

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

July 27, 2020

This meeting was conducted pursuant to State of New Hampshire Emergency Order #12 pursuant to Executive Order 2020-04, temporary modification of public access to meetings under RSA 91-A. As such, the meeting was conducted online using these connection instructions that were listed on the posted meeting agenda: "The Public is encouraged to participate remotely, call in on your phone @ 1-646-558-8656 and enter the meeting ID# 814 4605 1477 and the password is 150531, or join the Zoom Meeting @ [https://zoom.us/j/ 81446051477](https://zoom.us/j/81446051477). Please try to log in 5 minutes before the meeting's scheduled start time in case you run into any technical difficulties".

PRESENT:	Gary Daniels, Chairman	John Shannon, Town Administrator
	Paul Dargie, Vice Chairman	Tina Philbrick, Recording Secretary
	Laura Dudziak, Member	Andrew Kouropoulos, Videographer
	Chris Labonte, Member	
	David Freel, Member	

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 a quorum of this body physically present in the same location, and two members participating via Zoom. Information for accessing this meeting can be found on the Town web site in the red banner.

Chairman Daniels welcomed members of the public accessing this meeting remotely. Even though this meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct and decorum apply. Public comments will be limited to three 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: Paul Dargie, yes and no one is present (remote). Selectman Dudziak, yes and no one is present (remote). Selectman Labonte, yes, Selectman Freel, yes, and Chairman Daniels, yes.

2. APPOINTMENTS: (Approximate times)

5:30 p.m. – Request to Appoint Tracy Quirk-Berube as an Alternate Member of the Library Trustees – Term expires 2021.

Tracy thanked the Board for their consideration for the position on the Board as an Alternate Library Trustee. She is excited about the opportunity to contribute her time and knowledge as an alternate library trustee. She is a long time resident of the Milford community and has always valued the library and the resources and support that are available to our community.

A motion was made by Selectmen Labonte to appoint Tracy Quirk-Berube as an Alternate Member of the Library Trustees. 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. The motion passed 5/0.

5:35 p.m. – Fire Department Replacement Utility I Vehicle – Ken Flaherty, Fire Chief (tabled from 7/13/2020)

Chief Flaherty referenced a vehicle lost due to a fire on May 26th. Primex gave the town \$25,000 for replacement costs.

As of today, he was able to secure a white F250 super cab 4WD for \$32,500. The lights and lettering came to \$4,814. The cap was \$1,994, and a plow fitting was \$1,640. The total cost was \$40,929. They will need \$15,747.

Selectman Labonte asked if there was anything else other than a FORD that would fit the bill better. Ken said no, he searched everywhere. This one is coming from Massachusetts from Colonial Ford. No one stocks a standard duty pickup without all the bells and whistles.

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Selectmen Dargie made a motion to approve the purchase of a replacement vehicle as per Chief Flaherty's number of \$40,929. Seconded by Selectman Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. The motion passed 5/0.

5:45 p.m. – Polling Location Change – Pete Basiliere, Town Moderator

In summary, the Board unanimously voted on May 26th, just before the statutory deadline, to move the location of the September and November locations from the Middle School gym to the Hampshire Dome at Hampshire Hills. The Middle School gym was determined to be too small for the extensive social distancing rules due to COVID-19 regulations. The High School gym and cafeteria will work out better especially for new voters. Pete explained why the café and gym would work better for voting. Voters who choose not to wear a face mask/shield for medical or other reasons will use an alternate on-site process.

Pete Basiliere would like the Board to rescind their decision to hold the September primary and November General elections at the Hampshire Dome, designate the Milford High School as the polling place and direct the appropriate staff to post legal notices and create other signs and communications in multiple media areas that will inform citizens of the change.

Selectman Freel asked if there will be enough room in both the café and gym. Pete said the state said they will have the same number of booths that are normally required. We anticipate a high number of absentee ballots, maybe as high as 50%. They are hopeful that people will take advantage of the absentee ballots but recognize that people will also prefer to vote in person.

Selectman Freel asked if we are aiming for not having as many booths. Pete said will have to set up all of the booths because they come in sets of five. If they reduce that number of booths required, it will make it easier to remove them and make the space wider. We have the room to put all the booths in. They are hoping that the barriers between booths, which are thick and you can't through them, will provide adequate distancing for everyone.

Selectmen Dudziak made a motion to rescind the polling location at the Hampshire Hills Dome. Seconded by Selectman Labonte. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel yes and Chairman Daniels yes. The motion passed 5/0.

Selectmen Labonte made a motion to change the polling location to Milford High School on West Street. 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. The motion passed 5/0.

6:00 p.m. – Labor Day Parade – Brendon Philbrick

Brendon Philbrick and Jay Duffy came in to discuss the Labor Day Parade. He recognized the Labor Day committee in the audience. There has been overwhelming support to have the event. The Police Department has been in full support. The parade will take place this year.

Jay Duffy reiterated everything Brendon said. Bob Courage will be the Grand Marshall. The theme of the parade will be "Fruits of our Labor". This is the 72nd year of the parade. They are thankful for the \$10,000 that the voters supported. Former Fire Chiefs will also be included in the parades. This is something for people to look forward to.

Jay asked if he could speak about the lack of flags being put in the cemeteries in town. He has placed many flags that were supplied by the town. He's been in touch with Troop 4 to help with placing the flags. All cemeteries are complete except for West Street and Riverside cemetery. He doesn't know if they should remove the flags after Veterans Day and put them back on Memorial Day, he feels they should be put up all year long and be replaced as needed. Jay said the graves can be maintained easily depending on where they put the flags. Very few graves have a flush tone so it isn't too much to move them. He is mindful of the work that has to be put into it. He said Rick Riendeau, Public Works Director is in favor of it.

Administrator Shannon said we can see how it goes this winter. Jay said he recalled as a kid that flags were up all winter. Other cemeteries keep flags up all winter. Chairman Daniels asked about snowplows burying the flags. Jay said there aren't any issues that he can see with plowing burying the flags.

Selectman Labonte said there is a section on the town's website on cemeteries that addresses flags. Jay said the clause is about ornaments and doesn't apply.

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Rick Riendeau, Public Works Director said the Cemetery Trustees makes the rules for the cemeteries, Public Works just maintains them. It would have to be finalized through the Cemetery Trustees. Jay asked the Boards permission to approach the trustees. Chairman Daniels said he didn't need their permission.

3. PUBLIC COMMENTS – Selectman Labonte referenced an e-mail letter from Paul Bagley that spells out many things about our communications center. One of the things was about preventative maintenance on radios which hasn't been done. Chairman Daniels said there was a follow-up e-mail where Captain Frye said he had been in contact with a company to come out and review the maintenance of all radios. Selectman Labonte asked if it's been done yet. Captain Frye said that 2-Way Communications Service would be coming out in a couple of weeks. Selectman Labonte said he would forward Mr. Bagley's e-mail.

Selectman Labonte referenced a letter from the Police Union about putting the town on notice. He referenced a letter from Jay Wilson of the MACC Base Board of Governors, which had a lot of good things in it. He wanted to contact the Union Representative due to inaccuracies in his e-mail. Some of the things were already addressed by Jay Wilson. Selectman Labonte asked what it meant to be put on notice from the Union.

Chairman Daniels' interpretation is that this is not something that should be on the back burner. It needs to be front and center and we are already doing that as quickly as we can. Everyone knows that the public has to be involved in the final decision. We have been doing our due diligence and moving forward.

Selectman Labonte said that Captain Frye stated that he didn't have a problem at a Board of Governors meeting as far as seeing what they needed to fix now. Selectman Labonte said he doesn't feel they can wait until March and then implement something 18 months after. He wants to direct our representative of MACC Base to bring back to the Director and say, "what is there that the Director can come up with that would improve our services now to not leave our emergency services with inadequate communications". He isn't saying to create a Band-Aid fix but there has to be something that is less than 18 to 24 months away.

Chairman Daniels said they will be talking about the Board's decision later tonight and we will talk about it then. Selectman Labonte said he doesn't want to stop anything that is already in progress now. He is ready to do something tonight and vote on it.

4. DECISIONS – CONSENT CALENDAR.

1. Request for Approval of Application for 2020 Reimbursement to Towns and Cities in which Federal and State Forest Land is Situated - \$127,300.
2. Request for Approval to NOT USE the PA-28 Form in 2021.
3. Request for Approval to submit Nomination to the New Hampshire Library Trustees Association for the Wadleigh Library for "Library of the Year".

Selectman Dargie asked that 4. a) 2 be removed from the consent calendar.

Selectman Dudziak made a motion to approve the consent calendar except for 4. a) 2). Seconded by Selectman Labonte. 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.

Selectman Dargie referenced the memo to 4. a) 2) having the wrong name on it. Chairman Daniels said it's already been corrected.

Selectman Dargie made a motion to approve 4. a) 2). Seconded by Selectman Dudziak. 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.

b) OTHER DECISIONS.

1. N/A

5. TOWN STATUS REPORT – John Shannon

a. Osgood Pond Update - Phase II of the Osgood Pond Dredging Project, as voted on by the citizens of Milford, is continuing on schedule. The dredging is going well and good progress is being made weekly. The Town will continue to work with the appropriate state partners to ensure the work is done following all appropriate state regulations and best practices.

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Selectman Labonte asked how many yards have been removed from Osgood Pond. Administrator Shannon said he doesn't want to guess and would get that number, they are about halfway through the project. Selectman Freel asked if they started moving the old spoils yet. Administrator Shannon said yes.

Selectman Labonte asked how many different locations are the spoils being hauled to. Administrator Shannon replied four. Selectman Labonte asked if there was an amendment to the contract. Administrator Shannon said there didn't need to be an amendment. Selectman Freel thought all spoils were going to Brox. Administrator Shannon said he had conversations with Lincoln and referenced e-mails that were sent.

Selectman Labonte read section 16 of the contract about no modifications being made unless signed in writing by both parties. He asked who authorized to bring the spoils anywhere other than the Brox property and how many yards did not end up at the Brox property that should have. Administrator Shannon said they were asked by the Board to reach out to see who else wanted the spoils. There was more discussion about the interpretation of the contract. Selectman Labonte asked if there was financial benefit brought to the town by hauling the spoils somewhere other than the Brox property. Administrator Shannon said no. Selectman Labonte said that wasn't acceptable.

Selectman Freel said we just went through this with the sales of the old spoils and that the new spoils should be worth just as much even though no one wants the new spoils as much as the old spoils.

Administrator Shannon said he spoke with Lincoln after Selectman Labonte brought this up the other day. Lincoln said they were not supposed to be bringing spoils anywhere else and he spoke to Mathewson again to remind them. Administrator Shannon read an e-mail sent by Lincoln outlining where the spoils needed to go and to use the alternative sites only as the Town site reaches capacity. Selectman Labonte asked how much spoils went elsewhere. Administrator Shannon said he would get that number.

Selectman Freel clarified that everything goes to Brox until they run out of room. Administrator Shannon said yes. They tested one of the other sites to see how far it was. Selectman Labonte said he assumed that 1,000 yards were brought somewhere else. Administrator Shannon repeated that he would get that number, he wasn't going to make up a number. Selectman Labonte said they were in violation of the contract. Administrator Shannon said he doesn't share his opinion. We were asked by this Board to find alternate sites to put the spoils despite us keeping everything which was not implied at the time. We spoke to the contractor again, once verbally and now in writing, to take everything to the Brox until it can't go there anymore. When we first started all of this, and it's been going on for a while, the contractor was in on the conversation about trying to find alternate places for the spoils. It wasn't an issue at the time, and then it became an issue. He knows that they are not in violation of the contract. Earlier this week when Selectman Labonte brought it to his attention, he spoke to Lincoln. Lincoln then sent them an e-mail. They were warned and if it's done again, then they will be in violation of the contract.

Selectman Labonte said it was left as, if they could find another place, we would find a way to be compensated which would allow us to have more money to go into the dredging. Originally when this was put in front of the voters, it was 44,000 yards and now we are ending up with 24,000 yards. He's been trying to get the taxpayer's money closer to what was approved. He's seen the trucks delivering to private places. He's brought it to the Town Administrator's attention a couple of times.

b. 2021 Budget - The Town's 2021 Budget preparation will begin in late July when the initial budget proposals are sent out to all necessary departments. A timeline for the entire budget process has been established. Please note that the timeline may be adjusted if needed.

c. Town Hall Re-opening Plan – The town hall will be opening back up tomorrow in a Phased approach. We will be open Tuesdays and Thursdays from 9:00 am until 1:00 pm for the next two weeks. You can go to the front of the Town Clerks office but not be able to go inside. Hand sanitizer and masks will be provided. We will expand our hours later.

Chairman Daniels said if the Town Clerks office is going to be open, is she still doing business by appointment or can people just drop in. Administrator Shannon said from 9:00am to 1:00pm on Tuesdays and Thursdays, it will be just like pre-COVID except for masks. All other hours, it will be by appointment like it's been during the pandemic. The drop boxes will continue to be utilized as well as going online and calling by phone.

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Chairman Daniels asked what will be done if several people are waiting to see the Town Clerk. Administrator Shannon said they are marking spots in the lobby, they can also cue up outside and we will use the BOS meeting room if needed. We will adjust as needed. If someone is still in line by 1:00, they will not be sent away. We will finish the line.

6. DISCUSSIONS:

a. Position Statement of Milford Board of Selectmen (BOS) Regarding Dispatch – Chairman Daniels read the following:

In formulating its decision on the best dispatching option for the town of Milford, the Milford Board of Selectmen finds the following:

- The study requested by voters at the 2019 Annual Meeting, and performed later in 2019 by CTA Consultants, LLC (CTA) is the most comprehensive study Milford has received among the multiple studies done regarding emergency communications dispatching.
- As elected officials for the Town of Milford, we are obliged to put the interest of Milford first.
- The desire by the other member towns to be "equal partners" of MACC Base cannot co-exist while Milford pays 71% of the operational cost.
- "Equal partners" would dictate that all member towns pay an equal proportion of the operational cost, and it is not fair to ask the other member towns to subsidize Milford's share of the cost.
- "Equal partners" would also dictate that all member towns have an equal number of votes on the Board of Governors, and it is not in Milford's best interest to relinquish any of its votes (financial or non-financial), as requested in the 2018 IMA proposal presented and adopted as the position of the other member towns, as 29% of the Board of Governors would have controlling interest over Milford's 71% share.
- Each member town should be responsible for its infrastructure. Milford has requested numerous times for member towns to clarify if MACC Base is to be a system (to include responsibility for the communication towers) or a service, where each town maintains its tower infrastructure, but we have not heard definitively on this definition. This matters greatly because Milford would be responsible for 71% of the cost of resolving all dead spots for all emergency services in all existing and future member towns if MACC deemed to be a system, and we currently have no idea what that cost would be.
- It is not in Milford's best interest to relinquish its borrowing authority and control to MACC Base. That authority should be reserved for Milford voters, and the voters of other member towns if a partnership exists, not ceded to a third party.
- The proposal of a 10-year borrowing plan (as requested in the 2018 proposal offered by the other member towns is driven by the necessity of the smaller towns to spread payment costs out over several years, but it also commits a town to continued payment of that loan if the town decides to discontinue membership in MACC Base.
- The space occupied by MACC Base is not compliant with today's safety code (NFPA 1221), but it is grandfathered because of the historical nature of the Milford Town Hall.
- Even though the existing MACC Base space is grandfathered from today's safety code, it is not in Milford's best interest to install millions of dollars of new equipment in a non-compliant NFPA 1221 area that has a water sprinkler system, and should there be a fire, risk losing our investment to water damage.
- The space occupied by MACC Base is not sufficient to withstand natural disasters such as earthquakes.
- It is not in Milford's best interest to agree to the proposed 2018 agreement supported by the other member towns that prevent Milford from receiving its entitled share of any surplus that is supposed to be returned to us if Milford discontinues MACC Base membership.
- By virtue of its non-compliance with NFPA 1221, MACC personnel face endangerment should an emergency (i.e. fire) affect the currently occupied MACC Base space, leaving personnel to decide whether to evacuate or stay to control emergency communication. This happens now when a fire alarm sounds at Town Hall. Everyone in Town Hall evacuates except MACC personnel, who remain in the building to control communication.
- Not all issues with MACC Base are related to equipment. A 2018 audit of MACC Base identified material weaknesses in accounting practices, segregation of duties, maintenance of capital asset records, and return of surplus to the towns, and significant deficiencies in financial policies. The resolution of these deficiencies would require expansion of the MACC Base organization and additional cost to the Member towns.

For the aforementioned reasons, supported by the 2019 CTA Report, the Milford Board of Selectmen finds it in the long-term interest of the Town of Milford and its residents to make known its intent to pursue an alternate path for emergency dispatching and discontinue its membership in MACC Base at a future time.

Selectman Labonte referenced 1221 compliant and said even CTA said they were going to build theirs as close to 1221 compliant as they can. He asked if Chairman Daniels was willing to say that we are going to build a "full" 1221 compliant center. Chairman Daniels said he doesn't know what a full 1221 compliant building is but he is concerned about the endangerment of MACC Base personnel and the risk to millions of dollars' worth of equipment the water sprinklers go off.

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Selectman Labonte said a lot of that can be addressed. If there were a three-alarm structure fire at the Police Department, will they never have to leave the communication center and nothing will become affected due to the fire? Chairman Daniels said he understands that a 1221 compliant structure is independent of anything around it and will continue to exist with whatever happens. Selectman Labonte still questions that.

Cheryl Giggetts, CTA Consultant, said the study indicates that the building will be a separate specification than the radio system so they will assist the architecture in building a structure to be as compliant as possible. The NFPA is a large document that deals with many things. Chairman Daniels said document encompasses other things, not just communication centers.

Selectman Dargie asked if Chairman Daniels was looking for a motion on his position statement. Chairman Daniels said yes after discussion and or changes to the statement were complete. Selectman Dargie said he wrote a similar document, a little more detailed, but he supports Chairman Daniels document.

Selectman Dargie made a motion to adopt the Position Statement of Milford Board of Selectmen (BOS) Regarding the Dispatch document as presented by the Chair. Seconded by Selectman Dudziak.

Selectman Labonte said he doesn't agree with the words "position statement of the "Milford Board", and would like to change it to "the majority of the board" because he will not be voting for this.

Selectman Dargie amended his motion and change it to "the majority of the Board of Selectman find". Seconded by Selectman Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel yes and Chairman Daniels yes. The motion passed 5/0.

Selectman Labonte said people don't understand that MACC Base is an entity that deals with the dispatchers, and towers but not the police radios. When you go with the \$2.4 million CTA plan, it includes all radios versus any discussion we've had with MACC Base; they don't have anything to do with radios. He feels that we should put something in the statement that we are only talking about service. He doesn't want the voters confused.

