

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

November 9, 2020

This meeting was conducted pursuant to the 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# 874 1060 2164 and the password is 275501 or join the Zoom Meeting @ <https://zoom.us/j/87410602164>. 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 - EXCUSED	John Shannon, Town Administrator (Zoom)
	Paul Dargie, Vice Chairman	Andrew Kouropoulos, Videographer
	Laura Dudziak, Member (Zoom)	Tina Philbrick, Executive Assistant (Zoom)
	Chris Labonte, Member (Zoom)	
	David Freel, Member	

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

Vice Chairman Dargie declared that an emergency exists and he was invoking the provisions of RSA 91-A: 2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to the community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, he also finds that this meeting is imperative to the continued operation of Town government and services, which are vital to public safety and confidence during this emergency. As such, this meeting will be conducted with a quorum of this body physically present in the same location, and two members participating via Zoom. Information for accessing this meeting can be found on the Town web site in the red banner.

Vice-Chairman Dargie welcomed members of the public accessing this meeting remotely. Even though this meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct and decorum apply. Public comments will be limited to three to five minutes per person. Any person found to be disrupting this meeting will be asked to cease the disruption. If the disruptive behavior continues thereafter, that person will be removed from the meeting.

All votes that are taken during this meeting must be done by Roll Call vote. Members who called in from home were asked to state their name and state whether there was anyone in the room with them during this meeting, which is required under the Right-to-Know law.

Roll call attendance: Selectman Dargie, yes, (zoom) no one is present. Selectman Dudziak, yes, (zoom) daughter Molly is present. Selectman Labonte yes, present in the BOS room, Selectman Freel, yes, (zoom) no one is present, and Chairman Daniels may be attending the meeting later.

2. APPOINTMENTS: (Approximate times)

5:30 p.m. – Elderly Exemption Qualification for 2021 - Marti Noel, Assessing Director

In summary, Marti is asking the Board for guidance regarding the inclusion of the stimulus check that most of the elderly would have received. This is considered a source of income and should be used in calculating the total income for any person's application for the elderly exemption in 2021.

This may have the effect of some elderly not qualifying for the 2021 tax year. The \$1,200 from checks sent this spring would be less than the tax equivalent of each of the exemption amount categories. If two checks were received for married couples, that total would cover the tax-equivalent for only the lowest category. I do not know how many elderly applicants this may affect. The statute does state "income from all sources" is to be included. (72:39-a (b)). There is the possibility of another stimulus check coming.

Marti suggests three choices:

1. She can count the income in total and use that amount for qualifying.
2. The Board may choose to issue a blanket decision to exclude this income from the total income calculations for qualification for 2021.
3. The Board may decide to address any affected applicants by abatement.

Selectman Labonte asked if this has been counted as income in the past with other stimulus checks. Director Noel said yes. Selectman Freel feels that it should be counted on a case by case basis. Selectman Dudziak agrees. Selectman Dargie asked if Director Noel knew how many this would affect. Director Noel said she doesn't have that information. About 80 and 100 people qualify for the elderly exemption each year. Director Noel would just like to prepare people if this is coming.

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Selectman Labonte asked how much the exemption was. Director Noel said it varies depending on the age of the elderly person applying for the exemption. In tax money the lowest by ages was \$2,155, the middle was \$3,220 and the highest was \$4,385.

Selectman Dargie asked if the \$1,200 was considered income for IRS purposes. It was unclear if it would be considered income. This might affect five to ten people at the most.

The consensus of the Board was to address affected applicants on a case by case basis.

5:40 p.m. – Land Use Change Tax (LUCT) – Parcel 56-52-2 – Marti Noel, Assessing Director

Parcel 56-52-2 is a building site recently sold and no longer qualifies for Current Use due to its size.

Selectman Dudziak made a motion to approve the Land Use Change Tax for parcel 56-52-2. Seconded by Selectman Dargie. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak, Selectman Labonte yes, Selectman Freel yes. All were in favor. The motion passed 4/0.

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

4. DECISIONS - Selectman Dudziak made a motion to approve the consent calendar. Seconded by Selectman Labonte. A roll call vote was taken with Selectman Dargie yes, Selectmen Dudziak yes, Selectman Labonte yes, and Selectman Freel yes. All were in favor. The motion passed 4/0.

a) CONSENT CALENDAR.

1. Request for Acceptance and Appropriation of Gifts of Property Under \$5,000 under RSA (31:95(e)) – donation to the Milford Ambulance Department.

- 1 Protexus Cordless Electrostatic Sprayer from NH EMS Bureau - \$645.91
- 1 Container of 200 Protexus Tablets from NH EMS Bureau - \$200.00
- Gift Certificate from Sal's Pizza - \$25.00

b) OTHER DECISIONS

1. N/A

5. TOWN STATUS REPORT - John Shannon

a. 2021 Operating Budget - The Town budget process for 2021 is well underway. The proposed operating budget has been put together by the Town staff and has been submitted to both the Board of Selectmen (BOS) and the Budget Advisory Committee (BAC) for review and comment. The BOS and BAC will be holding a joint public meeting in the Town Hall Auditorium and on Zoom on Saturday, November 14th at 9:00 am to discuss the operating budget.

b. DRAFT Warrant Articles - Administrator Shannon said this is just a rough DRAFT of warrant articles that will be presented this year. Most of them are standard and the others are still in DRAFT format, we are still waiting for wording and additional information.

Selectman Dargie said the Library warrant article needs to have the number in the body changed to match the top number. He questioned the wording on the Library Capital Reserve warrant article. His preference would be to not have it split, it should be all the Board of Selectmen voting on the amount, or all the amount voted on in a town vote. He also questioned the basic function of that capital reserve account. It should be stated more clearly. Administrator Shannon reminded Selectman Dargie that this is still in draft format and we are waiting for additional information.

Selectman Dargie feels that the warrant article for the Reconstruction of Town Roads should be included in the Town's budget and not as a warrant article. Last year we did a warrant article of \$400,000 for road construction and it was well-received. He will bring it up on Saturday at the joint meeting.

Selectman Labonte asked if there will be a separate warrant article be included in-case the Dispatch warrant article doesn't pass, something as a backup as far as upgrades to our current system. This is something that should be looked into further.

Selectman Dargie referenced the Information Technology Software and Hardware warrant articles and feels that they should be combined. Selectman Freel said the least amount of warrant articles would be better. Selectman Dargie said a capital reserve account has a purpose and you have to use that money for that purpose. In the future, you might need hardware but there is money in the software and you can't use it.

6. DISCUSSIONS:

a. State Legislative Needs - Selectman Dargie asked what this was about. Administrator Shannon said Chairman Daniels brought this up, if there is any input that the Board might have to pass on to the state legislature, let him know.

Selectman Dargie said the Governor said he wants to downshift costs down to the towns and school districts and use taxes for businesses as a central focus. Milford received \$2.5 million from the state in the past two years for property tax relief. Under the Governor's plan, that is going to go away. If the \$2.5 million is evenly divided, works out to about 75 cents on the tax rate or a 3% increase on taxes if it's gone. He would like to ask them to protect that 3% on our taxes and not fund businesses.

7. PUBLIC COMMENTS: - Selectman Labonte asked when the RFP numbers will be out, he thought it would be November 9th. He's looking for bid opening dates for RFP's on the addition and the radios. Administrator Shannon said this will be discussed in the non-public meeting tonight.

Selectman Labonte asked when the public openings occur. Administrator Shannon said when the bidding is complete and the Board has made a decision. Selectman Labonte asked if we had a schedule. Administrator Shannon repeated that it will be discussed in the non-public meeting later tonight. This is a competitive bid process and there is only so much you can put out in the public right now.

Selectman Labonte asked about opening the architectural, when is that date. Administrator Shannon said they are all designed to be done in plenty of time to develop warrant articles.

8. SELECTMEN'S REPORTS/DISCUSSIONS.

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

b. OTHER ITEMS (that are not on the agenda). Vice-Chairman Dargie said an e-mail was sent out about COVID Travel.

