

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

May 26, 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# 838 4289 6515 or join the Zoom Meeting @ <https://zoom.us/j/83842896515>. 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	
	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 without a quorum of this body physically present in the same location. 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 minutes per person. Any person found to be disrupting this meeting will be asked to cease the disruption. Should the disruptive behavior continue thereafter, that person will be removed from the meeting.

All votes that are taken during this meeting must be done by Roll Call vote. He started the meeting by taking roll call attendance. He asked each member 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, no one present. Selectman Dudziak, no one present. Selectman Labonte, no one present. Selectman Freel, no one present. Chairman Daniels, present was Andrew Kouropoulos, videographer.

2. APPOINTMENTS: (Approximate times)

5:30 p.m. - Location for Hutchinson Statue – Charlie Annand (tabled from March 9, 2020)

Town Staff met with the members of the group involved with the project at Keyes Memorial Park entrance, (former Fletcher Paint Superfund site), last Month to discuss possible locations. At the conclusion of the meeting, two potential locations were identified along the southern portion of the park in proximity to Elm Street. Photographs and information depicting the two proposed locations was provided to the Board. Said locations were chosen based on accessibility and visibility from Elm Street and proximity to the existing performance stage.

Selectman Dudziak said that she likes both locations. Selectman Freel asked for a picture of the statute. Lincoln said they don't have one yet; it's too early in the process. Selectman Freel mentioned a sign. Lincoln said the grade was challenging and it was too far away from parking. Selectman Freel likes the location closer to the park. Lincoln said that the Vietnam Memorial is also being recommended for that location. Selectman Dargie prefers the location on the left because it will leave more room to the right for the Vietnam Veterans Memorial which would be next to the Korean Memorial.

Charlie Annand said the location on the left is the one they really like, it ties into the amphitheater. Selectman Freel asked about the statute. Charlie said a sketch will be provided once the location is secured. There was some discussion about the height of the statute. Charlie said it won't be too tall and it wouldn't block the stage.

Chairman Daniels asked why the area next to the parking lot wasn't considered. Charlie said they felt that there was a lot more visibility in the place that they chose. They are trying to make Milford conscious of the famous Hutchinson singers before they are forgotten.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 05/26/2020

Selectman Dargie made a motion approve the western most location for the Hutchinson Statue, subject to further review when they get more details on the project. 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.

5:35 p.m. - Approval of Residences in Industrial or commercial Zone one (1) and Application for Elderly Exemption one (1) and Elderly Exemption Change in Status one (1) – Marti Noel.

Approval of Residences in Industrial or commercial Zone one (1) - Marti reviewed the applications and recommends that the Board of Selectman approve the attached list of applicants for Residences in an Industrial or Commercial Zone for the tax year 2020.

Selectman Dargie made a motion to approve the Residences in an Industrial or Commercial Zone Application. 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.

Application for Elderly Exemption one (1) and Elderly Exemption Change in Status one (1) - This application was received late due to difficulties of getting paperwork completed during the coronavirus crisis. The statute allows for the BOS to approve applications received after April 15 due to “accident, mistake or misfortune”, which this falls under. Marti recommends that the Board of Selectman approve this application.

Chairman Daniels asked what override meant. Marti said that the normal exemption would exceed the value of the home so they would adjust the amount to equal the home value.

Selectman Freel made a motion to approve the Application for Elderly Exemption one (1). 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. All were in favor. The motion passed 5/0.

Application for Elderly Exemption Change in Status one (1) – The application was previously approved as an individual and it has since been placed in a trust.

Selectman Dargie made a motion to approve the Application for Elderly Exemption Change in Status one (1). 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.

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

Pete wanted to discuss the polling place for September, (Primary election) and November, (Presidential election). The information for location, date and time for the polling location has to be posted by June 1st for the September Primary election. Also with Pete were Tim Finan, Milford resident and Supervisor of the Check List, Darlene Bouffard, Milford resident and Supervisor of the Check List and Joan Dargie, Milford resident and Town Clerk. The state bases the number of voting booths on the number of voters in town, Milford has 12,000 registered voters. For the primary election, they would need one booth for every 150 voters. They usually require 80 voting booths in Milford. The November election is higher and they will need 120 booths in the polling place. Normally they can easily do 80 and but have had up to 110 voting booths, it gets crowded. We are not currently in normal times.

Pete said the Milford Middle School gym would not work because of the 6’ social distancing rule. They may only be able to have 27 to 33 booths which is under the 80 that is required by law. They looked at the Dome at Hampshire Hills and spoke to Tom Sapienza, Director of Operations Hampshire Dome. The dome has good possibilities at unlimited capacity. It has a large area to hold the new voter registrations, can handle all the voting booths needed, all the election workers, officials, Police, who are working at the polls, as well as the observers because it’s a public event. The air lock doors would have to be managed going in and out. Pete is asking for this Board to make a decision on where we might to hold the election.

