

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
September 12, 2022

PRESENT: Paul Dargie, Member Mark Bender, Town Administrator
Tim Finan, Member Tina Philbrick, Executive Assistant
Gary Daniels, Member Andy Kouropoulos, Videographer
Laura Dudziak, Member
Dave Freel, Member

1. CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING INSTRUCTIONS:
Chairman Dargie called the meeting to order at 5:30 p.m., introduced Board members, and then led the audience in the Pledge of Allegiance.

2. APPOINTMENTS – (Approximate times)

5:30 p.m. – Merrimack Road Safety Concerns (Verbal) – Henry Schoenemann

Mr. Schoenemann, a Milford resident, has concerns about speeding on Merrimack Road. Trucks and cars speed down the road throughout the day. Logging trucks also speed down the road and it's cited as no thru trucking. He recommends a radar speed control sign to try to slow people down, a stronger Police presence, and or a speed bump. He would like the Town to look into a 4 way stop sign. The stop ahead sign should also be more visible.

Vicky Bissonnett, a Milford resident, who owns a business next to Mr. Schoenemann said it's difficult to see ahead, this is a concern for her family and clients. Amherst Police do a great job and are a huge presence in their area. She feels the speed should be 25 MPH and also mirrors a better Police presence. The overgrowth is horrible.

Selectman Freel asked if the overgrowth is on town land or private property. Ms. Bissonnett isn't sure. Someone should be held responsible to clean up the area.

Chief Viola authorized directed patrols in that area last October. They will try to increase their presence. They can put a portable sign up in that area temporarily. It is a cut-through road. They will reach out to Amherst Police as well.

5:40 p.m. - Planning Board, Appointment of Alternate Member – Term expires 2025 – Susan Smith

Ms. Smith has served on many committees including the School Board Advisory Committee, and PTO, and has volunteered at elections. The Planning Board recommends her appointment as an alternate member. Selectman Daniels asked her thoughts on affordable housing. Ms. Smith said we would need incentives for people selling their land and incentives for builders as well. She asked what else could be considered to get more housing. Selectman Daniels suggested looking into tiny housing.

Selectman Freel said it isn't about sub-dividing; it's about cutting back on the red tape to accommodate changes to houses.

Selectman Daniels made a motion to appoint Susan Smith as an alternate member of the Planning Board. Seconded by Selectman Freel. All were in favor. The motion passed 5/0.

5:45 p.m. – MS-11 – Assessing Director, