

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

October 12, 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# 827 9545 2673 and the password is 356745 or join the Zoom Meeting @ <https://zoom.us/j/82795452673>. 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 (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:

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

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

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

Roll call attendance: Paul Dargie, yes, (zoom) no one is present. Selectman Dudziak, yes, (zoom) no one is present. Selectman Labonte yes, present in the BOS room, Selectman Freel, yes, present in the BOS room, and Chairman Daniels, yes, present in the BOS room

2. APPOINTMENTS: (Approximate times)

5:30 p.m. – Update on Primary and General Elections – Pete Basiliere

Pete said the primary election went well with the support of more than 50 volunteers, town clerk Joan Dargie and her staff, the assistant moderators, the Supervisors of the Checklist, the Board of Selectmen and town administration, the police, fire and DPW, and School District personnel. More than 3,200 citizens safely cast their ballots, whether in person or by an absentee ballot. We can expect about 9,000 voters at the general election on Tuesday, November 3rd, either in person or with an absentee ballot. The ePoll books worked well. We will work on eliminating the confusion about which stations voters need to go to.

The separate rooms for registered voters and new voters worked well. Having two spaces provided ample room in the gym for voters and election officials' physical distancing. We usually register more new voters on Election Day, so we are going to move the entrance for new voters to the north side of MHS, across from the library. We encourage but will not require new voters to park in the area across from the entrance. We will have a second ePoll book to add the new voters to the checklist. MPD is on board with this change, and MHS maintenance is in agreement.

Everyone inside the polling place must wear a face mask or covering. We will have a tent outside for voters who cannot or choose not to wear a face mask or covering. We are moving the tent to the space between the main lobby entrance and the Windows on West St. restaurant. This location means voters with mobility difficulties may exit the gym by the door at the right corner. This door is closer to the accessible parking spaces on West St. We will be using the MFD's larger tent in November. The tent has sides and will have lights and, if safely possible, a heater of some sort. Mats used to cover the track during football games and other events will cover the grass.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 10/12/2020

The school district is arranging for a ramp to be built, possibly by HS students, and installed at the right corner exit. The left door will remain an exit, giving all registered voters two options for leaving the polls. We intend to have a large sign to that effect by the Accuvote machines. Space will be set aside in the lobby, gym, and cafeteria for the public to observe those portions of the election process.

If possible, we will arrange for one or more golf carts for masked drivers and riders to use in November. We will be beefing up the on-site signs. MPD will be using its portable electronic signs to alert drivers to the polling place location. The signs will also alert drivers to possible Election Day delays on West St. and Osgood Rd. MFD has offered to put out Nixle event alerts, reminding voters of the location and possible (well, likely) traffic delays.

One of the election-related grants that Joan Dargie secured is for \$5,000 from a non-governmental agency. We are using some of this non-taxpayer money to print and mail a postcard to every household in Milford. A list of personal PO boxes is not available, so those addresses will not receive the postcard. Spectrum Mailing of Concord NH will produce the mailing.

There is concern as far as having enough election workers on November 3rd. We were three people short on each of the three shifts in September. However, there was no discernable impact on the voters as workers were reassigned. We will be asking the political parties to provide more volunteers and Milford citizens to consider volunteering. The steps described above are not carved in granite. Refinements will occur right up to the day before the election.

Thursday, October 29th at noon we will check in the absentee ballots. The ballots themselves are not opened until voting day. This is a public meeting. If there are issues with the voter affidavit, this gives the Town Clerk time to contact the voter to have it corrected. A video will be posted on the GTA site on how to fill out the ballots.

5:50 p.m. - Milford Recycling and Transfer Station Committee – Mary Burdett

In Summary: on August 24, 2020 the Recycling Committee presented an updated mission statement and charge to the Board of Selectmen. The mission statement was fine but the charge failed 3/2 due to the word climate change. The committee thanked Selectman Labonte for inviting them back. We made some changes at the September meeting. The new charge suggested is:

Review the needs and the long-term goals of the Transfer Station and Recycling Center, and work annually with the Department of Public Works to contribute input to a Capital Improvement Plan, expand initiatives that promote zero waste and sustainability, and set annual recycling goals.

Investigate and present proposals to the Selectmen to reduce solid waste with consideration given to the financial impact to the town and promote environmental sustainability and zero waste.

Submit recommendations to the Board of Selectmen on how best to promote zero waste, environmental consciousness within the Town of Milford, address the needs of the Transfer Station and Recycling Center, with considerations given to the overarching goal of protecting the environment for generations to come.

Review Recycling/Solid Waste Code 5.20, and if needed, develop potential revisions and submit recommended amendments to the Board of Selectmen for consideration.

Chairman Daniels asked what the difference was from the statement of “reducing solid waste” to “promoting zero waste” which is now being used in the suggested charge. Mary said zero waste is a goal to get to. Reducing solid waste is on the way to that goal.

Chairman Daniels said the definition of zero waste is “The conservation of all resources by means of responsible production, consumption, reuse, and recovery of products, packaging, and materials without burning and with no discharges to land, water, or air that threaten the environment or human health”. This could run counter into some of the ways we get rid of our trash. Mary said the ultimate goal is zero waste; this is how we progress that way.

Chairman Daniels asked what their definition was of environmental sustainability. Mary said environmental sustainability is to find a responsible interaction with the environment to avoid depletion and degradation of natural resources and allow for long term environmental quality. Celeste Barr, Recycling Committee member said ultimately you want to deal with materials that come from sustainable or renewable sources.

Chairman Daniels said he was concerned about that term; it covers a wide range of issues from a specific location to global issues, etc. This is way outside the range of just solid waste. Celeste said they are not dealing with those things under their

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 10/12/2020

mission. We are only dealing with people's trash. Nancy Amato, Recycling Committee member, said 40% of what goes in the container at the Transfer Station is compostable. If we can eliminate that 40%, we are getting closer to zero waste.

Selectman Freel asked what the Recycling Committee not like about what Chairman Daniels wrote. Nancy said we wrote the first one four months ago and everyone liked it except for Chairman Daniels. He didn't like the word "climate change". We revisited it and took those words out. Mary said updating the mission statement is a responsible thing to do; it's to improve our town. The charge is reflective of the mission statement. Chairman Daniels charge was written without the Recycling Committee and is not reflective of their mission statement. We are supposed to work with each other, not against each other.

Chairman Daniels said as a reminder, the committee exists as an advisory committee for the Board. No employee in town writes their job description. He knows of no other sub-committee or commission that writes their charge. This seems in reverse.

Selectman Dargie said a charge is created before a committee's first meeting. In this case, the committee already exists and they just wanted to revise the charge that was already written. He feels it was appropriate. Selectman Labonte said he assumes that the Board at any time could adjust a charge. Chairman Daniels said yes.

Selectman Labonte made a motion to accept the Recycling Solid Waste Committees revised Charge as presented. Seconded by Selectman Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectmen Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.

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

4. DECISIONS – Selectman Dargie asked that 4. a) 1) be removed from the consent calendar. Selectman Freel made a motion to approve the consent calendar, except for 4. a) 1. Seconded by Selectman Labonte. A roll call vote was taken with Selectman Dargie yes, Selectmen Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.

a) CONSENT CALENDAR.

1. Request for Approval for Community Action for Safe Teens (CAST) to host their Annual Red Ribbon Week on the Oval.

2. Request for Acceptance of Polling Location Notification for the General Election November 3, 2020.

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

- 8 enviro mask N95 face masks - \$472
- 100 individual enviro mask N95 replacement filters - \$160
- 18 Unifirst reusable full length gowns - \$450

Selectman Dargie had concerns about the length of time that the ribbons would be on the oval. The rules state one week.

Selectman Dargie made a motion to approve CAST to host their annual red ribbon week on the oval for a maximum of eight days only. Seconded by Selectman Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectmen 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. **Acceptance of Stone Structure Roof Design** – The Board had two public hearings on this.

Selectman Freel made a motion to approve the proposed roof covering design. Seconded by Selectman Dargie. A roll call vote was taken with Selectman Dargie yes, Selectmen Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.

Selectman Dargie thanked Mr. Chappel and all those involved in this.

2. 2020 Ambulance – Equipment Purchase – A request is before the Board to decide on the above subject presented and discussed at the September 28th meeting to purchase some, or all, of the requested equipment for the soon to arrive 2020 ambulance. The requested equipment to up fit the ambulance is valued at \$75,000.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 10/12/2020

Chairman Daniels asked where we are on budgetary items for the year. Administrator Shannon said we are receiving unanticipated revenues from the state which is slated to be accepted at the next Board meeting.

Selectman Labonte asked if Director Schelberg had any available money in his Ambulance budget for this. Eric said he has identified areas where he will have savings this year but we have 2 ½ more months to go and the rest of the budget is tight. Selectman Labonte said the primary thing Eric was looking for would be the stretcher for \$18,930. Could he come up with any of that amount? Eric said we could find some of it but not all of it. Selectman Labonte asked for a guess for the amount. Eric said maybe half of the \$18,000.

Selectman Freel asked about other surplus money. Administrator Shannon said it is state money for reimbursement of COVID-19 expenses. We could use some of this for the ambulance equipment. Selectman Freel said this is the third of three installments from the state that we will be voting on, how much did we receive from the first two installments? Paul Calabria, Finance Director said the first was \$31,364.70 and the second was \$36,532.72. We just received \$306,401.58 which brings us to a total of \$374,299. This was money allocated to the Town of Milford based on our population. We have received all of this but it still has to be accepted at the next Board meeting.

Selectman Freel clarified that this money was to pay back the salaries of emergency services and all COVID-19 expenses that the town incurred. Paul said yes. Selectman Freel asked how much money the town incurred because of COVID-19. Paul said \$13,300 for miscellaneous supplies \$22,600 for emergency broadcast equipment \$5,041, first responder's stipend associated taxes, and the balance is all of the Ambulance, Fire and Police salaries and benefits from March 1st through August 31st. Paul said there were other expenses incurred as well.

Selectman Dargie made a motion to approve all the items needed to outfit the new ambulance on the provided list with the expectation that we are going to formally receive the monies as unanticipated revenues. Seconded by Selectman Dudziak.

Selectman Freel asked about the warrant article setting aside the \$75,000 for this equipment. Selectman Dargie said we are not allowed to use the capital reserve fund for this equipment. Selectman Freel wants to wait to put forth another warrant article to get the money. Selectman Dargie said the ambulance will be in soon, it makes sense to outfit the ambulance and use it and not wait until next year.

Selectman Freel is concerned that we took tax payers money already and it's sitting in an account, what happens to that money if we don't use it. Eric said he has another ambulance request in for 2023. The capital reserve money rolls over and can be used going forward. Currently there is \$100,000 in that capital reserve account that can be used as a down payment in 2023 if that ambulance is approved.

Selectman Labonte asked Paul if we will have surplus money out of the 2020 budget at the end of the year. Paul said he's projecting a \$150,000 drop in revenues from budget. Expenses are all over the place, some savings here and there but we are over in other places. Once the tax rate is projected late October he will have a better understanding of where we are.

Selectman Labonte asked Selectman Dargie if he would like to amend his motion for just the stretcher and not all of the equipment. He feels that we have adequate ambulances now and would rather see any unanticipated monies coming in be used for communications and emergency services. Selectman Dargie wants to stay with his motion.

Chairman Daniels said if we only approve the stretcher, would Eric plan on coming back next year for the remainder of the \$75,000. Eric said yes, either in the budget or a separate warrant article for \$56,000. He questions if the capital reserve can be used for equipment as it was written for purchase of an ambulance. Chairman Daniels would like to pay for everything this year and keep warrant articles at a minimum for next year due to the communication issues.

Selectman Dargie agrees but would prefer that if money was needed for this next year, it be put in the budget. If we do a warrant article and it fails, we won't be able to buy the equipment.

There was additional discussion on which would be better, a warrant article or adding to the budget. Selectman Freel discussed moving items from the other ambulance and what would be easier. Eric discussed moving things around and how old some of the equipment was. There is a potential of something failing. Selectman Freel also asked Selectman Dargie about amending his motion. Selectman Labonte asked if the new radio for the ambulance was included in dispatch if it passes.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 10/12/2020

Selectman Labonte brought up communications and getting an update soon. He would like to put this off until later in this meeting or at the next Board meeting. Eric said the longest lead time to order equipment is seven weeks. The new ambulance will be here in five weeks. These radios are not part of the MACC Base/dispatch project.

Administrator Shannon said staff recommendation is to buy the equipment with the unanticipated revenue that hopefully will be accepted on the 26th. In his experience, you shouldn't piece meal equipment and splitting up equipment sets will cause problems.

Selectman Freel said he has no problem with the equipment but he thinks we can use the cardiac monitor from another ambulance temporarily. Selectman Labonte said we will still have two front line ambulances working. Eric said that's correct, they will be trading in the 2001 ambulance. Selectman Dargie asked for the difference between the old and new cardiac monitors. Eric said the algorithms being used is the biggest thing. There are other features available in the Life pack 15 that the Life pack 12 doesn't have. There are also functional color screens that make their job easier and provides for better documentation.

Selectman Labonte asked which ambulance the 17 year old cardiac monitor was coming out of. Eric said the 2001. Selectman Labonte said the cardiac monitor could be used from the 2013 into the new one as well. Eric said yes. There was more discussion about the use of an old cardiac monitor versus a new one. Eric said if we do a user test on the 17 year old monitor, and it fails, it's out of service. They already lost one Life pack 12 when it failed a couple years ago.

Kevin Federico, Milford resident, said you are talking about a life and death cardiac monitor and you are trying to nickel and dime it. This is emergency equipment that in a life threatening situation your EMTs and paramedics are going to need. It is short sighted to try to save money on a piece of emergency equipment that your Director is telling you it is a benefit to purchase.

Selectman Labonte understands Kevin's position on the rest of the emergency services in town and he wishes that they can have communications too, maybe at some point we are trying to find a balance on this. Kevin said his opinion, position and comment had nothing to do with communications and everything to do with a piece of emergency equipment.

Chairman Daniels asked Selectman Dargie if he would be willing to amend his motion to be conditional upon acceptance of the \$374,000. Selectman Dargie said he would like them to be able to place the purchase order tomorrow not two weeks from now, so no. He can't imagine us not accepting that money. Selectman Dudziak called the question.

A roll call vote was taken to call the question with Selectman Dargie yes, Selectmen Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.

A roll call vote was taken to approve the request for \$75,000 for ambulance equipment with Selectman Dargie yes, Selectmen Dudziak yes, Selectman Labonte no, Selectman Freel no, and Chairman Daniels yes. The motion passed 3/2 with Selectman Labonte and Selectman Freel opposed.

5. TOWN STATUS REPORT – John Shannon

a. Veterans Day Parade Cancellation - Commander Bob Balentine of the American Legion on Cottage Street cancelled the Veterans Day Parade due to the pandemic. He would prefer not to put the few that participate as well as the public in harm's way.

6. DISCUSSIONS:

a. Review of Oval Rules – Chairman Daniels said it's our policy if someone wants to use the oval that we let them because it is public property. We try to control the reservation of it so that there are no problems with multiple using it. Recently a group requested using the oval and another group that didn't request use of it also showed up.

Selectman Labonte asked who takes the reservations. Chairman Daniels said Tina Philbrick. Selectman Dargie said this process for reserving the oval is only used to reserve things that can't be shared. In his opinion, this rule is not used for people to just be on the oval. People can go on the oval at any time. The pride day in June is one example; the bandstand is reserved for discussion about gay pride. Other people who disagree with the pride event could come to the Oval and walk around with signs at the same time. By reserving the band stand, we are reserving the entire Oval for exclusive use.

In this recent case, there were two groups holding signs for political purposes. There wasn't any reason why they both can't use the Oval together. He spoke about free speech and public property. Some areas have limited access and some don't. The Oval can be restricted in time, place and manner. You shouldn't need to fill out a form as long as you are not trying to reserve space for a specific thing.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 10/12/2020

Mike Thornton, Milford resident, said he agrees with most of what Selectman Dargie said but there is a process of reservation. The person, who made the reservation that had been granted, felt intimidated by the present on the Oval by the people using the oval without reservations. He has held his signs next to others running for office. He was fine with it. If you are not going to follow the reservation program, let's get rid of it.

Selectman Freel said he thought when he was running for Selectman, if he wanted to stand on the Oval he had to fill something out and couldn't just go down there. Chairman Daniels said yes, if you wanted to go down there you could designate a time. The reasons for doing that were so that you could get the instructions that you don't put anything into the ground due to the electrical wiring and irrigation.

Selectman Freel said Tina can say that people can be on the Oval together and she can gage what's going to happen. If someone is going to show up to do some type of pro-Trump rally and it gets out and then some pro-Biden people hear about it and also show up there could be an issue. He doesn't think they should get rid of the rule. Another group of 100 people should not be able to come up if Tina already permitted a group of like 50 people.

Chairman Daniels said people should be allowed to use it but at the same time, we are trying to keep people safe. Selectman Dargie said one of things about time, place and manner reservations is that you can put a maximum amount of people allowed in one area. We don't have that in our rules. The way it's worded is that if you have one person that wants to reserve the Oval, then no one else can use it. There needs to be a reasonable limitation on things.

Administrator Shannon said this was sent out at the June 22nd meeting and there was no feedback at that time. Our goal is to de-conflict and not over schedule the Oval usage. This is not meant to keep anyone off or limit free speech in any way, shape or form. Having reservations allows us to make wise decisions and keep it organized. He's had to go out and make people remove signs that they stuck in the ground. This is an opportunity for us to have people understand that there are things that they can and cannot do while on the Oval.

Mike Thornton said he agrees with Administrator Shannon and Selectman Dargie. The only reason it was made an issue is because our group had formally made a request and another group had arrived before us and taken over the entire Oval. He repeated the intimidating factor although he that may not have been the intent. We would be pleased to share because it is community property. He feels that if there are rules and he's followed them, they should be consistent for everyone.

Selectman Dargie said it comes back to First Amendment rights. It's a public place and people should be allowed to use it. Mike Thornton again agrees with Selectman Dargie but feels that they were precluded from exercising their First Amendment rights. We would like to see that everyone's First Amendment rights are obeyed. There should be a public posting and a responsibility that if you wish to use the Oval, without registering and being briefed, that you are responsible for any consequences.

Selectman Freel said if you are going to assemble with a good amount of people, you should be reserving a spot on the Oval. If you don't go through the process correctly, you should be kicked off the Oval. The rules have been in place for a long time and he doesn't see the problem.

Selectman Dudziak asked if we were looking to revise these rules or get rid of them. Chairman Daniels said he thinks it's modification but doesn't have anything specific on what would be done with the rules. More than 100 people require notification of the Police Department. The Oval isn't the only public property in town. If you want to use the structures at Keyes Field, you have to reserve the time. This isn't a small thing. If we are looking at taking away reservations then we have to be consistent across the board with other public property, not just the Oval.

Selectman Dudziak said she agrees about revising the rules but she agrees with Selectman Dargie in that you can't just have one or two people reserve the entire Oval. Anyone can stand on the Oval, that's our First Amendment right to do so. We can look to amend the rules for large amounts of people.

Chairman Daniels said we understand that the Oval is public property and no one will be rejected who wants to use the Oval. The reservations are just to know who is there and to avoid conflicting groups. Selectman Dargie thinks we should have a number of people limitation, like more than 50 people then you have to fill out the form. Or if you wanted to reserve a specific spot, like the band stand, you should fill out the form as well. No forms required for smaller groups fewer than 50 people or a specific spot. That would be more like the traditional public forum.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 10/12/2020

Chairman Daniels said what if ten people were doing a sign wave and 75 people came in to use the Oval, with a reservation; would you kick the first ten people off? Selectman Dargie said no. You can have counter protesting. You can also setup alternative space.

Mike Thornton agrees with everyone, First Amendment rights are important. His group expected other people to present themselves with counter view points and all to stand as citizens. If there are going to be rules, everyone should follow them and any group that's out there peacefully and willingly share the Oval.

Administrator Shannon said he would be happy to take changes/suggestions from the Board and put something together for the Board to review at the next meeting. Chairman Daniels said it sounds like we want to do something so if anyone has suggestions for changes, get them to Tina and the Town Administrator so they can put something together for the next meeting.

Selectman Dargie clarified that this document is a non-exclusive document as it stands. This is campaign season and people can go and do sign waiving.

b. Inter-municipal Agreement – (IMA) – Chairman Daniels said our Board of Governors gave us a write-up that he proposed and the original side by side was also included in the Board package. Selectman Labonte asked about the lease agreement, section F on page 12. Captain Frye said that was discussed by the Board of Governor, (BOG). They can't find the original agreement so they want to have another lease agreement.

Selectman Labonte has concerns about, "No cost shall be borne to the Town of Milford and paid for by each Member Town at a current rate of \$1,500.00 each". MACC Base has an antenna that broadcast from the Wilton Fire Station, should Milford pay rent to Wilton for that antenna? Captain Frye said it has nothing to do with the antenna, it's the occupied space.

Chairman Daniels said the other towns suggested a five year agreement, he asked for the other Board members thoughts. He doesn't want it to be misconstrued that we are planning to stay for another five years. He doesn't want us obligated to any expense beyond any yearly expense that is uncured by the Board.

Selectman Dudziak said she understood that this Board already voted to move forward with the 2013 IMA with amendments. The 2018 IMA proposed by the other towns is not in Milford's best interest, and that is the one that the other towns are focusing on. The other towns are looking out for their towns and we need to look out for Milford. We can only do that by focusing on the 2013 IMA and extending it for two to three years. She reviewed the other towns meeting minutes, on June 29th at Wilton and Mont Vernon's joint meeting Chairman Esposito stated, "If Milford wants to withdraw from the IMA with no penalty, that isn't productive". Selectman Roberge stated, "There needs to be some sort of ultimatum to upgrade MACC Base". Selectman Boissonnault stated, "It's about control for Milford. In a follow-up meeting in September, Selectman Boissonnault stated, that she believes that Milford is starting to feel the pressure. These towns have made it clear that they have to "team up" because they feel that they beat us down to do what they want us to do. The 2018 IMA was never in the best interest of Milford. She is tired of hearing that it's a control thing for Milford when it's not. Milford voters paid for an independent study which resulted in a finding that a new communications center was the best fit for Milford. We need to focus on what is best for Milford, not the other towns. She doesn't want to go to a five year agreement or look at the 2018 IMA because it has never been in Milford's best interest.

Chairman Daniels agrees that the majority of the 2018 IMA does not serve Milford well. There are some areas in the 2018 we may be able to find common ground on but if they take the position that they are staying with the 2018 IMA and we take the position that we are staying with the 2013 IMA, is it your opinion that we just do nothing. Selectman Dudziak said they are not going to budge and there are too many deal breakers in the 2018 IMA. She thinks that they feel like they want to pressure Milford into just agreeing with their demands in the 2018 IMA.

Selectman Dargie agrees with both Chairman Daniels and Selectman Dudziak. The independent study was done and the clear outcome of that study was that Milford needs to go on its own. That's our plan A and we should be moving forward with that. We still need some type of IMA agreement to go beyond December. We should try to come up with something close to a two or three year extension of the existing agreement as we can get. As far as the five year, as long as we have a one year notice agreement, there is no huge financial penalty for doing that, and we tell them up front that we will sign a five year agreement but we plan to give notice at the end of 2021 then he's fine with that. He doesn't want to encumber ourselves with long-term debt. The five year term by itself isn't a deal breaker for him.

Selectman Labonte said he's glad that plan A got brought up because our agreement is only until December 31, 2020. He wants to know what our Plan B is. Chairman Daniels said the other towns don't have a Plan B either. Selectman Labonte

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 10/12/2020

said if we don't like the 2013 and 2018 IMA, why we don't throw them out and write a new one. Chairman Daniels said the other towns made it clear that they want the 2018 IMA. We gave them the side by side and they were willing to do away with the language that Selectman Freel had suggested taking out if we would go to a five year, that was the only concession that they offered.

Selectman Labonte asked if the town of Milford made any concessions. Chairman Daniels said five years is a concession. Selectman Labonte said he doesn't feel that it is when a majority of this Board wants to pull out in a year. Chairman Daniels said the concession is that a major of this Board voted for a three year extension with the condition that that language be pulled out otherwise there was a consensus that they would go to a two year. Saying that we would match what they requested at five years in exchange for taking out that language is considered concession that leads to negotiation. Selectman Dudziak fails to understand why Milford is making any concessions that aren't in their best interest.

Selectman Labonte asked "why don't we just end with talks to the other towns and start planning what we are going to do on January 1st ourselves. Selectman Dudziak said or we could try to extend the 2013 IMA without any of our proposed amendments. We have something that has been working for us, just extend it and see what happens in March.

Kevin Federico said negotiations with the other towns have been going on for six years and three years ago all three towns decided that they couldn't agree so they just signed an extension. Even though the agreement expires, the need is still there, the people that do the job are still there, they are not just going to turn off the lights and go home. Plan B should be to talk about what happens if you don't have an agreement and who keeps the lights on. Milford needs to protect itself if the other towns decide not to sign the agreement. That's your plan B.

