

APPROVED  
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING  
March 25, 2019

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

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

**INSTRUCTIONS:** Town Administrator Mark Bender called the meeting to order at 5:30 p.m., introduced Board members and then led the audience in the Pledge of Allegiance. Mark Bender indicated this is the one time every year that he opens the Board of Selectmen meeting for the swearing in of new selectmen and the selection of Chairman and Vice Chairman. Mark Bender indicated that those people in the audience who want to speak or add to the discussion should please use a microphone in order to be heard on the PEG Access live broadcast.

**2. APPOINTMENTS: (Approximate times)**

**5:30 p.m. – Swearing in of New Selectmen/Selection of New Board of Selectmen, Chairman and Vice Chairman.**

Town Administrator Mark Bender requested that Town Clerk Joan Dargie please step up to swear in newly elected Selectman Chris Labonte. Ms. Dargie swore in Mr. Labonte. Town Administrator Mark Bender then asked for nominations for the position of Chairman of the Board of Selectmen. Selectman Putnam nominated Selectmen Daniels for the position of Chairman. Selectman Dudziak seconded. All were in favor. The motion passed 5/0. Mark Bender handed over the meeting to Chairman Daniels. Chairman Daniels then asked for nominations for the position of Vice Chairman of the Board of Selectmen. Selectman Dudziak nominated Selectmen Dargie as Vice Chairman. Selectman Putnam seconded. All were in favor. The motion passed 5/0. This concluded the swearing in ceremony and the selection of Board of Selectmen Chairman and Vice Chairman.

**5:40 p.m. - 1st Public Hearing – Acquisition of Land: Melendy Road, Map 52 Lot 4-1, in Accordance with NH**

**RSA 41:14-a** – Attorney Quinn’s clients are proposing that they transfer to the Town, the title to Lot 52-4-1 in exchange for release of the LUCT. His clients owned several lots and in 2017 they were given approval of a lot line adjustment and sub division plan. Three lots abutting lot 4 were enlarged to be compliant with current zoning standards and at the same time, two lots were newly created which resulted in a LUCT bill for both lots in the amount of \$13,570. The balance of the land, about 30 acres was subject to a Conservation easement in favor of the Amherst Land Trust and then the Milford Conservation Commission in 2018. The lot is approximately 2.5 acres with a pond located on it and abuts the Granite Town Rail Trail south of Melendy Road and east of the rail trail, and there are some wetlands on it as well. The property would be managed by the Conservation Commission. Both the Planning Board and Conservation Commission recommend that the Board accept the land transfer. The land could be used for a picnic area for visitors as well as a kiosk for trail information. This transaction will take two public hearings and the Select board will vote at the third meeting. He asked if there were any questions.

Chairman Daniels asked if the Board had any questions, hearing none, he opened up the public hearing. There were no other questions so he closed the public hearing. The next public hearing will be on Monday, April 8<sup>th</sup> at 5:30 in the Board of Selectmen’s meeting room.

**5:50 p.m. - Ambulance Fee Increase – Eric Schelberg** – Eric referred the Board to a memo which outlined the most recent survey of fee schedules from six other communities in the surrounding area. The proposed increases will put MAS in line with the average of the six surveyed communities. As the Board may recall, the department implemented a 20% increase in February 2016 after a two year hiatus. Eric is proposing the Board adopt the revised fee schedule as follows:

Basic Life Support (BLS) - Emergency:	\$ 644.80 (10% increase)
Advanced Life Support (ALS1) - Emergency:	\$ 919.51 (20% increase)
Advanced Life Support (ALS2) -Emergency:	\$1,459.45 (20% increase)
Advanced life Support (ALS1) - SCT:	\$1,783.72 (10% increase)
Mileage: \$14.25 (10% increase)	

Eric said these rates are still well below in areas of services. If approved, he would like to start the increases as of April 1, 2019. This would increase our rates and we will be looking at about \$71,000 in revenue over the next 8 months if our volume of transport stays the same.