Chairman Daniels said people who have been following this already know, he knows that he's personally mentioned this at least a half dozen times. He has made a system versus service very clear. We don't have a clear definition as to what other towns are looking for from users when they have dead spots. Are they looking for us to pay 71% of the bill to put up towers so that they can eliminate their dead spots? That is the blank check that he isn't willing to write.

Selectman Labonte said it's never been determined if the communication issue is due to the dispatch center or the end-user. Selectman Freel said he thought CTA covered all of that. Selectman Labonte said they keep saying we have a weak signal but he hasn't received any diagnostics from CTA about it. What have we done from a service standpoint? MACC Base has its preventative service and its output is where it's supposed to be.

Chairman Daniels said despite all the things that we can't agree on with the member towns, he thinks that the one thing that they did agree upon was that the equipment needs to be overhauled and brought up to date to last into the future. It doesn't matter where it's going to be, the equipment has to be replaced, updated and protected.

Selectman Freel said in his opinion, if the technology is going to be updated, the towns should all pay equal shares. It shouldn't be a 71/29 split. At the end of the day, all the towns can say that they have equal ownership of the equipment. It doesn't matter where the dispatch center is, all three towns should have the same cost no matter what the size of the town. The equipment serves a purpose and they all have a stake in that equipment. He hears all the time that the service on the day to day, month to month, that Milford should have the 71% but if the equipment is benefiting all the towns, it should be 1/3 for each town.

Karen Blow, Milford resident, said that several Police Officers have left over the last few years and their concerns have been around officer safety. Last week she heard that an officer on Capron Road couldn't hear what is being transmitted through MACC Base and MACC Base is asking them to either go back to the vehicle or to call on their cell phone. If they are trying to interact in a critical moment, they should not have to utilize another method of communicating with MACC Base. She asked the Board to keep in mind the officer's safety. We have to do what is in the best interest of our officers.

Selectman Dudziak called the question. She said we are going around and around about the same thing every meeting. Chairman Daniels said the motion failed for lack of a second.

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Selectman Labonte said he agrees with Karen about officer safety. MACC Base was dispatching out and the portable radio didn't pick it up, could it possibly be the equipment of the end-user. Our portables and radios are going to be checked out through the service program, but how many years has it been that any of our radios been tested. A request in January showed that no one could produce records.

Chairman Daniels said we would find out in a couple of weeks. Selectman Labonte said the possibility is there. We have maintenance programs on everything else. In response to Selectman Feels comment about all towns paying 1/3 the cost, you take a town like Mont Vernon who just installed a microwave system and they don't need any infrastructure so why would they want to pay 1/3. Selectman Freel said they need the equipment at MACC Base to latch on to that. Selectman Labonte said he's not disagreeing to a portion of that. Not everyone needs the same thing; one town may need more than another. What happens if Milford needs the most?

Chairman Daniels said that his comment in the statement was that the other towns were using the term "equal partners". It's equal when it comes to voting but not paying an equal cost. If it's one vote for each town, you could have 29% override the 71%.

Selectman Labonte said he doesn't believe that there's been a directive that's been given to our Board of Governor representative for finding a possible solution or anything at MACC Base. He feels that this whole position thing should wait until we know the status of our radios, and we should wait until we've given a directive to our BOG representative asking them for a solution. Because the direction has never been given, he feels it's negligence on the Town of Milford's part.

Cheryl Giggetts, CTA Consultant she understands that the issue right now is whether or not the problems you're having are with your infrastructure or with your subscriber unit. It has been her experience, over thirty years, that seldom is it the subscriber unit. The units would have to be extremely old, or low-end units or not well cared for. We've seen that your subscriber units are well cared for. The Police Department has purchased some of the newer units and they are behaving in the same manner as the older units, which mean that they are not getting the signal. The infrastructure has to be replaced and this is the same issue that all the towns are having. This isn't a repeated system, this is a system where we have placed some mobile units on poles or towers and we are doing the best that we can to get that signal back and forth. The signal can only go so far. The reason we use repeaters is that they allow the signal to travel much further and it gets repeated back from one unit to another. She's been going through all of the incident reports for the past few months and we are seeing a great deal of portable, it's not portable to portable so it isn't that talk around situation that was referenced several meetings ago, it's actual portables getting into the system and that conversation being able to get into our dispatch center. This is an infrastructure issue that has to be resolved for you to have reliable communications.

Karen Blow just wanted to ask in relation to what Selectman Labonte was saying, that MACC Base hasn't been asked for this or for that. Why hasn't MACC Base been proactive in providing some of this information instead of waiting to be asked? If they wanted to enhance the relationship wouldn't they pull together some of this information on their own accord without having to be directed by the Board? They are listening and participating in all the meetings, she would think that some of these things would be self-directed.

