase I makes it feasible to move forward.

Selectman Dargie asked was the probability of getting the grant money and when will we find out. Chief Ken Flaherty said he's been 100% on his grant writing but they can't tell him if he will get it. He feels good about it. It was supposed to be awarded by now but there was a technical glitch so it's been pushed to August or September.

Selectman Freel asked what the grant was for. Chief Flaherty said it's a federal grant for radio replacement for the Milford Fire Department. The grant will cover just the fire department radios, no infrastructure. Selectman Freel asked if we were at \$200,000 for just the fire department radios. Chief said \$228,000 it's strictly end user radios, not repeaters. In 2004 all of our radios were at end of life. We have to do a 5% match of about \$15,000. This doesn't address Federal Hill where his mobile repeater system sits and they have to keep fixing because rodents and kids keep breaking in. Crown Castle is a more secured site with one platform and we can keep Federal Hill as a backup site for the town so we don't lose it and that will start the second phase for the town.

Selectman Labonte clarified that he isn't against all of this. Selectman Freel asked, "why wouldn't you use the grant money to put it towards the fire department radios". Selectman Labonte said we can use the grant money towards the radios even if we do a 1 site system. Chief Flaherty said his grant is digital platform P25. If he applies for a grant, it has to be compliant.

Selectman Freel said it's a wash to get the Fire Department on board because they are using their grant money, why take it out. Selectman Labonte asked if the grant was applied for in March or April. Chief Flaherty said it was applied for in November. Selectman Labonte said so, it was before any of this.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 7/26/2021

Selectman Labonte said he's all for upgrading everything but it's a transparency issue to the town to do this behind closed doors. He said that it's obvious by what Administrator Shannon said, that there is no intention of doing an RFP process. Administrator Shannon said that Selectman Labonte is putting words in his mouth. Selectman Labonte said the implication was there when the Town Administrator said we could work a deal with 2 Way with half this year and a half next year. Administrator Shannon said it was suggested as an option. The last time we did an RFP, it took a month or two to write it, it was open for about 4 weeks and then it's awarded. So now you are waiting until Christmas.

Selectman Labonte said Jeff Marshall said RFP could be written in no time. Chief Flaherty said that Jeff has never been awarded any grants so he isn't sure why he would say that without asking him first. He should know better and he is speaking out of turn. Selectman Labonte said Jeff never made any indication that he could write it, he said it could be written in no time. Chief Flaherty said he knows that his grant could be awarded at any time. This would solve all of our problems and put everyone all on the same frequency. We keep going back and forth with dispatch being the problem but this addresses everything to fix Milford's problems. We can now move forward. Selectman Freel said we are not 100% sure it will fix everything, but it will be way better.

Mr. Bartlett said we are not expecting this to fix 100% of the problems, but it will fix a big piece of it and make improvements that will rapidly increase safety. As for the procurement, he wants to make it clear that the equipment that he proposed is Motorola geared. You went through an RFP process and based on the size and complexity of your system that was proposed through that process and there are only two real manufactures that could answer the call, and they did. In the end, Motorola turned out to be the best answer. He believes that the Town wants to work with Motorola. What was proposed was Motorola equipment that was on that RFP process. You won't be buying this equipment from 2 Way, all he did was put together the equipment list. The invoice will come from Motorola. 2 Way would likely be the choice of vendor to implement this solution, but because it's Motorola there are other options.

Selectman Labonte asked Mr. Bartlett to elaborate on what he suspects the next phases to be and the time frames that they should happen. Mr. Bartlett said he can speculate and give his opinion. In the short term, he would see a site being necessary downtown. He doesn't know what the future is. Is there going to be a dispatch component to this, or is Milford going to dispatch for themselves? He feels that this not only helps to improve the level of service that Milford gets from the infrastructure, it's also an opportunity to increase the services that are being performed by MACC Base. It may lead to better service from MACC Base and ease the tension so they can go on serving the town. This system is something that can be expanded on to where it serves Milford and all other MACC Base agencies.