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Selectman Dudziak asked if their operation cost have gone up. Eric said yes around 3%. Selectman Putnam asked if this would bring them closer to self-supporting. Eric said from an operations budget standpoint yes, but not for all the other cost associated with the department. It should cover all if not more of our budget. Selectman Dargie asked Eric to round off the numbers. Eric agreed, but he asked to keep the mileage rate the same. The new numbers are:

Basic Life Support (BLS) - Emergency:	\$ 645.00 (10% increase)
Advanced Life Support (ALS1) - Emergency:	\$ 920.00 (20% increase)
Advanced Life Support (ALS2) -Emergency:	\$1,459.00 (20% increase)
Advanced life Support (ALS1) - SCT:	\$1,784.00 (10% increase)
Mileage: \$14.25 (10% increase)	

Chairman Daniels asked what percentage of the charges don't get paid. Eric said he would get the numbers to the Board. Medicaid is covered 100% and Medicare is covered 80%. Commercial insurance depends on where they are in the year. Selectman Labonte asked which communities Eric reviewed. Eric replied, Amherst, Goffstown, Hollis, Merrimack, Hudson, Peterborough and Wilton. Chairman Daniels asked how our rates compare to the private sector. Eric replied, significantly lower. Selectman Dargie asked what percent of the time are the above items used. Eric said the ALS1 is about 65%, He will get the breakdown to the Board. Selectmen Labonte asked if each Department used the same set of towns for estimates? Chairman Daniels said they try to keep it regional. Selectman Dargie said it also varies depending on the topic. You want to try to find towns that are similar to Milford. Administrator Bender said they also look at communities that are comparable in size and communities that offer similar services.

Eric said with the approval of the 2019 budget, he had previously mentioned to the Board and Budget Advisory Committee in November that there would be an addition to the budget of two full-time AEMT's. This would be taking 80 hours of existing part-time hours and converting them to two full-time 40 hour positions. There is no increase to the budget, just the administration side for related benefits. This would be internal applications only for existing employees.

Management structure change includes two captain positions sometime in early June. Chairman Daniels asked if the changes in management structure titles had a cost increase associated with them. Eric said yes, \$10,000 was set aside to be split between the two positions. Selectman Labonte asked how often Ambulance goes up on their rates. Eric said about every two years or so, this time it's been almost three years. There are 11 different steps to get to some type of revenue at the end. It's highly regulated by the federal and state government when it comes to Medicaid and Medicare, they cap our rates. For example: the bill may be \$1,000 with mileage and the base rate, he will receive \$150 for the bill period. The other \$850 is written off. Medicare has a geographical rate and they pay 80% of that. We lose 30 plus percent of what we bill out, if not more. The patient is responsible for the remaining 20% and if they're covered by Medicaid, it's written off. He looks at their revenue stream as an opportunity to try to reduce their cost of readiness not to make money, not to make a profit. The fact that they are able to offset their budget for the most part is very positive.

Hearing no other questions Selectman Dargie made a motion to approve the Ambulance rate increase, as amended. Selectmen Dudziak seconded. All were in favor. The motion passed 5/0.

**6:05 p.m. - RFQ Feasibility Study – Arene Berry and Lincoln Daley** - Lincoln and Arene are part of the Keyes Memorial advisory sub-committee. They've been actively meeting to move ahead with phase I of the 2016 Keyes Memorial Park advisory committee report. This phase includes the location and installation of exercise stations on a pedestrian trail around the park. They have been working together to develop a request for qualifications, (RFQ) for a feasibility analysis/needs assessment to figure out what to do with the structure at 127 Elm Street for a community center/ senior center.

They reached out to several communities around the state that followed a similar process. They used a model developed by Keene to develop a feasibility needs assessment. They are asking the Board for their support to review and finalize the draft and to form a subcommittee that would help with what to do with that structure. If we find at the end that the structure can't be used, we will look at other alternatives to create the community center/senior center. They will be reaching out to the Boys and Girls Club, School System, Church groups, MCAA and Hampshire Hills to look at what's being offered for recreation and community programs with assets. We would like to identify what we can share. Once we understand what we have for assets and programs we offer as public and non-profit groups, we can then identify our spatial needs. Keene and Concord took this approach to develop their centers. From this we can develop a cost analysis and then look at funding mechanisms for programs and the space itself. We would like to submit the RFQ by April in this year.