Selectman Labonte asked if we could ask our Board of Governors that question. He would like clarification from one of Jason's bosses about why Jason isn't doing that. Karen said she wasn't putting this out there as another opportunity to delay this process. She just feels that MACC Base has had ample time over the last few to provide some of this information. She is very hopeful that what Chairman Daniels proposed and with what is being discussed, that we are going to start seeing some resolution to this.

Jason Johnson, MACC Base Director, addressed Karen's concerns about MACC Base not being proactive; he said they have been proactive which you can see if you look through the history. They offered a single site radio repeater in 2015 to be expanded to one town per year and it was declined by the Town of Milford's voting. They also suggested that the Towns use surplus funds from MACC Base to use for car repeaters that were already used successfully in Mont Vernon and Lyndeborough. They also provided, in 2016 and 2017, a comprehensive plan for replacing all equipment for the Police, Fire, EMS, and DPW transmit and receive sites, not subscriber units as in CTA's plan. In 2016 MACC Base spearheaded Mont Vernon's microwave project and their grant. They have tried to address the issues. The problem is that they have been blocked by two to two votes, with Milford against, on implementing these.

Chairman Daniels made an amendment to the motion to also change the last paragraph where it says the Milford Board of Selectmen to say "the majority of the Milford Board of Selectmen". Seconded by Selectman Dargie. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel yes and Chairman Daniels yes. The motion passed 5/0.

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Selectman Labonte repeated that he still feels that we should wait as far as our position until we give direction to our Board of Governor representative to see what happens. He would like to know where he can get the information on what technical testing that CTA did on either MACC Base's equipment or the Town of Milford's equipment, or any other surrounding town's equipment where they can show analytical results other than "geesh, we feel it's good".

Selectman Dargie said in reply to Selectman Labonte, that we should move forward with this statement. We've had discussions with the other towns and we need to have our position known as to what we will be doing. It isn't clear to some people that we are planning to leave MACC Base and move forward with our system. We can have a separate discussion about what can be done in the short term to improve officer safety. Maybe we can maybe we can't. It's been stated that there is nothing economic to have any kind of substantial change in anything. That is a separate discussion in a parallel path with moving forward with the main path of upgrading the entire system and going on our own. He is in favor of this document.

Mike Viola, Milford Police Chief, clarified that Director Johnson was right that in 2015 they did offer Milford a standalone repeater/frequency but it wasn't voted down just by us, it was voted down by all the Police Chiefs that were involved. As for the portables that we use, these are the same portables that the other departments also use. Most of them were obtained with a grant and we've bought more since. He checked with the other Chiefs about their portables and they are all pretty much the same. He doesn't know how much upkeep they have had; he doesn't think it's been too much. One question brought up was, do we consult with MACC Base before we buy our portables. Milford doesn't, nor do any of the other departments.

Chairman Daniels noted that Selectman Dargie included a position paper that serves well as back up documentation to this position paper. The motion before us is to accept the position statement as amended. **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.**

Selectman Labonte repeated what are we going to do and why have we not directed our Board of Governors representative to bring this to the Board of Governors and MACC Base to see what can be done. He is recommending that we give our representative a directive to get us out of our communication place that we are in right now.

Chairman Daniels asked Chief Viola and Captain Frye what their plan was to handle the situation that Selectman Labonte brought up knowing the time frame that you have.

Captain Frye said the portables are updated. As far as the MACC Base fix, as a Board of Governor, it should be in the best interest to create an RFP to go out and fix the system. We still don't have a number to build a system. CTA gave us a price that is close to it and they have been in business for 30 years. He believes that their \$4.9 million is what it would cost for a MACC Base fix. Other towns have told us we pay for what we get. If we want to pay again, our portion of it at 71%, we can ask the other town if they are willing to put out an RFP we can do it. We won't one source this project out to anyone but by the time we get around to doing that, it will be late 2021. It's going to take a while. We had our shot last year and we didn't have all the support from all of our Board. As far as repeaters, the other towns put them in their cars but they only have a couple of cars, not 18. He believes that once he gets the report from 2-Way, that says our equipment is fine, we will be able to move on.

Selectman Labonte asked if the \$4.9 million include all the subscriber radios for everyone for all the towns. Captain Frye said he didn't look at the \$4.9 million because that wasn't his concern; his concern was the town of Milford. Selectman Labonte said once you start dragging in MACC Base as a fix and you bring in all the subscriber units you are mixing apples and oranges again because you are mixing up the equipment versus town-owned equipment. Captain Frye said it's probably laid out in the CTA report.

Cheryl said the \$4.9 does include the subscribers for all of the stakeholders for all of the towns. The subscribers will need to be replaced so that they can communicate with the new infrastructure. You will not be able to use your existing older subscribers on this which is why we gave you an all-inclusive price which is why the second warrant article in March was adjusted. The proposed warrant article number 5 didn't include everything. You can't update infrastructure and not update the subscriber units.