Pete spoke to Attorney Chris Drescher and Attorney Bud Fitch, the Assistant Secretary of State, and they couldn’t find anything in the statute that said we can use less than the statutorily required number of booths. Attorney Fitch said should the state and town determine that fewer rules are required due to a practical matter, (we anticipate lots of absentee ballots), we might get the approval/new guidelines from the state for both elections reducing the number of booths.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 05/26/2020

Chairman Daniels asked would they expect to get an answer on the number from the state, as to what number they would need if they were going to waive the required 80 booths. Pete said there is no expectation on that number. Attorney Fitch stated that he didn't have that authority to reduce that number. Space will be an issue in many communities. A place could be voted on today and changed at a later date providing that there was more than adequate notification. Adequate notification would be social media, print media, web sites and any changeable/moveable signage.

Selectman Dudziak asked how many booths could fit in the dome. Pete said unlimited because of the space. Selectman Freel said he does a lot of work at the dome and thinks it's a great idea. Selectman Freel asked about rental cost. Pete said it would cost approximately \$2,272 plus any propane that may be needed for heating in September. The number includes cleaning. Cleaning at the Middle School is usually done by the School district staff. They would also need two firefighterfighters for a detail for the day and that would cost extra. They don't need fire coverage at the school because it's a sprinkler facility. Police details would also be required, but they are required at the school as well.

Selectman Freel said the parking is better at the dome. He asked if voting could be done at two locations separated by alphabet? Pete said it could happen but not in time for this election season. Joan Dargie, Town Clerk said they wouldn't be able to do it by alphabet; they would have to do it by where people live. There was talk about having two polling places, Pete said a second polling place would need additional equipment and staff. Town election net less than 20% of the voters and could easily be done at the Middle School. The larger elections bring out more voters.

Selectman Freel asked where the money would come from. Chairman Daniels said they would have to look at money that was put aside for elections, surplus, or general funds. We don't know how much of a loss we will have this year so it would be added into that. Joan said the dome would cost more in November due to lost revenue for two nights. Pete said he doesn't have the November amount yet. Trying it in September would give us an experience to see if it would be viable for November. It would help us to debug the process. This could also allow the school district to change the school calendar rather than having 4 days off in a row which would be better educationally.

Joan said the dome is a bit of a hazard for elderly and people in wheelchairs. Pete repeated that the entrance, airlock, would have to be managed on both sides. Airflow is unknown which would be from the people moving around in the dome and also from air being pumped in. Joan said there may not be a lot of people showing up because of absentee ballots. She is looking at the cost of sending them to every registered voter and will be encouraging people to use them. The State is looking at that as well. She will get the ballots in about 45 days prior to election. If half the voters used absentee ballots we would only have to setup for half of the voters that we normally get.

Selectman Freel said you won't know that so you will have to setup for the worst case scenario. Joan said they would know by the absentee ballots that she already has, and will have before voting. Selectman Freel asked if that would give the dome enough time to plan. Pete said yes, and the same would be for the Middle School gym which is set up by some school custodians and our DPW. DPW staff would still be involved in setting up the dome. We could wait on the actual number but the problem is, if we assume that it's a 50% turnout that is still 6,000 voters. If out of the 6,000 voters, 4,000 take an absentee ballot we will still have 2,000 people that will need to go through the polling place. We will still need to size for that number.

Chairman Daniels asked if the Middle school is doable. Pete said it's doable if we have a low in-person turnout and we are using the hallway next to the music rooms. We will not be able to go in and out in the same door and we can't have two lines of voters in the lobby. They would have to rearrange where they put everything.

Chairman Daniels asked if we use the Middle School, by what deadline would we be able to change our mind. Pete said there is no deadline; the firm deadline is that Joan has to post the information by June 1st. The information he received from Attorney Fische is that we could switch buildings if needed. Chairman Daniels asked how late into the process could we make that decision. Pete said for the school district, maybe two weeks. He didn't asked Hampshire Hills, but the earlier the better.

Selectman Dudziak clarified that June 1st is the date the location needs to be posted. Pete said yes. Selectman Dudziak asked how would we know we can amend that after the fact if it isn't stated. Pete said he discussed it several times with Attorney Fische and this was the message he took back.