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Selectman Dargie asked what it would cost to do this review. Lincoln said it depends on the level of analysis and scope of the work. Right now the RFQ will identify qualified individuals to work with us. Keene paid 10's of thousands of dollars. Selectman Dargie asked how those dollars would be raised and mentioned monies that we've been allocating each year. Lincoln said that's one way. We are looking at the Boards support to develop the RFQ and send it out.

Chairman Daniels asked about their timeline to complete the study. Lincoln said he doesn't want to put pressure on other large items on the community so he would like to submit the RFQ by April then work through the scope for the rest of the year as defined by the consultant. He would like to present it by early next year. Chairman Daniels asked if the subcommittee would be working with them before they determine who the consultant will be or with the consultant after you hire him. Lincoln said the Keyes Memorial Park subcommittee will focus on the phase I development, field maintenance, exercise stations and pedestrian walkway around the entire community and be part of the other committee to work with the consultant and define alternatives for 127 Elm Street facility.

Chairman Daniels asked if the senior center will be part of the community center or will the study be to determine if a senior center will be part of it. Lincoln said there are many unknowns. We are trying to get the biggest bang for our buck. We would like a combined facility if possible. Selectman Dudziak asked who Lincoln would like on the committee. Lincoln replied, a Board of Selectmen member, Recreation Commission member, Recreation staff, Planning Board member, a Boys and Girls club staff member and MCAA staff member.

Administrator Bender said we've owned 127 Elm Street for four years. What is the focus of this subcommittee as it pertains to the 127 Elm Street building. Lincoln said their focus would be to exhaust all options to reuse that existing facility. We may be only be able to use portions of the building and may use a phase approach to use the building. Administrator Bender said the Concord facility was a reconditioned elementary school, it's an impressive facility. Our facility sitting with nothing being done with it is not good. Chairman Daniels asked if it was Lincoln's intention to fix the building in phases. Lincoln said it's a viable option from a cost prospective. We discussed moving Recreation to the building which could be part of phase I. Arene said moving their offices to 127 Elm as well as some of the programs and then maybe more programs in time will help to alleviate some of the parking on the oval.

Selectman Dargie asked if they were just looking for a vote of support or authorization to spend money. Lincoln said for support initially and then to formulate the sub-committee to work with staff to finalize the RFQ, send it out and then work with the consultant going forward. The consensus of the Board was to have Lincoln move forward. Selectman Putnam said he would be the Selectmen's representative.

**6:25 p.m. - Recreation Logo – Arene Berry** – Arene is in to ask the Board if they would allow Milford Town Recreation to have their own logo separate from the Town, as way to stand out. Many Recreation Departments have their own logo. They would like something to use for social media, the website, staff shirts and letterhead that identifies Milford Recreation to be able to use it for branding and marketing purposes. The Recreation Commission is in support of this and they had a great idea to put a contest out to the community to have a community member design the logo. She's looking for a consensus from the Board before moving forward. Granite Town Media and some of the emergency services also have their own logo.

Selectmen Putnam asked who would make the decision on the logo winner. Arene said the Recreation Commission. Selectman Putnam asked how many were on the Commission. Arene said 7 full-time, 3 alternates plus she and her staff and Selectman Dargie is the Selectman's representative.

Selectman Dargie said Arene would not have to come back to the Board but she should run it by the Town Administrator. Chairman Daniels asked that she make it clear that the logo is just for Recreation and it won't replace the Town's logo. Arene agreed. The consensus of the Board was to have Arene move forward to obtain a Recreation logo.

**6:30 p.m. - Proposed Private Police Detail Increase – Chief Viola** – Chief Viola referred to Board to a memo he submitted for their package. Article XV of the 2019-2023 AFSCME Police Union Contract stipulates compensation for Private Details that are worked by sworn Police Officers of the Milford Police Department. During the recent contract negotiations, both the town and the AFSCME representatives agreed that the Private Detail Rate for Police Officers of the Milford Police Department should be increased from \$42.00 per hour to \$50.00 per hour, pending the approval of the Board of Selectmen.

The proposed detail compensation rate of \$50.00 per hour was based on detail rate information that was obtained from other neighboring Police Departments. Currently, the neighboring towns of Amherst and Wilton have a detail rate of \$50.00. Mont Vernon is in the process of increasing their detail rate to \$45.00, which goes into effect on May 1<sup>st</sup>.