Selectman Labonte said when you break up the 71% if you put the \$4.9 million into play; you can't break it up as Milford pays 71% because Milford is going to buy their assets as far as their radios and portables. The other towns are going to buy their own. You are mixing apples and oranges in those numbers. The subscriber units are covered 100% by the towns.

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Captain Frye said not all the towns are going to need new equipment. Cheryl said the \$4.9 million was broken out by towns. When we did that, we included the subscribers for each of the towns. Each town was responsible for its infrastructure and subscriber units. Once that is broken down, Milford's portion is roughly 58%. That in her opinion is apples to apples.

Selectman Labonte repeated that he wanted to put forward a directive to MACC Base. He asked Chief Viola if he was okay not changing anything in his radios presuming in March a warrant article will pass and presuming 18 months after that it will be instituted. Do your officers feel safe and secure the way we are at.

Chief Viola said he's been working on this since 2013 and trying to get things changed. He wants the change to be effective and to last which is why they went this way to get it to be the best way to work. Our system isn't the best but we are working with what we have, but we want it to be better. We are also trying to be fiscally responsible and also do something where we won't run into these problems another 10 years from now. We all would like a quick fix but we have to work within the system that we have to get this done. We've done several studies and he thinks CTA's study is the most in-depth one and giving us the best path to work with. He is confident that his officers are safe as they can be, but he is not confident in the system. He is confident in what CTA is suggesting.

Administrator Shannon asked Cheryl that if the warrant article was voted on in March and approved, how long it would take to get the system running since the RFP will already be in place and approved by the Board. Cheryl said after the approval, a little over 12 to 14 months. If it's a regional fix it will take 18 to 24 months.

Kevin Federico, Milford resident, said he's happy that the majority of the Board is making their position clear on their intent to move forward. He's said multiple times that we've spent close to \$100,000 and had outside, third party, independent companies come in and tell you that what is realistic and what isn't realistic. Some people want to hear it and some people don't. Anything takes time. The Board needs to explain its position to the Milford taxpayers and move forward.

Selectman Labonte, in response to Cheryl's estimate of 12 to 14 months, it keeps getting shorter and shorter and even with that, we will be in the middle of a contract with MACC Base. He repeated that the Union and officers do not feel safe. Do we have to have an injury before we direct our Board of Governor to do something either on the MACC Base side or the equipment side for Milford?

Selectman Dargie said as far as the timing, in the document that he put together assuming that the warrant article passes in March, the system will be put together roughly September of 2022 which is longer than the 12 to 14 months but he padded it a bit. He said we would go live in January of 2023. We would give notice to MACC Base in December of 2021 and leave them at the end of 2022.

Bobby Jones, Milford Police Union representative, AFSME Council 93 said he wrote the letter previously mentioned, he asked Selectman Labonte, as a sitting member of the Board, why he didn't give the direction that he is seeking before tonight. Before Captain Frye, it was an actual Board member from this Board that was the representative for Milford on the Board of Governors. That member voted on any issue brought forward because of officer safety.

Selectman Labonte said he's been a Board member since March 2019 as he has mentioned several times. This is a challenging Board to be on because after taking your oath you are given no directive; you are just thrown into the lion's den. He didn't support the Milford Dispatch warrant article and still won't, nor will he encourage others to support it. He said he cares about the officers and he has brought this up every meeting since the vote.

Bobby Jones said he is sorry if Selectman Labonte misunderstood but this appears to be the first time you are coming out about giving direction or questioning why the member representing Milford on the Board of Governors wasn't doing more. That is what he was inferring, not that you as an individual or as a member of the Board didn't take the officer's safety issue seriously. Mr. Jones said tonight it appears abundantly clear to him that some personalities are getting in the way and he feels that Selectman Labonte is going after Captain Frye about, "why didn't you do this or that". He didn't think that the MACC Base Board of Governors was involved with the day to day operations of MACC Base where they gave specific direction to the Director on a daily basis as other employers would. He thought they were there to work as the liaison between the subscribers to MACC Base and also to enforce the municipal agreement.

Selectman Labonte apologized for his comments for clarification to Captain Frye and the public. He has never once questioned whether Captain Frye was doing enough. He doesn't expect Captain Frye to do things on his own that is why he says the Board. He is learning more as a Selectman every meeting, he can have a discussion all he wants but if he doesn't make a

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motion, nothing happens. At least if he makes a motion and it gets voted down, he can say he tried. He is hoping this discussion will end up with a motion with a directive to start as a solution for the safety of our officers.

Bobby Jones said he agrees with Selectman Freel said earlier with, if you are going to replace the infrastructure alone, not end-users, mobile radios or portable radios, it should be 33% for each town, not 71% for Milford. They are all using the infrastructure at some point and it doesn't matter what percentage they are using.

Selectman Freel asked where we go if the warrant article doesn't pass in March. We have to do something to fix the problem. Let's vote one more time but we need a backup plan. Selectman Dudziak said we cross that bridge when we come to it. We don't know what is going to happen in March. Selectman Freel hopes there is something that we can move forward on.