Joan said they are looking at that and we may have more information prior to the 1st. Selectman Labonte asked what happens if we book with the dome and we have to cancel, how is that going to affect them. Pete said he didn't ask that question, he received an estimate and he was surprised at how low it was. Selectman Freel said it's actually a good number. Joan said that Tom said September wouldn't be a problem because he doesn't have anything booked. Pete said

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 05/26/2020

the posting on June 1st is not for the November voting, it's for the Primary in September. We can ask that same question 100 days before November.

Selectman Dudziak said she would prefer to use the Dome for the polling location for September. Joan said if we use it for September and can't for November it will be confusing to people and require people to be at both locations to provide direction. The better place to be would be the Middle school to avoid less confusion. She repeated that she is hoping for more absentee voters.

Selectman Freel said you can use a digital Police sign telling people where to vote. Joan said we had that when voting was cancelled and a dozen people still came to the Middle School. Selectman Freel said you can't worry about that, you put the sign out and make a decision on where to go.

Pete repeated that the Middle School gym won't be big enough. He recommends the dome. Tim Finan, Supervisor of the Check List said the new voter area is a large area, we need several tables and at one point we took between 30% to 50% percent of the Middle School gym just for that area. We can have a section at the dome completely separate from the voting area. We would have our own voting booths and e-poll books. They could do everything in that area and not cross paths with anyone else.

Selectman Freel said he just received a text from Tom Sapienza and Tom would need to know if we needed to use the dome for September by August 1st.

Selectman Freel made a motion to accept the dome as a reasonable voting place unless they find that there are enough absentee ballots to drop the space needed and to use the Middle School as a backup, and the dome would need to know by August 1st and 30 days prior to the November election. Seconded by Selectman Dudziak for discussion.

Pete said the motion was contingent on absentee ballots. The contingency is also on the guidelines for the COVID-19 Pandemic, he doesn't want you to be too limited. The actions will be dictated by the pandemic, not by the number of ballots that come in. Selectman Dudziak asked if we can add a contingency in the June 1st posting to change it if needed. Pete said an alternative is to put in the posting, "the location is the Hampshire Dome unless guidelines dictate that we have to move elsewhere". He doesn't know if you can do that. Selectman Freel withdrew his previous motion.

Selectman Labonte asked what would the cost be for Fire Department details. Captain Flaherty said it would depend on how many people are in the dome. It is \$40 per hour for 16 hours x the number of fire fighters needed. There may also be a possibility we can get some money back for this due to the Pandemic because we are outside the scope.

Joan said she would rather it be posted for the Middle School with the contingency to move it to the dome if needed. Selectman Labonte agrees with Joan although he said its fine if it has to be at the dome. Pete said the November voting is a much greater turnout than the September voting and there is no way the Middle School could host it. Selectman Freel said there is plenty of time to let the town's people know that it will be at the dome. We can go back to the Middle School in March.

Paul Calabria said it would be approximately \$1,300 for the day before payroll benefits to have the fire details at the dome. Joan said they may need to get to the dome earlier to setup laptops and the machines. The heating of the dome will be an issue. Selectman Freel said from his experience, it can get very warm in there. Joan said that isn't what Tom told them, it depends on the outside temperature. Selectman Freel said it's still the best setup for what space is needed. Joan said they only have 6 queuing clerks and it doesn't matter how many booths that you have. Everyone will still need to be 6' away and the lines will be long.

Selectman Labonte asked what Joan had in her budget for voting. Joan didn't have that information with her, she would check. Selectman Dargie asked Tim and Darlene what their recommendations were for the locations. Tim said he is 100% for the dome, Darlene said she is 100% for the Middle School. Pete said he is 100% for the dome.

Selectman Freel made a motion to use the dome for the September and November elections in 2020. 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.

3. PUBLIC COMMENTS - Kevin Stevens, Milford resident, owner of the Union Street Grill asked for consideration/permission to use the WWII Memorial Park next to his business to set up 6 tables during the COVID-19 pandemic. They are having a hard time because they don't have a place to put customers. He said he would work with the Fire,

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 05/26/2020

Police and DPW departments to make sure it goes well. He spoke to his insurance company and he would put the Town of Milford on the binder to cover any cost if needed. He would maintain the park, lawn and all the trash.

John Shannon, Town Administrator said he met with emergency services and Community Development on May 14th to discuss outside seating and where they could help out. He spoke to Chief Flaherty today, once Kevin gives them the layout and they sign off on it, it will be all set to go if the Board approves.

Chairman Daniels said we will take this up after the consent calendar. Selectman Dargie asked if Kevin would be using pop-up tents. Kevin said no, they will do picnic table with umbrellas.

4. DECISIONS –

a) CONSENT CALENDAR.

Selectman Labonte asked that 4. a) 1 be taken off the consent calendar. Selectman Dudziak made a motion to approve the consent calendar except for 4. a) 1. 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. All were in favor. The motion passed 5/0.

1. Request for Acceptance for Expenditure of Unanticipated funds under RSA 21-P:43
 - Coronavirus Relief Fund Grant (Governor's Office), Maximum Amount that the Town of Milford can receive - \$374,299.
 - CARES Grant (Homeland Security 1st Responder Stipends) - \$160,000
 - HSEM Grant (Homeland Security COVID Related Overtime for NH State Police Support at the DMV - \$25,000.
2. Request for Approval of 2020 Tax Warrant.
3. Request for Approval of Yield Tax Levy Map 3 Lots 10 & 11
4. Request for Approval of Yield Tax Levy Map 3 Lot 12
5. Request for Approval of Yield Tax Levy Map 7 Lot 10
6. Request for Approval for LGBTQ Pride Display on the Oval June 27th and June 29th

Selectman Dudziak made a motion to approve the consent calendar except for 4. a) 1. 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. All were in favor. The motion passed 5/0.

Selectman Labonte wanted more information on the Grants. Administrator Shannon said the Coronavirus Relief Fund Grant was the maximum amount that the Town of Milford can be reimbursed for related COVID-19 expenses. It goes by the population of the town. The CARES Grant was approved at the last meeting for the 1st Responder Stipend. The HSEM Grant is for overtime that our Police Department provided to the DMV because there weren't enough State Police to pass out PPE's.

Selectman Labonte asked if it was a possibility to get additional money from the Coronavirus Relief Fund Grant for voting expenses. Administrator Shannon said it's possible. They will try anything and worse case is that it will be kicked back to us. He will submit the rental fee for the dome. There was also talk about extra money for elections this year due to COVID-19.

Selectman Labonte asked where does the reimbursement money go when it come in. Paul Calabria said if we are using expenses that we had earmarked from the budget that we put together last year for COVID related expenses; we would be able to spend that money because those expense items would be replenished because they were expended under the emergency act by the Governor.

Paul explained that as part of the Municipal relief fund of \$32 million based on the population, and the Town can receive up to \$374,299 as part of the Coronavirus Relief Fund Grant. The grant is a 32 page document that either the Selectmen have to sign or give the authority to the Town Administrator to sign. Every page has to be initialed and dated and this lays out all the terms for the grant that needs to be followed. Administrator Shannon said that three Selectmen have to sign the grant as well.

Selectman Dargie made a motion to allow the Town Administrator or his designee to sign the Coronavirus Relief Fund Grant. Seconded by Selectman Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectman

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 05/26/2020

Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.

Selectman Dargie made a motion to approve accept 4. a) 1. 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. MACC Base By-Laws, Town of Milford's Recommendations – There was some discussion about the numbering in the by-laws. The draft will be fixed to include number 3. Everything else is all set.

At this point, the discussion from section 3. PUBLIC COMMENTS, outside seating at the WWII Memorial Park for the Union Street was revisited.

Selectman Dargie made a motion to approve the request from Mr. Stevens, Union Street Grill to have up to 6 tables in the WWII Memorial Park adjacent to the Union Street Grill, subject to the oversight of the Fire, Police and DPW Departments until regular seating is available at his facility and adding the Town of Milford to his insurance policy. 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.

Selectman Dargie said he's okay with the Union Street Grill putting a couple of tables in front of his restaurant as well. Kevin said he will work with everyone and thanked the Board. Rick Riendeau, DPW Director, said he would have no problem working with Kevin.

Lincoln Daley, Community Development Director referenced Kevin adding the Town of Milford to his insurance policy and said they can anticipate other operations asking for similar opportunities and it would be good to be consistent with putting the Town on those insurance policies as well.

5. TOWN STATUS REPORT – John Shannon

a) Status of Large Events Planned for 2020 - At the request of the BOS, we are tracking the Town's large events for 2020. Due to the current environment, we do not currently know what events will and won't take place. The table below includes the events we are currently tracking.

Event	Next Decision Point	STATUS
Memorial Day Parade	4/28/20	Cancelled
Rotary Swim Meet	6/15/20	Cancelled
State Swim Meet	7/10/20	Cancelled
Pumpkin Festival	6/4/20	In Progress
Independence Day activities	6/8/20	In Progress
Labor Day	7/27/20	In Progress
Veterans' Day	9/4/20	In Progress

Decisions concerning events will be made with the event organizers and in accordance with the Governor's Emergency Orders. Any questions or concerns about them can be directed to the Town Administrator's Office.

Selectman Labonte asked where we stand on the pool being opened. Administrator Shannon said it's planned for June 15th but we are not expecting that to happen.

b) Fireworks - Currently the Board of Selectmen has decided against the annual fireworks show due to the fact that a reputable and licensed pyrotechnics company was not available on July 3rd or 4th and Emergency Orders from the Governor's Office. There has been some interest voiced to the BOS to attempt to do a fireworks show on another weekend around July 4th. The Board will discuss the topic again during their June 8th meeting so that they are able to take into account any new developments from the Governor's Office that are expected during the last week of May. Any questions or concerns about the project can be directed to the Town Administrator's Office.

Rob Laplante, Milford resident asked if the fireworks will be rescheduled for some other town event since it was passed with the Town warrants. Administrator Shannon said if the 10 person limit is still in effect, it greatly limits what we are able to do. The Board previously voted to not have the 4th of July fireworks with the option to look at it again. They will be revisiting it at the next Board meeting on June 8TH and that will provide plenty of time to schedule them if needed according to Natalie Watson.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 05/26/2020

Natalie Watson, Milford resident, said she did previously say that, but she needs to correct what she previously said. She sent out a quote on Friday and they would need to know 3 weeks in advance, so June 15th would be that date. The June 8th Board meeting decision would be ok for the July 11th fireworks show if approved. She would personally go with the July 11th date. The owner of JTI said he could make arrangements for July 4th if that is what you wanted to do.

Chairman Daniels is concerned that if we have fireworks and other towns have cancelled their, how much of their population will end up in Milford. Natalie said some towns are canceling and some are keeping their fireworks. She said we can be creative. They don't have to be at the normal time you would expect and they don't have to be in the usual location. Administrator Shannon said that can be problematic due to the rules and regulations that govern fireworks. We will leave that to the Fire Department and Fire Marshall if and when needed.

c) Osgood Pond Dredging Project Phase II - Phase II of the Osgood Pond Dredging Project is set to begin during the last week of May and should take no longer than one week. The necessary drawdown of the lake will be the first step in the process. The actual dredging will begin shortly thereafter and is scheduled to last from six to eight weeks. The Town will continue to work with the appropriate state partners to ensure the work is done in accordance with all appropriate state regulations and best practices. Any questions or concerns about the project can be directed to the Town Administrator's Office.

d) Governor's Main Street Relief Fund - The Governor has authorized the allocation and expenditure of an initial \$400 million in emergency funding from the CARES Act Coronavirus Relief Fund ("flex funds") to provide emergency financial relief to New Hampshire small for-profit businesses due to the economic disruption caused by COVID-19. The date to pre-qualify by is May 29, 2020. To start the process, please go to <https://www.goferr.nh.gov/covid-expenditures/main-street-relief-fund>.

6. DISCUSSIONS:

a. Review of Selectmen's Rules of Procedure – tabled until June 8th. Both Chairman Daniels and Selectman Dargie submitted changes. The document was not updated and this will be tabled until June 8th. Changes were not reviewed because there was a glitch in the e-mail previously sent. Tina will update the policy and include the changes at the next Selectman's meeting on June 8th.

b. Traffic Safety Concern - 472 Federal Hill Road (follow up from April 27, 2020 and May 11, 2020) - A resident is requesting the possibility of posting speed limit and slow children signs between 472 Federal Hill Road and 446 Federal Hill Road on both sides of the road. A second letter was submitted after the April 27th Board meeting outlining additional concerns. The Police Department has been monitoring the area.

Captain Frye sent the Board and resident an e-mail outlining the results. They've done 16 directed patrols and have monitored 117 vehicles. 97% if the vehicles are not speeding.

- 30 vehicles were observed traveling at 25 mph or less.
- 67 vehicles were observed traveling between 25 mph and 30 mph.
- 18 vehicles were observed traveling between 31 mph and 35mph.
- 2 vehicles were observed traveling between 36 mph and 40 mph.
- 0 vehicles were observed traveling between 41 mph and 45mph.
- 0 vehicles were stopped and written a citation for speed.
- 0 vehicles were stopped and issued a warning for speed.
- 0 stop sign violations

They will continue to monitor the traffic situation and prepare another document with the data collected. The Selectman agreed to have the Police Department continue monitoring with the patrols.

c. Dispatch Inter-Municipal Agreement (IMA) Discussion –

Selectman Dudziak would like to clean up 6-B, page 7. She recommends "The operating budget, including any proposed capital expenditures, shall be approved by a 2/3 vote of the Board. Any capital expenditures in excess of \$10,000 for any single item shall require a 2/3 majority vote of the Board for approval

Selectman Dargie said he isn't clear on, if Milford leaves the IMA, can MACC Base continue to operate on their own. The issue is the dispatch frequencies, if Milford leaves what frequencies would MACC Base use. Cheryl Giggits, CTA Consultant said that all three towns have frequencies and they could continue to operate through those town's frequen-

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 05/26/2020

412 cies. Selectman Labonte asked if we could have a breakdown of what frequencies exist and who owns what. Cheryl
413 said it's in the report.