Mike Thornton asked if Milford could operate MACC Base if the other towns decided not to sign an agreement. That could be plan B because he doesn't see Milford giving up emergency services. Can we operate that facility in a decreased capacity if the need arises?

Chairman Daniels said if an agreement isn't reached by December 31, 2020, our contract dissolves and all three towns would get a share of MACC Base assets but if you break up the equipment then no one has a system. Selectman Freel asked if we have another agency that we can go to if we can't make a decision?

Captain Frye said the Fire Chief believes that he can handle his communications for a short time, but not for a whole year. They are in our building and other than selling our property, he doesn't know if we can operate the MACC Base facility even though it's in our building. The Police Department could go to another agency. Milford is too big to stay somewhere for a year as a temporary place. The Fire Chief has spoken to other towns just to see if they could help us out for a short time but we are talking no more than a month.

Selectman Freel said we should just ask for an extension to get past December. We are so far apart from each other it's going to be a strong arm tactic to get an agreement from either side. Get an extension and give ourselves time to talk about it.

Selectman Labonte said that two year extension was already given and nothing happened. Selectman Freel said it at least keeps the lights on, people employed and people safe. Unless we do an extension anything else discussed between now and December is a total waste of time.

Chief Viola, Milford Police Chief, said all towns are in the same boat. Everyone needs communications. We've spoken to other departments and we are too big so they could only help for a short time. We have some personnel that can work communications if we got to that point. He feels an extension of the current IMA is the best plan. It's worked for us the last two years and he feels it will work for us again. Every town is in the same boat.

Selectman Labonte asked how Plan B was different from Plan A. Everyone has been saying from Plan A to get the extension. Selectman Freel said he isn't talking about Plan B, just keeping it going the way it is. If the warrant articles fails in March we will need to work on the IMA for a more long term solution. Selectman Labonte said if it doesn't go through in March, they are going to try to put it through again the following year. Now you are looking at a two year and you will have to extend it again.

Selectman Freel said if the warrant article fails in March, as a Board we need to seriously look at the IMA. We need to decide if we will try again or just work with the other towns on a longer term. Selectman Labonte asked what would happen if one of the other towns says that they will give only a six month extension. Selectman Freel said he would take a six month extension over nothing.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 10/12/2020

Mike Thornton said he agrees with both Selectman Dudziak and Selectman Freel. There is an immediate need and we need to do something. We need to move for immediate safety and protect Milford's rights.

Captain Frye said the Board of Governors has discussed what all of you have been saying. To re-write the IMA's together would take longer than December. An extension is the easiest way to go.

Chairman Daniels asked if the Board believes that it is possible to reach any kind of different agreement with the other two towns before the end of the year. Selectman Dargie said no, Selectman Dudziak said no, Selectman Labonte said he thinks it's possible. We have to look past things. The town has not decided to go on their own yet. If they did we would not be here right now because it would have been voted on in March. A majority of this Board may have decided that they want to go on their own, but the town has not done it yet. Selectman Freel said no.

Chairman Daniels made a motion to sign a two year extension of the current IMA agreement. Seconded by Selectman Dargie. Selectman Freel asked about putting additional language in the motion. Chairman Daniels said the other towns already know the positions. Selectman Labonte said this motion is nothing different than what we are already doing. Chairman Daniels said his motion puts before the other towns that the current agreement be extended for another two years so that on January 1st all three towns are not without service. Selectman Labonte asked where are we if the other two towns disagree with this. Chairman Daniels said than on January 1st all three towns better have their plan B ready. Selectman Labonte said he assumes we will notify the other towns. Chairman Daniels said yes. It's always available to come back if someone wants to put something on the table that we can all agree on. Selectman Labonte said he sees this motion as useless. Chairman Daniels said then he can vote no.

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

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

8. SELECTMEN'S REPORTS/DISCUSSIONS.

Selectman Labonte is looking for repeater prices from our local vendor and vendor number from the RFP. Captain Frye the vendor price for the repeaters is \$169,358.34 for 15 repeaters. Selectman Labonte asked if repeaters were needed in all of the cruisers. Captain Frye said yes, most of the time they are all out on either details or patrol.

Selectman Labonte asked if putting repeaters in 15 cruisers would solve their danger for now. Captain Frye said it's only going to be as good as the system that it's taken from. Selectman Labonte said he is assuming that there have been no issues over the last three months, he hasn't received any e-mails. Captain Frye said they are the same issues, he will send them all to him again.