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Brookline Police Department's detail rate is currently \$47.50. We work a lot with Amherst on our details. If a Wilton officer comes over to one of our details, they are being paid \$50.00 per hour while our officers are only getting \$42.00 per hour. If we go to their place, we are still getting \$42.00.

The Chiefs department did a survey back in July of 99 departments' fee rates and details. The average rate was \$48.00 per hour.

Taking into consideration the information that was obtained during the 2019-2023 AFSCME Police Union Contract negotiations and the length of this contract; He would respectfully request that the Board of Selectmen approve the increase of the Milford Police Department's detail rate to \$50.00 per hour.

With the approval of the new rate, He would also respectfully request that the Board approve the new detail billing rate of \$65.00 per hour. It is currently \$55.00 per hour. This would cover the officers pay and associated benefits. Thirteen of our officers are currently in the retirement system and some of the detail rate goes towards that. Thirteen of our officers are not in the retirement system. Broken down, it would cost the town \$66.59 for the officers in the retirement system. If they are not in the retirement system it's \$51.78. The \$65.00 is to make sure we are covering all the cost so the town is not losing money.

Chairman Daniels asked if someone was working with DPW on a town project, does that company doing the work get to choose where they have their police come from to do the detail? Chief Viola said if it's in our town, we are responsible for it. Our town has a Traffic Direction Control Guideline that we give to all the companies. We mandate which roads need details. There are some that don't need details and we work with the companies contracting in. If we decide they don't need an officer, they can go with a flagger. Chairman Daniels asked if we raise our rates won't the companies just raise their rates? Chief Viola said the companies would have to add it into their contracts. Captain Frye said he talks to them and they know going in what, if any changes are made.

Chairman Daniels asked if Eversource was doing cutting along 101, would they have to use Milford Officers. Captain Frye said yes. Selectman Labonte asked if DPW or a town entity pay the same rate as an outside contractor in town. Chief Viola said everyone pays the same rate; the difference is, on a town project, like school basketball, etc., it's a three hour minimum. Captain Frye said when he was working the crossing signal; they paid for his time, not the police car because it was going through DPW. We don't charge the town for the town car.

Administrator Bender said he frequently see our officers in surrounding towns, especially Amherst. Is it because the Amherst PD has chosen not to fill that detail and they default to us? Chief Viola said if they can't get it covered, we are usually one of the first departments that they call. Captain Frye said we do the same if we can't get one of ours to cover a detail.

Selectman Dargie asked out of the various officers we have, he assumes some love the details and some hate the details. How many are in the loving category? Chief Viola said about 6 or 7. Selectman Dargie asked how the decision is made for who gets the detail. Chief Viola said they have a list, once you take a detail; your name is put at the bottom so they rotate the names. Chairman Daniels asked if the cost of details go towards the NH Retirement system. Chief Viola said yes, for 13 of the officers. There were no further questions.

Selectman Putnam made a motion to approve the increase in the Police Department detail rate. Selectman Dudziak seconded. All were in favor. The motion passed 5/0.

**6:40 p.m. - Mile Slip and Hitchiner Easement – Andy Hughes and Chris Costantino** – In Summary, the Milford Conservation Commission requests that the Board of Selectmen approve the attached Conservation Easement (CE) that will be placed on the Mile Slip and Hitchiner Town Forests. This permanent protection was approved by Milford residents at the 2016 and 2018 Town Votes. The funds to purchase this easement were obtained from grants awarded from the Moose plate Fund and the Aquatic Resource Mitigation Fund.

The Conservation Easement is a document which governs the activities and uses that can occur on either of these town forests. It allows the Town of Milford to continue to use these properties to harvest timber, engage in agricultural activities, offer quiet passive recreation, and provide educational opportunities. It restricts the Town of Milford from further development on either of these two properties. The CE will be held by the New England Forestry Foundation (NEFF). NEFF's role in this land protection is to ensure that the activities at either of these town forests abide by the uses included in the Conservation Easement. We still retain the rights as a Town to decide what can and cannot be done on the property, including but not limited to timbering rights, controlling recreational access, etc. NEFF does not have the right



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to use the property. The easement covers procedures in the event that a breach of easement occurs and a procedure in the event that the CE is extinguished.