414
415 Selectman Dargie said we currently charge MACC Base \$3,000 for the 4th floor. The rent and utilities charges for the
416 space used by MACC base should to be set at a market rate for the next fiscal year or we could just leave it alone. Se-
417 lectman Freel said it would be important that MACC Base know what will be coming up beforehand so they can make
418 provisions for that change. Administrator Shannon said it would be better to wait until we know what our solution will
419 be. Selectman Dargie said they would be charging the other towns a little more, whatever their 30% would be. He
420 thinks we should figure out what that number will be and let them know that in the future, we will be going to a market
421 rate number.

422
423 Chairman Daniels said there are only about 5 primary issues in the IMA that we will need to discuss and he recom-
424 mends another work session on this and start going through section by section to see if we agree on that section.

425
426 Selectman Labonte asked are we going to meet with the other towns, have we been approached by them or have we
427 approached the other Towns. Administrator Shannon said we were waiting for our Board to decide what we were going
428 to send to them. Selectman Labonte would like to propose meeting with the other towns first. Chairman Daniels said
429 we've had that discussion before. We've announced publically that we are working off the existing agreement, (2013),
430 not the 2018 agreement that was drawn up by the other two towns. He hopes that the other two towns are going through
431 the same exercise as we are so when we all meet each Board would have their position and give their arguments. He
432 doesn't see it productive if we don't, as a Board, have at least a majority position on where we are on the tenets of the
433 current agreement. Selectman Labonte still doesn't understand why we can't have a group discussion with all stake
434 holders. Selectman Dudziak said she thinks we need to decide where we are as the Town of Milford before we meet
435 with other towns. Selectman Dargie agrees.

436
437 Kellie-Sue Boissonnault, Wilton NH Selectman, she would like the joint towns to discuss this because it appears that
438 Milford is trying to put an agreement together to strong arm the other towns. She felt that we were productive at the last
439 joint meeting. She has concerns about putting this off even further. By Milford blocking votes of improvement, they
440 are putting the other towns in jeopardy of MACC Base crashing; and it's also putting Milford at a disadvantage. All
441 towns that are partners in the IMA should sit and discuss it as a joint effort instead of an independent town effort. They
442 need to be cohesive in all of the decisions. One partner shouldn't have more power than another partner.

443
444 Selectman Freel said isn't it true that each town already came up with a proposal without talking to Milford? He refer-
445 enced the 2018 proposal that was drawn up by the other two towns and asked if Milford was spoken to about it or did
446 the other towns just come up with the agreement and then bring it to Milford.

447
448 Kellie-Sue said they asked Milford to join and they did not so Mont Vernon and Wilton went through what the Board of
449 Governors proposed. The Mont Vernon and Wilton signed it and then we gave it to Milford because they kept dragging
450 their feet on making a decision and they voted against signing it. This is why the 2013 agreement was extended. We
451 needed to make some changes to the 2013 IMA because it's a disadvantage to the other towns.

452
453 Kevin Federico, Milford resident, said he strongly encourages the current Milford Select Board to go back and watch
454 the meetings that were held with the other towns. He strongly encourages the Milford Select Board to come up with
455 their own stance before meeting with the other towns.

456
457 Selectman Labonte said the makeup of the Boards have changed so what happened in the past should stay in the past.
458 He wasn't on that board and wasn't part of that. Kevin Federico said he agrees that the Board has changed and the
459 opinion has changed, but the facts of the history has not changed. Administrator Shannon said he will schedule a work
460 session for next week and let the Board know the time and place.

461
462 Kellie-Sue wanted clarification because of the mixed messages being sent out. At one point it's stating that Milford is
463 trying to do a stand-alone without having any customers. At the last BOG meeting, Captain Frye stated that it's always
464 been a regional. She also wanted to remind Milford that if they go a separate way and want to do a regional, it doesn't
465 guarantee that Wilton or Mont Vernon will come with them. We are not going to be gridlocked into Milford's Commu-
466 nications. She said they have options and for Milford to not to count their chickens before they hatch on just stating that
467 those towns will have to be with you on a regional. She said she is speaking on her own and this is not the opinion of
468 her Board.