Selectman Labonte said if something happens to the signal, the MACC Base Director said it would be tough to go back to the old way. Mr. Bartlett said yes it would, for the coverage you have today. You would have to revert to the way things are currently and he doesn't think anyone wants to do that. Redundancy is important so maybe in Phase II we decide that is the best route to go and attack it first. He doesn't know how to answer that. He isn't paranoid about the loss of resources because the equipment will be new and supportable. What is Phase II can be weighted in our decision making.

Selectman Labonte said phase I is laid out but we don't know what the cost of phase II is, what happens if it becomes another half a million dollars. It's a money thing. Why is the whole plan not being laid out in the beginning instead of just phase by phase?

Mr. Bartlett said he wouldn't view it as a money pit, it's about priorities. His job as an advisor is to sit with you and weigh the cost versus the benefit. We can put dollars to it and he would duplicate Crown Castle downtown and you already know what those numbers are. We know that we have challenges downtown; there is no tower and no way to get height so we have to factor in that cost. There are different options, it won't be inexpensive. We can spend money wisely; we don't have to burn it. He doesn't see us building out what was in the RFP especially with the fate of MACC Base being in the balance. Milford is looking for a quality of service out of MACC Base and if that can be achieved then he doesn't see why the cost of moving would be a benefit. The RFP was soup to nuts, everything that Milford would need, and then some to be standalone, efficient, and safe. His target would be to duplicate the RFP but some pieces may not be needed.

Chairman Daniels said they need to decide whether or not to go sole source as it's been presented to us or go out with an RFP. If we are going to go sole source, there isn't any reason to be in non-public. Mr. Bartlett agreed. You have to go through a vetting process. For him to get the best value out of a design would be to avoid the RFP process. You've seen the complications. RFPs become about what you've published and answering that critique. You get what you ask for and nothing else. He recommends a strong vetting process, which you've done. Motorola was the choice. He suggests having someone keep an eye on the project, an independent consultant, or someone who can evaluate what we put forward.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 7/26/2021

Selectman Dargie clarified that what Mr. Bartlett was proposing was a subset of the proposal of part of the winning bid. Chairman Daniels said yes. Selectman Dargie said we kind of went through an RFP process and this is a result of the RFP process. He would be in favor of hiring CTA to review this and come up with a plan with where we are headed. One question would be if we want to stick with a public grade system or not. Warrant Article 3 was to make it to NFPA 1221, if we drop that as a requirement, and stick with working in the town hall, what would the implications be. He trusts CTA and they did a quality job and know what they are doing.

Selectman Freel doesn't feel that is necessary to hire CTA. CTA stood to make money off of this. Maybe hire someone else. Chairman Daniels questions taking someone else's numbers and giving them to someone else and saying, "what can you do with these"?

Mr. Bartlett said he thinks the firm that did the RFP was certainly qualified but there are local people that we can trust that we have worked with before. We can find local industry experts that can guide us.

Selectman Labonte said he doesn't see backup generators on the list. Mr. Bartlett said battery backup is included. A generator would be a good long-term goal. Selectman Freel asked how long the battery last. Mr. Bartlett said it can be scaled for a couple of hours, long enough to get a generator in place. The equipment can be programmed longer. It's something short-term.

Selectman Labonte said he assumes there will be no backup generator at Federal Hill. Captain Flaherty said they already have one up there. Selectman Labonte said you will need a backup generator at Crown Castle. Selectman Freel asked if you lost power up there for more than 3 or 4 hours, you're out. Captain Flaherty said they have batteries on their equipment. Captain Frye said MACC Base has a generator here and on Pead Hill. The other three antennas are all battery-operated. Mr. Bartlett could price it out to configure longer-lasting batteries.

Mr. Bartlett would recommend adding a generator and there is grant funding available for that. Generators are important to this type of project.

