

APPROVED  
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING  
November 22, 2021

<b>PRESENT:</b>	Gary Daniels, Chairman	John Shannon, Town Administrator
	Chris Labonte, Vice Chairman	Tina Philbrick, Executive Assistant
	Laura Dudziak, Member	Andy Kouropoulos, Videographer
	Paul Dargie, Member	
	David Freel, Member	

**1. CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING INSTRUCTIONS:**  
Chairman Daniels called the public meeting to order at 5:30 p.m., introduced Board members, and then led the audience in the Pledge of Allegiance. Chairman Daniels indicated that those people in the audience who want to speak or add to the discussion should please use a microphone to be heard on the PEG Access live broadcast.

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

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

**5:30 p.m. – Municipal Assessment Data Sheets Report – Assessing Director, Marti Noel**

Ms. Noel presented the 2021 Ratio Study Summary Report. The revaluation was at 101% as of April 1<sup>st</sup>. Things are still going up. Chairman Daniels asked if the state specifies the titles on the form. Ms. Noel said yes, she can't change it. Selectman Labonte asked why a property would be assessed at a higher value than sold at. Ms. Noel said sometimes there is no answer. When they do an assessment they look at all the sales and some are higher or lower, it's the way the market works. She verifies the information and if it's correct she leaves it. She isn't going to change the tables for one sale; anyone who feels their information is incorrect can file for abatement from now until March 1<sup>st</sup>. That is a hard deadline and there are no exceptions.

**Selectman Dudziak moved to approve the Municipal Assessment Data Sheets Report (MADS). Seconded by Selectman Dargie. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. All were in favor. The motion passed 5/0.**

**5:50 – Landlord/Agent Registration and Business Registration – Town Clerk, Joan Dargie, and Community Development Director, Lincoln Daley**

In summary: The Community Development Department and the Town Clerk's office are proposing registration for landlords and business owners. The landlord/agent registration is state required under RSA 540:1-b. The business owner's registration is not required. The fee is a one-time \$15. This information can be used if there is an issue with the property so that the correct person can be contacted. This was instituted in 2011 but Milford has never done it.

Exempt are US Government agencies and departments, post office, State of NH agencies and departments, nonprofit and charitable entities, public and private schools, churches located within the town, and any entity or individual that isn't required to file a federal tax return. This will have to be reviewed by the Town Clerk and Community Department before a business can be registered. This compiles information so that if there is a problem with the property or businesses, we know who to contact. This helps with safety and other issues. This was brought before the Board before.

Selectman Freel asked what the purpose was for the \$15 fee. Ms. Dargie said administrative to process paperwork. It should generate about \$6,000. The \$15 is the standard fee that other cities and towns are charging. Chairman Daniels asked why registration for a business not be granted. Ms. Dargie said if they had to go before zoning for authorization at that location. Mr. Daley said the registration process is like a check and balance sheet to make sure that they are compliant with what is needed. It's a communication tool.

Chairman Daniels said we haven't enforced it for 10 years, what will happen if we find a business already in process that doesn't meet the qualifications. Mr. Daley said it the business will be evaluated to make sure it meets the qualifications needed. Chairman Daniels asked if a business could be shut down due to this. Mr. Daley said if it violates health codes, yes.

Selectman Freel feels like this is coming to play because you want a full-time health officer. Mr. Daley said this is independent of that. Ms. Dargie gave a couple of examples. This also makes a list of businesses in town which will help promote them. It helps keep businesses in compliance with what is needed to run their business. The landlord is the only one required by the state. Selectman Dudziak asked if most towns/cities around us have this. Mr. Daley said no. Selectman

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Labonte said if this has been in place since 2011 there are no penalties for not having this. He feels that this is making more work for both departments.

Andrea Kokko Chappell, a Milford resident, asked if the Board had a copy of the cited RSA 540:1-b. Chairman Daniels said no. Ms. Chappell said that the RSA says that when we purchase a property we have to tell our local municipality that we have bought it, we are a landlord, and this is how to get in touch with us. We need to give all contact information. This is for contacting an owner when they violate a health code, zoning violation, or legal violation. What are we going to do to the landlord who doesn't register? The town already has most of this information. She feels that this isn't needed, it's redundant. All businesses have to file with the state and be registered. They have to meet all criteria to be able to function. All this is public information. She has a lot of concerns with this application. We should not have to pay \$15 to file for a business that we already pay the state for.

Ms. Dargie said this would create a local database to help find information about a business in Milford. This helps for grants and it saves time having it local. There was additional discussion about the RSA.

**Selectman Dargie moved to approve the Landlord/Agent Registration Fee of \$15. Seconded by Selectman Dudziak. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte no, Chairman Daniels no and Selectman Freel no. The motion failed 3/2 with Chairman Daniels, Selectman Labonte and Selectman Freel opposed.**

**Selectman Labonte made a motion to not institute the Business Registration. Seconded by Selectman Freel. Selectmen Dargie no, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. The motion failed 4/1 with Selectman Dargie opposed.**

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

Katherine Kokko, a Milford resident, asked if the Police Department continues to report radio issues. Captain Frye said yes. Ms. Kokko asked if those reports are being sent to the Board. Captain Frye said they will be sent to the Board when they are complete. Ms. Kokko asked if there's been an analysis of failures with the mobiles specifically. Captain Frye said yes.

Selectman Labonte asked that 4. a) 1) be removed for discussion. He asked why it was being approved now when the tax bills were always sent out. Paul Calabria, Finance Director, said there isn't enough time to review it before we get the tax rate. We have to send the tax bills out on time per RSA.

Selectman Dargie said the initial tax effort in 2020 was \$9.5 million and in 2021 it was \$8.2 million. A lot of that was due to the use of fund balance to help lower taxes. If he had known it was going to be this much he wouldn't have been in favor of the \$500,000. Next year there may be a big spike. He would rather have it stay level. He would like an analysis done next year before we use any fund balance.

Selectman Labonte asked what was used from the fund balance for 2020. Mr. Calabria replied \$350,000. Selectman Labonte said there was \$700,000 that was going to be used for a warrant article this past year and if it wasn't for that, there may have been more used to offset taxes. We shouldn't just be holding money in fund balance just to lower taxes.

**Selectman Dargie moved to approve the consent calendar. Seconded by Selectman Freel. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. All were in favor. The motion passed 5/0.**

### **4. DECISIONS**

#### **a) CONSENT CALENDAR**

1. Request for Approval of 2021 Property Tax Warrant.

#### **b) OTHER DECISIONS**

1. N/A

### **5. TOWN STATUS REPORT –**

#### **1. Municipal Tax Breakdown**

Municipal tax rate \$4.03, county \$0.90, Local Education \$13.62, and State Education \$1.60 for a total of \$20.15.

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Chairman Daniels said with the revaluation some of the elderly no longer qualify with their exemption. Chairman Daniels said we've increased the exemptions, but we don't have all the data in March, valuation, or tax rate. Is there some way to deal with this? Mr. Calabria said he discussed this and they could find a timeline to make this work going forward. It's nothing to do with how the tax bills are generated and the tax rate is set. Selectman Freel asked if it was possible to give them a tax credit for the following year. He would like to see how many people are affected by this. Chairman Daniels asked that Ms. Noel is at the next meeting in December to talk about this and any ideas that we may need to put in place for March.

### 6. DISCUSSIONS

#### 1. 2022 Draft Warrant Articles –

Administrator Shannon said these are in DRAFT form. They will be on every meeting until they are completed. Any changes need to be given to him or Tina Philbrick as soon as possible. We didn't expect them to be reviewed in detail tonight.

Chairman Daniels asked Chief Flaherty about FEMA money for purchasing a fire engine. He understands that those grants were available for local communities. Chief Flaherty said they have applied for them before and have been unsuccessful. The grants are for replacing vehicles that are over 25 to 30 years old and that are single-use vehicles, not specialty use apparatus. You usually don't get the specific requirement for your replacement vehicle until after the grant is awarded. Chairman Daniels recommends that we put in for these grants every year whether we need them or not. Chief Flaherty said he is the one who writes the grants, if we hired a grant writer that may be helpful. They go to all the seminars for this information. There was additional discussion about grants.

Kathy Parenti, Library Trustee Chairman, will be changing the wording of the Library HVAC warrant article. She will get that information to Tina Philbrick as soon as possible. Mr. Calabria said he will send the DRAFT warrant articles to the DRA on Tuesday to get a head start on verbiage.

Selectman Labonte thought that the HVAC wasn't going on the warrants. Administrator Shannon said it was in the CIP along with the sidewalk. Selectman Dargie said it's worth talking about. Selectman Freel said anything that is an estimate should have at least two or three bids and not just guesses. Chairman Daniels asked how much it cost to buy 127 Elm Street. Arene Berry, Recreation Director said we paid \$190,000. She doesn't know what the back taxes were.

Selectman Freel questioned why we would need the capital reserve for Town Facilities Renovation and Major Repair Replacement if we were doing an HVAC warrant article. Administrator Shannon said they are two different things. Selectman Labonte said it would be for any town-owned building. Administrator Shannon said it's good to build up the capital reserves. Selectman Freel said he would rather skip some of the smaller ones and focus on the larger warrant articles.

Chairman Daniels said if you had some of the smaller items in the budget, they would be the first cut if we went into a default budget. This gives people a chance to keep them if they want them. Selectman Freel said he isn't against the small things, he's talking about the capital reserve warrants.

Selectman Labonte asked Mr. Calabria if he could do a draft update on the tax rate before the deliberative session. Mr. Calabria said yes. Selectman Freel said he would like actual quotes on the Library warrant article. Ms. Parenti said they already have them, it's a 10% increase from last year.

There was some discussion about 127 Elm Street and what they were going to do. Selectman Dargie asked to put an additional \$100,000 for paving in the regular budget and do a warrant article for \$300,000. Everyone agreed.

Chairman Daniels asked if the highlighted language will be updated by December 13<sup>th</sup>. Ms. Philbrick said yes, as long as we have the information back from the DRA. She highlighted things that she felt needed more of an explanation. Chairman Daniels would like to remove the warrant articles for the sidewalk. He would rather the extra money be used for roads.

**Chairman Daniels made a motion to remove the Osgood/Armory/Mason/Melendy Roads Pedestrian and Bicycle Improvements warrant article. Seconded by Selectman Freel. Selectmen Dargie no, Selectman Dudziak no, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. The motion passed 3/2 with Selectman Dargie and Selectman Dudziak opposed.**

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Selectman Labonte is confused as to why we can't do the wage benefit survey in-house, or NHMA. How is hiring a company going to get us those answers if it's tough to get some of this information from other towns? Administrator Shannon said he would get clarification from Ms. Blow. Selectman Freel isn't in favor of the wage benefit warrant article.

Selectman Dargie isn't in favor of the 127 Elm Street Building warrant article. It was originally put on the CIP for two years from now and the CIP committee moved it forward. Ms. Parentis said they moved forward to make the tax rate more even. In two years there will be a lot of water utility projects that will be expensive so they moved this forward. Selectman Dargie feels we should wait, we also need an actual quote.

Mike Thornton, a Milford resident said part of the reason to put this on sooner was because of public safety and liability issues. Chief Viola said they have had minor issues in the past especially in the winter months; they work with DPW on correcting any issues. It's sometimes kids and sometimes homeless people. We have very few calls for that area. It's not a public safety issue right now.

**Selectman Dargie made a motion to remove the Raze and Remove 127 Elm Street Building warrant article. Seconded by Selectman Freel. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. All were in favor. The motion passed 5/0.**

Selectman Labonte asked why there needs to be a warrant article for the ratification of 10-year public safety cell tower license contract. He thought we already signed it. Administrator Shannon said the town council said we need this because it encumbers future town meetings.

Ms. Kokko said as far as the public safety cell tower license contract, if the reason it has to go before the voters is that there is a long term lease in place, then there is a cost associated with the lease and this warrant article states there is no tax impact, how is that possible. Administrator Shannon said these are a DRAFT, they are not complete yet. Ms. Kokko asked if the warrant article be described in a way that tells people when the cost will be assumed by the taxpayer. Administrator Shannon said yes, once it's approved by the DRA and town council. Ms. Philbrick explained to Ms. Kokko that this is a DRAFT; the final information will be in the warrants when they are completed.

**2. Community Service** – Chairman Daniels said the diversion and work fair programs are overseen by the Milford Police Department and Welfare. Are these programs in place so people can get their hours and we can get the help that we need? Chief Viola said they are not involved with the diversion program. The Prosecutor works with the Court to recommend community service hours. A person doing community service can do their hours anywhere they want; it doesn't have to be in the Town of Milford. Upon completion of their hours, that person has to bring a form back to the prosecutor on a signed letterhead stating that they completed their hours. She then contacts the court. That's all his department does. He doesn't feel it should be a part of the volunteer program. Chairman Daniels said it sounds like something could be put in place now. Administrator Shannon said everything is good to go.

**3. MACC Base Budget Review** – Chairman Daniels said there was a budget meeting for MACC Base 2 weeks ago and they will have another one on the 29<sup>th</sup>. He asked if anyone had any questions to take back. They will vote on the budget after the 29<sup>th</sup>. Administrator Shannon asked if they just add 3% every year with no burn rate. Captain Frye said no, more goes into it than that. \$695,000 is pay and benefits, which all went up. This year it went up 3.74%, last year it went up 4.3% and the year before last was 3.8%.