The easement has been reviewed extensively by Town Council, the NEFF lawyer, Conservation and the Town Administrator. It's been approved with the exception of language on payment of taxes. Included in the BOS's information packet is a document consisting of the e-mail thread/trail between Attorney Drescher, Attorney Lyons and Andy Hughes on this topic. This is supplied so that you may examine the detail of these communications if you so desire. The Conservation Commission requests that the BOS exercise their judgement and choose to approve this Conservation Easement. We ask that they take into account that the Town does not tax itself on its own properties, and that the current language follows recent direct precedent.

The cost of the easement is a payment to the New England Forestry Foundation for \$18,000. \$16,000 will go to the Stude Chip Fund and the other \$2,000 will pay for baseline documentation. Some of the \$18,000 will come from the Moose place Grant (they already received it in the amount of \$7,500). Unfortunately they are not sure if they will get another \$7,500 from the state because of the time that's it's taken to get to this point. The balance will come from the MCC land fund. Andrew Bentley, the Conservation Easement lawyer is in the audience if anyone wishes to ask him any questions.

Selectman Dargie asked for clarification that Attorney Drescher is ok with the language as it stands now. Selectman Dudziak said Attorney Drescher is ok with all of the provisions except for Section 7 with respect to taxes. The NEFF Attorney made some changes to the language to state that NEFF would not be responsible for any taxes instead of saying that the grantor, (Town of Milford) would be responsible for taxes. She understands that Attorney Drescher still isn't satisfied with the proposed language but it was accepted by Attorney Lyons. That exact language was accepted last year on another easement. There were issues between the two Attorneys. Selectman Dargie asked what Selectman Dudziak's opinion was on that clause. Selectman Dudziak said she's fine with it. She agrees with Attorney Lyons position.

Chris said conservation easements are not taxed so there wouldn't be a tax bill sent out to NEFF for this easement. There are risks and that's what Attorney Drescher is concerned about. As long as the Town owns the easement, we will not be sending out a tax bill. There is no taxable rate for a conservation easement.

Chairman Daniels said his understanding was that it was up to the Board of Selectmen. He doesn't know if a future Board of Selectmen would decide to tax it. Chris repeated that conservation easements are not taxed; there are no taxable rates for a conservation easement. It's a piece of paper that says that you won't use the property in specific ways.

Andy said there is no way you can make any money on this easement. Chairman Daniels clarified that if something happens to NEFF they would be granted 50% because they are the holder of the easement but they would have to spend that money back on conservation in Milford. Andy said yes.

Administrator Bender said this was a difficult negotiation at times but he believes that the document is fair. NEFF does have tax exempt status now so technically they would not be obligated to pay any taxes on it. The statute that Attorney Drescher is referring to states that annually they should prepare a document requesting an exemption and that's really the technicality. The likelihood of a situation occurring that would result in a tax liability is low. That's where the Board of Selectman are entitled or obligated to make a decision on this. Selectman Dudziak added that Attorney Drescher did say that this provision should not be a deal killer.

A motion was made for the acceptance of Mile Slip and Hitchiner Easement by Selectman Putnam. Selectman Dudziak seconded. All were in favor. The motion passed 5/0.

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

### 4. DECISIONS.

**a) CONSENT CALENDAR.** Chairman Daniels asked if there were any items to be removed from the Consent Calendar for discussion. There were no items to be removed. Selectman Dargie moved to approve the consent calendar as presented. Selectman Dudziak seconded. All were in favor. The motion passed 5/0.

- 1) Request for re-appointment of Gil Archambault to Recycling/Solid Waste Committee
- 2) Request for re-appointment of Audrey Fraizer and Hub Steward to the Conservation Commission
- 3) Request for Approval to use the Town Owned Municipal Parking Lot to host an International Police Mountain Bike Class.

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- 4) Request for Approval of Intent to Cut, Map 38 Lot 1.
- 5) Approval of NH DRA form MS-232, Report of Appropriations Actually Voted
- 6) Approval of Application for Reimbursement – Federal and State Forest Land 2018

### b) OTHER DECISIONS.

#### 1) Request for Input & Approval of 2019 – 2020 Board of Selectmen's Meeting Schedule (draft calendar)

After some deliberation, the Selectmen approved their yearly calendar with the following changes noted:

Normal July meeting dates are July 8<sup>th</sup>, July 22<sup>nd</sup> and July 29<sup>th</sup> (5<sup>th</sup> Monday Forum). The Selectmen are omitting the July 22<sup>nd</sup> date and making July 29<sup>th</sup> a regular meeting. There will not be a 5<sup>th</sup> Monday Forum in July.

Normal August meeting dates are August 12<sup>th</sup> and August 26<sup>th</sup>. The Selectmen are omitting both those dates and adding August 19<sup>th</sup> as a regular meeting. There will be only one Selectmen's meeting in August.

Selectman Dargie made a motion to approve the 2019 – 2020 Board of Selectmen's Meeting Schedule as presented.

Selectman Dudziak seconded. All were in favor. The motion passed 4/0. Note: Selectman Putnam left the room. The Selectman's calendar will be posted on the web.

#### 2) Request for Update to the Board of Selectmen's Representatives Listing 2019 – 2020 Boards, Commissions, etc. (Draft Listing)

After much deliberation, the Selectmen approved the Selectmen's Representatives Listing 2019 – 2020 Boards, Commissions, etc. with the following changes: New Selectmen Labonte will be a Selectman's representative on the Granite Town Media Advisory Committee, the Heritage Commission and an alternate for payroll signoff.

Selectman Dargie moved to be a Selectman's representative on the Zoning Board of Appeals, EDAC, Recreation Commission, Tax Increment Finance District and an alternate on the Planning Board and Manifest Sign off.

Selectman Putnam moved to be a Selectman's representative on the Joint Loss Management Committee, Payroll Sign off and the Manifest Sign off.

Selectman Dudziak moved to be a Selectman's representative on the Planning Board, Conservation Commission and the Library Trustees.

Chairman Daniels moved to be a Selectman's representative on the Recycling/Solid Waste Committee and the Traffic Safety Committee.

Town Administrator Bender will remain a representative on the New Hampshire Municipal Association

Captain Frye will remain a representative for MACC Base.

### 5. TOWN STATUS REPORT – Administrator Bender

a. **Transfer Station Cameras** - Cameras have been installed at the Transfer Station to allow the manager and Public Works Director to better oversee the operation. One thing we are trying to resolve is a large disparity in weight between demo leaving the transfer station and demo received - year to date we have received 76 tons and shipped 126 tons. That is a difference of 50 tons. We are trying to close this gap. Some of the difference is classified as bulky items – mattresses, sofas, upholstered chairs, etc. We estimate that these bulky items account for 11 tons YTD. Town demo disposal is also part of the difference. Additionally, we are trying to maximize load weights to reduce the number of loads and shipping costs. Shipments have ranged from 1.8 tons to 5.9 tons. Each shipment costs over \$200. We set a goal of 4.5 to 5.0 tons per load and that would save \$6K to \$11K annually in freight cost.

- We are restricting access to the trailer at the Transfer Station to employees only.
- We are installing a Nest Camera that will provide a live video feed on the Town Website showing the que at the Transfer Station. Residents can view the feed and hopefully reduce their wait time. This should be operational this week.

Chairman Daniels asked if the camera would be just looking at the people waiting to dump their stuff in the dumpster or the recycling line too. Administrator Bender said both lines. Selectman Dargie questioned the average number of tons per loads; he asked how that would be done. Couches take up a lot of space. Administrator Bender said we would use the backhoe to compact as best we can and try to fill in the dead spaces with other materials.

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Chairman Daniels asked how many cameras are they putting up and what is the cost. Administrator Bender replied slightly over \$5,600 and he wasn't sure how many. Chairman Daniels asked if it was in the budget. Administrator Bender said yes.

### 6. DISCUSSIONS:

1) **2018 Audit Schedule** - Selectman Dargie asked if they could get the yearly audit complete before our current Finance Director leaves in June. Administrator Bender said that he and Jack previously discussed this. There are still things that the finance group has to complete. Things are needed from the March quarterly Water Utility billings before the auditors can schedule their time. We will try to complete it before he retires.