Chairman Daniels asked if there was anyone on the Board that feels that the presentation given to us is not workable. Selectman Freel and Selectman Dudziak are fine with the presentation. Selectman Labonte said any number is workable. This is workable as step one, he would like to see what step 2 is and what the projection would be. The price could be bigger.

Chairman Daniels's question is do we need to go out with another RFP to get a quote. Selectman Freel and Selectman Dudziak said no.

Selectman Dudziak made a motion to go sole source with 2 Way. Seconded by Selectman Freel. There were questions on whether this should be continued in public.

Selectman Freel said he still had questions on how it would be funded. Administrator Shannon said we have the ARPA funding. Selectman Freel said Water Utilities needed \$510,000. Administrator Shannon said we have \$860,000. This leaves \$350,000 for other projects. Selectman Labonte objected to any additional conversation on this in a non-public meeting.

Selectman Freel made a motion to come out of non-public. Seconded by Selectman Dudziak. All were in favor. The motion passed 5/0.

Selectman Dargie said he would like to make copies of what we have and distribute them to the public after the motion is approved. Chairman Daniels said they would post it on the website and take it up in further detail. Selectman Labonte asked how will this be funded should the motion pass. Selectman Dudziak said they have to vote on the motion first. Administrator Shannon said that is another decision that the Board has to make. Chairman Daniels said there are numerous decisions that have to be made. We are trying to take a step so that the public can know what is going on.

Selectman Dargie said what has been presented is a subset of CTA's proposal. All this equipment selection is consistent with that RFP process. For him, that is an important consideration in regards to sole sourcing. Selectman Labonte said it's

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 7/26/2021

a partial subset; there are still many features not in the equipment list. Selectman Dargie said by definition, a subset is partial.

Selectman Dudziak made a motion to go sole source with 2 Way. Seconded by Selectman Freel. The motion passed 4/1 with Selectman Labonte opposed.

Chairman Daniels said at this point, he would like to set this aside. They will put the information on the website and when we meet next time, everyone will have the same figures and we can continue. Administrator Shannon said some of the sheets are marked confidential and he would like to check first before posting that information. We need a clean copy that doesn't have confidential written across the front of it.

Selectman Freel said he believes they concurred that the Crown Castle Emergency Management Communications Antenna in the ARPA list for \$130,000 would be part of the 2 Ways quote. Administrator Shannon said yes. The ARPA listing will be updated for the next meeting.

Selectman Labonte asked what number did the motion approved. Selectman Dargie said it deepens if we get the grant or not. Selectman Freel said we approved the quote that 2 Way gave us for \$681,885 and if we get the grant for \$238,000 then that is a bonus.

The Board went back into non-public to finish other business under RSA 91-A:3, II(l) Consideration of legal advice provided by legal counsel.

In non-public, under RSA 91-A:3, II(b) Personnel and RSA 91-A:3, II(c) Reputation, the Board made decisions to approve minutes. There were two items under the RSA 91-A:3, II(l) Consideration of legal advice provided by legal counsel, the first item did not need to be addressed because it had already been made public. Under the second RSA 91-A:3, II(l) Consideration of legal advice provided by legal counsel the Board made one decision. A motion was made by Selectman Dargie to seal the minutes of July 26, 2021 under RSA 91-A:3, II(l) Consideration of legal advice provided by legal counsel Seconded by Selectman Freel, because it is determined that the divulgence of this information likely would affect adversely the reputation of any person other than a member of this board. A roll call vote was taken, Selectman Dargie yes, Selectman Dudziak, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0. The Board did not seal the section of minutes that pertained to RSA 91-A:3, II(d) Legal.

13. ADJOURNMENT: Selectman Dudziak moved to adjourn at 7:40 pm. Seconded by Selectman Freel. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.

Gary Daniels, Chairman

Paul Dargie, Member

Chris Labonte, Vice-Chairman

David Freel, Member

Laura Dudziak, Member