NH residents or out-of-state visitors traveling to/from areas outside of New England (Vermont, Maine, Massachusetts, Connecticut, or Rhode Island) need to self-quarantine for the first 14 days of any intended stay in NH after travel (starting from the last day of their travel outside New England). This recommendation is irrespective of the mode of transportation for travel (public vs. private transportation). The Governor is estimating it to be about 500 cases/day in NH. It was suggested that the Board of Selectmen issue this policy, this isn't mandated but warrants a discussion.

The Town of Milford Board of Selectman, following the State of NH's Travel Guidance for Employers, want to place on record that any staff planning on non-essential travel outside the New England area (Vermont, Maine, Massachusetts, Connecticut, or Rhode Island) will need to quarantine for 14 days upon return from any location irrespective of the mode of transportation. While this is a recommendation from the State of NH, the Board is asserting it's an option as an employer to make this mandatory effective immediately. Please speak with your supervisor about any non-essential travel arrangements. The Board of Selectman will adjust this policy as conditions warrant.

Administrator Shannon said he put a policy about this in place months ago. He feels this should be handled by the Town Administrator's office as it has been. Things are changing daily. If the Board wants this effective, we could lose essential members in the town if they go on travel for up to two additional weeks. Our IT Director is going on travel and if he has to quarantine for another two weeks, we have no back up for his job. We have been basically working under this policy since March.

Chief Flaherty said this was sent out prematurely, it's in a draft format. There are exceptions. Administrator Shannon is doing a fantastic job and this should go to him as part of the day to day operations of the Town. These are just recommendations, not guidelines or policies and updates to this will be provided by the state soon. There is no penalty for not following this.

Vice-Chairman Dargie proposed to take no action at this time and put it on the agenda at the next meeting and have our Administration modify the policy and make recommendations. He's in favor of strong restrictions and things are getting worse. Selectman Freel doesn't feel it's necessary to talk about this at the next meeting, he feels we should wait until the State of New Hampshire comes out with a new set of guidelines or until Chief Flaherty brings it up again. Chief Flaherty agrees.

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Vice-Chairman Dargie said things are spiking. Administrator Shannon said when the rules change, he will change the policy to meet them and not wait until the next meeting. He would make sure the Board knows of the changes. This will be tabled for the next meeting.

9. APPROVAL OF FINAL MINUTES - Vice-Chairman Dargie moved to approve the minutes of October 26, 2020, as amended. Seconded by Selectman Freel. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, and Selectman Freel yes. All were in favor. The motion passed 4/0.

10. INFORMATION ITEMS REQUIRING NO DECISIONS.

a. N/A

11. NOTICES. Notices were read.

12. NON-PUBLIC SESSION. A motion made by Selectman Dudziak to enter into a non-public session in accordance with (RSA 91-A:3, II(e)) Legal and for approval of non-public minutes in accordance with (RSA 91-A: 3, II(c)) Reputation – October 12, 2020, seconded by Selectmen Freel. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, and Selectman Freel yes. The motion passed 4/0.

At 8:08 pm, Chairman Daniels made a motion to exit non-public. Seconded by Selectman Dudziak. A roll call vote was taken, Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and Selectman Daniels yes. All were in favor. The motion passed 5/0.

Chairman Daniels made a motion to schedule a meeting for Thursday, November 12, 2020, at 5:30 pm to discuss Architectural bids for the Milford Police Station Addition from Cowan Goudreau Architects and BMA Architectural Group and to make a decision on which bid to choose and also discuss the MACC Base budget. 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 Labonte requested that the bids be posted on the Town's web site tomorrow morning. Administrator Shannon said they would be.

A motion made by Chairman Daniels to enter into a non-public for approval of non-public minutes in accordance with (RSA 91-A: 3, II(c)) Reputation – October 12, 2020, seconded by Selectmen 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.

13. ADJOURNMENT: Selectman Freel moved to adjourn at 8:30. 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.

Gary Daniels, Chairman

Chris Labonte, Member

Paul Dargie, Vice Chairman

David Freel, Member

Laura Dudziak, Member