Selectman Labonte said what he is trying to do is get Captain Frye and his staff the security and protection that they need but not in a two year number away from where we are. He cannot believe that there is no other solution that can be had right now.

Cheryl Giggetts, CTA Consultant, said any interim thing that you put into effect right now is most likely money wasted. You have to have an infrastructure, which is at the core of Milford's problem. You can try to put up additional receiver sites, which was done in the past; you can put in vehicular repeaters, which would need to be hard wired into each car. Any car on the street would have to have one of these units in it. The repeaters could provide some benefit in some small areas but you don't have a good infrastructure right now or a good signal that you can latch onto. The repeaters will allow your portables to operate a little bit more away from you. That is the intent of a DVR. Programming them into the technical specification allows you to get some service inside a building. It isn't intended to replace infrastructure. She also explained it working better in a wider area.

Selectman Labonte said he understands that the infrastructure needs to be updated. He finds it hard to believe that there are no other options that can be put forward. There has to be another option out there even if it might fix 20% of the dead spots. Cheryl said they can't say how much it might improve if any at all. Your infrastructure has not been designed or proportioned properly. The other quotes that you've received from both the MACC Base vendor and the vendor doing maintenance for the Milford Police Department; their solutions were also to replace your system, in a phased approach, but still replacing the infrastructure.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 10/12/2020

Selectman Labonte feels that we should be taking out money and doing a portion of the system now. Cheryl said that is what they proposed and that is what was in the warrant article this past March. It's disheartening that something that was critically needed for the safety of all of your people was not approved.

Selectman Labonte said he wasn't referring to a standalone system, he feels we should put the money into the system that we currently have. Cheryl said that's the issue, you don't have a current system. We presented you with not only a standalone but a regional system which would have replaced what MACC Base is using today. We also in our RFP, asked vendors what their solutions would be if it were a regional system. The other towns would have to come up with money to replace part of that system. Selectman Labonte disagrees that we don't have a system.

Administrator Shannon said there is a conflict with meetings on several committees; he will speak to all of them and see what he can do about changing meeting dates. Selectman Labonte asked if the BAC was using Zoom for their meetings. He didn't see the link on the web site. Administrator Shannon said yes because he has used it for the last two meetings and it just wasn't put up yet. That is part of the issue; we have three zoom accounts and a conflict in meeting dates for everyone to use the accounts at the same time. The BAC is also meeting in person; Zoom is just an extra step. Selectman Labonte asked if the BAC could also happen on GTA live while it's happening. Administrator Shannon said he would talk to Chris Gentry.

Captain Frye said MACC Base has a work session tomorrow at 9:00. We received two bids for the communications project and they are being reviewed by CTA. Selectman Labonte asked for a copy of the proposals. Administrator Shannon said there is some proprietary information so they can't be for public consumption. However, there is a redacted version. He will speak to Town Counsel before letting the proposals out. Cheryl said that is correct and one of the vendors sent a redacted copy but the other did not. You would have to request a redacted copy from the second vendor. Selectman Labonte asked how long CTA will take before getting back to Milford. Cheryl said she will be submitting questions to the Town Administrator within the next week. They will also be sending questions to the vendors soon so she expects this all to take a couple of weeks. Price proposals have not been opened yet. The Technical Proposal is reviewed first so decisions aren't clouded by price. They will meet the November time-line. Selectman Labonte requested the repeater quote be forwarded to the Board.

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

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

9. APPROVAL OF FINAL MINUTES - Selectman Dargie moved to approve the minutes of September 28, 2020 as presented. 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.

10. INFORMATION ITEMS REQUIRING NO DECISIONS.

a. N/A

11. NOTICES. Notices were read.

12. NON-PUBLIC SESSION. A motion made by Selectman Dargie to enter into a non-public session in accordance with (RSA 91-A:3, II(c)) Reputation and for approval of non-public minutes in accordance with (RSA 91-A: 3, II(c)) - September 28, 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. The motion passed 5/0.

13. ADJOURNMENT: Selectman Freel moved to adjourn at 8:25. 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.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 10/12/2020

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Gary Daniels, Chairman

Chris Labonte, Member

Paul Dargie, Vice Chairman

David Freel, Member

Laura Dudziak, Member