Selectman Freel asked about the overpayment this year. Captain Frye said Milford got back \$73,000 out of \$100,000. Selectman Labonte said a majority of the overage is from when they have an open position; there is a surplus of monies left from not filling that position. Mr. Calabria said it's from attrition. There was some discussion about leaving the leftover money with MACC Base or putting it back into the general fund. Wilton took most of their money back except for \$4,000 to use for frequencies, MACC Base owns the frequencies. They are doing the same thing as Milford is doing, trying to get up on Crown Castle.

Ms. Kokko said she thinks the licenses are co-leased by both MACC Base and Wilton. She said MACC Base is trying to make their wage scale comparable to other dispatch agencies. Everyone is having a hard time recruiting people right now. She looked at their survey data from two years ago and they are below the scale by either 8% to 6% or 10% to 13% depending on their position. They discussed increases at the last meeting and a Board of Governors member said that no one should get more than a 3% increase in a given year. MACC Base proposed a 3.74% increase to get closer to where they

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should be on the wage scale and Milford vetoed that and said, “no, it needed to be at 3%”, she asked Captain Frye if that was correct. Captain Frye said no.

Ms. Kokko said she would like to understand why we are not looking to keep MACC Base competitive if we are looking to stay there. Captain Frye said some of the raises were around 3% to 5% and they wanted to do the COLA on top of that depending on their merit base. Guaranteed 3% for 6 years and they can go up based on the COLA. The two-year survey that Ms. Kokko was talking about had a wage adjustment done and they did another one now and then added the 3% 6 years on top of it. Selectman Freel asked what the previous wage adjustment was. Captain Frye said some got around 3% to 7%. They still have to work out the IMA and the handbook and there is nothing to back anything other than just giving them money. That is why he voted no. Ms. Kokko said something needs to be done to bring MACC Base’s pay rates up to where they are competitive.

Chairman Daniels asked if Ms. Kokko just compared wages or a total compensation comparison. Ms. Kokko said just a wage survey that she was given to work with. Selectman Labonte clarified that the COLA proposed for the town of Milford’s employees was 3.5%. He asked Captain Frye if MACC Base was going for a straight COLA. Captain Frye said 3% and the next 5 years 3% each year whether it’s lower or not. Chairman Daniels asked if it was possible to have a STEP program without an IMA. Captain Frye said yes, that is why they want to keep adding things on with an IMA or updated handbook.

Selectman Freel asked if people were leaving MACC Base because they are getting better jobs elsewhere. Captain Frye said they give longevity pay. They had people leave but they have one opening for a full-time employee. Chairman Daniels will go to the next meeting on November 29<sup>th</sup>.

**4. 2022 Town Budget** – The budget is on the website. If anyone has any questions or concerns they can direct them to the Town Administrator and Finance Director. Selectman Labonte asked about surplus money. Mr. Calabria said rough guess, not set in stone, around \$150,000.

**5. Town of Milford’s Recycling Ordinance** – Chairman Daniels said the Recycling Committee review the ordinance and made proposed amendments. He explained the changes and asked if the Board had any questions. They took out the penalties/fine section.

Selectman Freel asked if the town has ever looked into having trash pickup for the residents. Chairman Daniels said yes.

**Selectman Freel made a motion to approve the Updated Recycling Solid/Waste Updated. Seconded by Selectman Dargie. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. All were in favor. The motion passed 5/0.**

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

Katherine Kokko, a Milford resident, asked if the radio issue analysis had been provided to the DRA. Administrator Shannon said no it hasn't because he doesn't have it.

### **8. SELECTMEN’S REPORTS/DISCUSSIONS**

Recycling Committee met with the new Public Works Director and discussed opening up the Transfer Station. Much of this depends on the Volunteer policy which will be discussed at the 5<sup>th</sup> Monday Forum. They are also focusing on composting.

#### **a) FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES**

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

Selectman Labonte asked about a document on the website. Administrator Shannon said he needs someone to help him with it.

**9. APPROVAL OF FINAL MINUTES** – Selectman Dargie moved to approve the minutes of October 25 2021 as amended. Seconded by Selectman Dudziak. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. All were in favor. The motion passed 5/0.

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Selectman Dargie moved to approve the minutes of November 8, 2021. Seconded by Selectman Dudziak. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. All were in favor. The motion passed 5/0.

### 10. INFORMATION ITEMS REQUIRING NO DECISIONS.

1. N/A

11. NOTICES. Notices were read.

12. NON-PUBLIC SESSION N/A

13. ADJOURNMENT: Selectman Labonte moved to adjourn at 7:30 pm. Seconded by Selectman Freel. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.

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Gary Daniels, Chairman

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Paul Dargie, Member

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Chris Labonte, Vice-Chairman

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David Freel, Member

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Laura Dudziak, Member