### 2) 2019 Selectmen Goals

**1. Resolve emergency dispatch operations for 2019/2020. Discuss implementation of Warrant Article 3 for a communication consultant. Additional activity involves working closely with IMA member towns (Wilton & Mont Vernon), MACC Base Board of Governors, MPD, MFD, Milford Ambulance and DPW.**

Chairman Daniels said this will require an additional workshop or two. We don't want to wait until the end of the year. Selectman Labonte asked if we have heard from the other towns. Chairman Daniels said not since the last meeting.

**2. Structure a team to define a strategy to move forward with the 127 Elm Street property. Members should include Selectman, staff (TA, OCD & Rec), BAC, Rec Commission, Planning Board and resident(s).**

**3. Key staff changes.**

**4. Work with TA to negotiate the solar lease option/lease as authorized by voters.**

**5. Oversee next phase of Osgood Pond dredging. Key requirements will include finding additional matching funds, preparing an RFP and finding a disposal location for spoils.** We will be looking for additional matching funds and grants to help offset the cost.

**6. Review & revise BOS Rules of Procedure. Consider adding Policy for using Fund Balance.** Something should be in place so we don't have to have long discussions.

**7. Department efficiency analysis** - Chairman Daniels said we put a lot of faith in our Department Heads and they do a good job but it never hurts to go back and look at things to see if something could be done differently. The Selectmen are overseers of this and the Town Administrator is in charge of the day to day operations. If we see things that can be made better we should bring them to the Town Administrator, don't try working with the Department Head. We need to follow the chain of command. His intent going into the next budget season is to eliminate any comments coming from the public saying that we haven't taken a look to see if departments can be more efficient.

Selectman Dargie asked if they had to do anything in respect to the Fire Department Building. Chairman Daniels said no, it's doing well on its own.

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

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

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

Captain Frye – MACC Base representative brought up the surplus at MACC Base, they still want to wait for the Auditors final input of why it grew as large as it is. In the mean-time, one of the Mont Vernon Selectman wants to know how much will be left for surplus. According to the bank, the surplus is \$228,000. We need to keep 20,000 for the microwave warranty and \$15,000 for the generator, (it may be a little more but they have it in their budget) in the surplus account. Doing the math at 71% it's a return of about \$137,000 to the town of Milford. He would like to know what the guidance is on this. MACC Base is asking to keep it. In his opinion, it's been two years of keeping it. Future dispatching needs are unknown and the taxpayers should have their money back.

Chairman Daniels asked if we should wait until the audit is complete. Captain Frye said they are just going to find out why it was there. We are into another year and the towns have all deposited their money for another budget. Take out the money that was supposed to be in there for expenditures and you are at about \$193,000. Chairman Daniels said the contract said that any surplus should go back to the towns unless told otherwise. Selectman Dargie asked if they need

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some level of working capital. Captain Frye said they are well into another budget season and have well over \$350,000 in the account. Selectman Dargie said in the regular budget there is about \$50,000 for equipment failure and unknown expenses is that still there. Captain Frye said yes. For years, they would have about \$5,000 left over at the end of the year. It's a non-profit; it should be close to their budget.

Selectman Putnam asked if the Director gave him any indication of why that amount of money was there? Captain Frye said his words were, "he's not an accountant". They said it was all agreed upon by the Boards in years past, it's a large amount of money without oversight. Chairman Daniels said he thinks we should take it back and put it into fund balance.

Selectman Labonte said at the last BOG meeting they stated that if the town voted to allow them to keep the money, they had something to spend it on but it has to be a unanimous vote. It isn't a must that they have to give it back. Not knowing where we are going with the communications center, there are issues that need to be solved in communication whether they are solved through Milford Police Dispatch or MACC Base, as long as we are covering ourselves from a dispatch standpoint no matter which system we are using. Chairman Daniels said his thought is if it's sitting in fund balance while we are sorting through everything, it's not being spent. When we choose a path to go down, the money is there if necessary. Captain Frye agrees. He was at the meeting when MACC Base said it would be about \$200,000 to fix Milford's problem, and all of a sudden, they have \$200,000 that they are willing to ask us to spend. He feels it should go back to all the towns and it shouldn't have been in there anyway.