Selectman Dargie said he doesn't have a problem with giving a directive with the Board of Governors to investigate trying to make improvements to the system but there should be limitations on that. CTA study said the real solution was to replace the system. Maybe there is something that could be done in a shorter time for less money. We could make a motion that the Board of Governors investigates what can be done to improve the officer's safety that could be implemented in one year and cost less than \$700,000. That would be like a Band-Aid fix while we implement the actual fix.

Selectman Labonte said he was on the 2018 Budget Advisory Committee and he asked what plan B was for dispatch. He said he wasn't given an answer on Plan B.

Selectman Labonte made a motion to give a directive to our Board of Governors representative to inquire as to what can be done to help officer's safety and be implemented as soon as possible with no dollar amount put in and no matter what the answer comes back to; it has to come back to this Board for approval. Seconded by Selectman Freel.

Selectman Dargie asked for an actual time limit on that instead of "as soon as possible". It needs to be done within a year. He wants to avoid them going through a whole CTA study, maybe something on a smaller scale. He wouldn't want them to do a full RFP to replace everything.

Chairman Daniels asked if Captain Frye understood the motion and what is expected. Captain Frye said yes. He asked what would happen if Two-Way's report comes back and says that there isn't anything wrong with Milford's equipment. He would think that you would want a couple of estimates with an RFP to fix the system. He feels they should wait for the maintenance report on the equipment.

Selectman Labonte disagrees. If the report comes back with all the equipment is great, that is all the more reason to go back to MACC Base and ask them what's up. Captain Frye said he doesn't think it would do just to have one source bidding without doing a separate RFP without starting this whole process over again for the voters. Selectman Labonte said he wasn't looking for one source price. Captain Frye agrees, Milford should look at a couple of different prices and that is with the RFP for CTA is doing. That is the same path that is the right path that would be equal for everyone.

Selectman Dudziak called the question. Seconded by Selectman Dargie. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel yes and Chairman Daniels yes. The motion passed 5/0. The debate has ended.

Chairman Daniels said the motion on the floor is to direct our Board of Governors representative to bring to the MACC Base Board of Governors a question on what can be done to improve officer safety.

Administrator Shannon said for clarification, they want Captain Frye to go to the MACC Base Board of Governors to request them to look into possible solutions to fix communications issues with the Police officers and other first responders in a shorter time frame than what we currently have. Chairman Daniels said yes.

A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak no, Selectman Labonte yes, Selectman Freel yes and Chairman Daniels yes. The motion passed 4/1 with Selectman Dudziak opposed.

7. PUBLIC COMMENTS: Kevin Federico said he likes to make it clear that no money is going to be spent on what he calls a "third study" for the same question, the first at \$30,000 the second at \$85,000, he doesn't need to have his tax money pay for a third study, so he would like us to not pay for anything that you just asked for MACC Base to produce.

Chairman Daniels said that was clarified in the making of the motion that there was to be no money involved.

8. SELECTMEN'S REPORTS/DISCUSSIONS.

Selectman Labonte said Granite Town Media is up and running for hybrid meetings. He is asking if anyone watching today to let them know what can be done differently.

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

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

9. APPROVAL OF FINAL MINUTES.

Selectman Labonte asked if they could get the minutes earlier instead of by Friday. He couldn't get to them this past week-end because he was busy. The amendments came out over the weekend but he didn't get them until today. He understands that the majority of amendments are grammatical but he feels that he has to go through and see if it changes the meaning of the sentence.

Tina Philbrick said she can't do them any faster than she's doing them now. Selectman Labonte said they were minutes from the last meeting; he just got them on Friday which is 10 or 12 days after the last meeting. Tina repeated that she is doing them as fast as she can, then they have to be reviewed by the Town Administrator. If she can get them out sooner she will, but right now she is doing the best that she can.

Selectman Dargie moved to approve the minutes of the June 29, 2020 (work session) and July 13, 2020, as amended. Seconded by Selectman Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte abstained for lack of time to review, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 4/0/1. With Selectman Labonte abstaining.

10. INFORMATION ITEMS REQUIRING NO DECISIONS.

11. NOTICES. Notices were read.

12. NON-PUBLIC SESSION. Selectman Dargie made a motion to go into non-public in accordance with (RSA 91-A: 3, II (a)) – Personnel, and approval of Non-public minutes (RSA 91-A: 3, II (a)) – Personnel from July 13, 2020. Seconded by Selectman Labonte. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel yes and Chairman Daniels yes. The motion passed 5/0

3. ADJOURNMENT: Selectman Dargie moved to adjourn at 8:20. Seconded by Selectman Freel. All were in favor. 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

Chris Labonte, Member

Paul Dargie, Vice Chairman

David Freel, Member

Laura Dudziak, Member