469
470 Chairman Daniels said there is another part that hasn't been considered. There were comments brought up to keep
471 MACC Base where it is and put in the renovations that are needed, it may require updating Town Hall of approximately

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 05/26/2020

40% of the fire code safety. If that is the case it needs to be considered how much Wilton and Mont Vernon would pay to upgrade their share of Milford's Town Hall in the expense if that is what is needed. We don't have answers for that yet.

Selectman Dargie said the CTA report recommends that Milford create their own service at roughly \$2.4 million dollars, but it would be capable of being connected into the individual towns. Those towns would have to provide their own infrastructure to make those connections. It's detailed in the report and it's an option. The warrant article from last year was to create a Milford standalone system but it allows for connections to Wilton, Mont Vernon and Lyndeborough if they chose. Our decision isn't dependent on Wilton and Mont Vernon connecting in but we would welcome them.

Selectman Labonte asked if we've received language from the Fire Marshall on the 40% upgrade. He requested to have the Fire Marshall present before the work session to get clarification instead of just going on presumption of what is needed. Administrator Shannon said the Fire Marshall was on the entire call at the last Board of Selectmen's meeting and the question was never brought up.

Selectman Labonte said his question came up to Gary after that meeting. Going forward, he would like that clarification. He was confused at the BOG's work session when Captain Frye said it will be built regional. He doesn't know if Captain Frye misspoke or it just came out wrong on how he intended to say it. It was said that they could connect to the \$2.4 million dollar system which was going to be a regional dispatch. CTA said it could be connected, but not for the \$2.4 million. Administrator Shannon said the other towns would have to buy their own equipment to hook into it.

Selectman Dargie said it was all detailed in CTA's report. Administrator Shannon said the \$2.4 million was a Milford number. Cheryl said if all three towns go in at the same time, you will see a cost savings and that was also detailed in the report. Milford can do their own standalone system and every accommodation has been made to include the other towns if they wish, but they have to put in their own infrastructure.

Selectman Freel asked if the State Fire Marshall would be at the work session. Administrator Shannon said would try to have him there. Chairman Daniels said before we waste anyone's time, we need to understand what renovations need to be made so the Fire Marshall can make an assessment as to what is needed. Selectman Freel said if he would get on at the beginning of the meeting, they could deal with that first.

Ken Flaherty, Milford Fire Chief, said it wouldn't be the Fire Marshall himself; it would be Tom Humphries, a special investigator who works for their office. He will not tell us exactly what needs to be done because he doesn't know the construction of the building. He won't know structurally or mechanically or electrically, those things will need an engineer to do an analysis on what is needed. Painting the walls and bringing new equipment in doesn't bring it up to code. Federal money may not be available if you just pretty up the place. If you want to renovate, money has to be paid out for an evaluation of the building.

Selectman Labonte said if we were to put this in front of the voters again and it doesn't pass and we decided to go into a long term agreement, would we have to bring MACC Base up to any of the standards. Ken said no because we are not eligible for grant money at this time. Selectman Labonte said, take the grant money out of the picture. If we are going to change the computer bases at MACC Base dispatch on the 4th floor, we are not changing the wiring or HVAC. Ken said they might have to change the wiring because there may not be enough electricity to supply to the new equipment coming in.

Administrator Shannon said this is all covered in the study, you can't just do a swap out of old and new equipment. Ken said if you comparing apples to apples you need to make sure that if you are going to rebuild MACC Base and compare it to a brand new center, you need to make sure you are comparing the two together. We can build a building anywhere and not make it a compliant center for a lot less money. What we are trying to do is make sure that center is compliant for all the federal money that is available and if something catastrophic happens, that building is still standing.

Selectman Labonte said the key phrase is federal funding, that is where a lot of the 40% comes in. Selectman Freel he would like to have an advocate at the meeting to tell us if we need to have the structure NFPA 1221 compliant. Ken said he won't tell you that because that will come down to a local decision. He can strongly recommend it so that we would be eligible for federal grant money. Selectman Freel said he's heard that if MACC Base stays in the Town hall, the biggest thing would be to try to bring it into compliance with the law. It could be thousands of dollars. If it isn't something that the state will require, then there isn't any reason MACC Base or a town only can't stay in that building. Ken said if we are going to deem that building itself and dispatch center as critical infrastructure, it then needs to meet the standards. If we are all set with that building catching on fire or something more catastrophic and we can't dispatch,

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 05/26/2020

we will have to rely on other communities, then we are all set and do what you like. He is not comfortable with that, we need to make sure that if someone calls 911 we can get dispatch. Selectman Freel said people are saying that we are not taking into consideration the money it would take to update the Town hall. If the update doesn't need to happen, you can't say that the money needs to be added to the final cost. Ken repeated, you can build a noncompliant center anywhere you want, put it in a wooden structure and on a piece of property the town owns for \$100k and call it a dispatch center. This isn't what we are trying to do. The bigger picture is that we are trying to make it so that it's going to be here 30 or 40 years from now.

Cheryl said she agrees with Chief Flaherty. The reason that NFPA 1221 was created was to protect our critical infrastructure. You will be investing millions of dollars into the equipment and dispatch infrastructure and to not have the physical pieces of security that you need isn't the best way to protect your citizen's dollars and investments in there. Those standards were created so that if anything happened; your system will be survivable and continue to operate. Things like grounding, which is currently not sufficient at MACC Base, needs to be upgraded. There are things that you will need to do in order to stay at MACC Base that are imperative. Your vendors will not give you a warranty if you don't do those things. They usually give a 1 year warranty plus a maintenance contract; you won't get that if you haven't done the things necessary to protect that equipment.

Selectman Freel said if we weren't having an issue with the radio gaps with the communication problems that we are having, would we be sitting here talking about building a new building to move dispatch into? Cheryl said yes, you have to fix the radio systems that you have that isn't working and placing your officers and emergency personnel in danger every day that they go out and believe that they depend on it. Installing the equipment which you need, into any facility, will need a base minimum of things so the vendors will give you a warrantee. The Town hall isn't where it needs to be to be able to say it's a facility that can handle public safety critical communication and equipment.

Selectman Labonte asked if it was ever determined either through CTA or our own diagnostics if the dead spots were an equipment related problem or a dispatch problem as far as where it's coming from. Cheryl said yes, and it's both. You don't have a repeater system or equipment that is working together, it works independently when trying to get to the dispatch center, which sometimes it can or can't do. You also have a dispatching side which they are trying to get back out to people which sometimes they can or can't do. It's a multitude of issues.

Selectman Labonte is still confused between dead spots and trouble spots. If we have a problem with communications, what is the process, how is it logged, and how is it corrected. He has never seen anything come before the Board on this. Does it make it back to MACC Base to get dealt with, who deals with it, how is it logged and how are the repairs done.

Cheryl said she can't speak to how MACC Base logs it. They should know when there are problems and should be recording when things don't get out or people can't get into them. Milford Police and Fire have reports of where people had issues getting to dispatch or back. This information is available on a spread sheet from the emergency services in Milford only; the other towns didn't provide their information but indicated that they were having problems.

Selectman Labonte would like to see what the fixes were although he understands some things can't be fixed. Cheryl said what she has isn't going to tell you where the fix it or if someone tried to fix it. It's a report of a problem. Selectman Labonte asked if there was a way we could get that information from our own departments as well. Chairman Daniels said the CTA report identifies those problems by department. Selectman Labonte is also looking for solutions to try to rectify the problems. Administrator Shannon said the report that CTA gave us has solutions/recommendations in it. Selectman Labonte clarified, solutions to the problems as they happen, he repeated that some won't be able to be fixed. Cheryl a majority will be no fix because you have to replace your system to fix these problems. The infrastructure has to be replaced to provide the communications that the users need. Chairman Daniels said a work session will be setup next week.

7. PUBLIC COMMENTS: Nathalie Watson referenced the 2020 Fireworks proposal e-mail that JTI sent out last Friday, the proposal provides dates available and what they are willing to provide. Selectman Labonte asked for the e-mail to be forwarded to the Board.

8. SELECTMEN'S REPORTS/DISCUSSIONS.

Selectman Dudziak Milford Spartan Solar met with the Planning Board and Zoning in a joint meeting for review of their project. Many questions were answered. Conservation might be looking for a professional environmental impact statement beyond what NH Fish and Game would be providing.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 05/26/2020

Selectman Dargie said he's on the Recreation Commission and the Heritage Commission and there is a conflict with dates and times that they are meeting. He would like someone to take the Heritage Commission for him. Administrator Shannon said he wouldn't mind representing the Board on that commission. The Board agreed to allow Administrator Shannon to represent them on the Heritage Commission.

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

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

9. APPROVAL OF FINAL MINUTES. Selectman Dudziak moved to approve the minutes of May 11, 2020 as amended. 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. All were in favor. The motion passed 5/0.

10. INFORMATION ITEMS REQUIRING NO DECISIONS.

a. N/A

11. NOTICES. Notices were read.

12. NON-PUBLIC SESSION. Selectman Dudziak made a motion to go into non-public for Approval of non-public minutes in accordance with RSA 91-A:3, II(e) Reputation – April 27, 2020 and May 11, 2020. 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. All were in favor. The motion passed 5/0.

13. ADJOURNMENT: Selectman Dudziak moved to adjourn at 8:15. 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