Selectman Labonte said everyone is in agreement, each of the towns is actually willing to take their money back. Selectman Putnam made a motion to take Milford's share, of the surplus money back and put it in fund balance until everything is sorted out. Selectman Dudziak seconded. Further discussion included: Selectman Dargie wants to make sure they have enough money to run things. Selectman Putnam said they will be ok. Administrator Bender said all the towns make quarterly payments to MACC Base based on the current year's operating budget. Selectman Labonte said, hypothetically if we put it in fund balance, how do we get it back, do we have to wait until March vote. Chairman Daniels said we would take a vote, we don't have to wait. Selectman Dargie said it's considered unanticipated revenue and we would have a hearing to allocate and spend the unanticipated revenue so we could turn it around and send it back.

A motion was made to request that Milford's share of the surplus money be returned to the Town of Milford. All were in favor. The motion passed 5/0.

At this time, Captain Frye gave the Board copies of a stronger DRAFT RFP for the Board to review. Selectman Dargie asked if it went to Attorney Drescher. Captain Frye said it was just a draft, he asked the Board to please review it. He included the wording from Warrant Article 3:

### **MILFORD DISPATCH EQUIPMENT - \$85,000**

**Shall the town vote to raise and appropriate the sum of \$85,000 for the cost of a communication consultant to identify all of the issues, concerns and potential solutions to possibly establish a Milford Emergency Dispatch Center, to improve and expand the emergency dispatch communication system and then to provide a detailed RFP including contract terms? This Special Warrant Article is in accordance with RSA 32.**

Selectman Dargie said there is some question of what they can actually do with regards to the RFP. He request that it be sent to Attorney Drescher for his opinion as to whether we are even authorized to do this. Selectman Putnam replied, why wouldn't we be; we are spending money that we don't need to spend. Selectman Dargie said it isn't clear that the authorization that was done allows us to look at keeping MACC Base. He hasn't looked at the RFP yet but he wants to make sure we are doing things legally.

Administrator Bender said he questioned Attorney Drescher about it and his guidance was that the \$85,000 could be spent by the Board for a Milford Only Dispatch Center Study. Anything beyond that would be a change of the subject matter of the warrant article which would be illegal. Chairman Daniels clarified that they couldn't spend any of the \$85,000 seeking to see if there is a solution with the current MACC Base. Administrator Bender said that's correct, it's the Attorney's opinion. Chairman Daniels said that opinion seems to be in direct conflict with the intent of the voters at the deliberative session. Administrator Bender said if you would have inserted MACC Base into the warrant article, that would have been a change to the intent of the subject from the original warrant article and he would not have allowed it. Chairman Daniels said the subject matter was dispatch. Administrator Bender said for a Milford only solution. Selectman Putnam said we need to get an engineer in here to give us an itemized report on what it will cost the town of Milford to bring our radio communications up to date. Administrator Bender suggests reading the draft RFP and having



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a work session. He would be happy to take it to the Attorney, but there may be other comments and questions and then he could take it to him. Chairman Daniels said he would like to read it. Selectman Dargie clarified that it was for a Milford Only Dispatch Center and doesn't address MACC Base. Captain Frye said correct, it doesn't address MACC Base, they had a consulting engineering firm do theirs already.

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

**8. APPROVAL OF FINAL MINUTES.** Selectman Putnam moved to approve the minutes of March 11, 2019. Selectman Putnam seconded. All were in favor. The motion passed 3-0-2 with Selectman Dudziak and Selectman Labonte abstaining.

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

**10. NOTICES.** Chairman Daniels read the notices.

**11. NON-PUBLIC SESSION.** Selectman Putnam made a motion to enter into a non-public meeting for approval of non-public minutes in accordance with (RSA 91-A:3, II(c)) Reputation March 11, 2019 and (RSA 91-A:3, II(e)) Legal March 11, 2019. Selectman Dudziak seconded. All were in favor. The motion passed by roll call vote 4/0. Chairman Daniels – yes, Selectman Dargie – yes, Selectman Putnam – yes, and Selectmen Dudziak – yes. And Selectman Labonte – yes.

**12. ADJOURNMENT:** Selectman Putnam moved to adjourn at 7:16. Selectman Dudziak seconded. All were in favor. The motion passed 5/0.

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Gary Daniels, Chairman

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Laura Dudziak, Member

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Paul Dargie, Vice Chairman

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Chris Labonte, Member

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Mike Putnam, Member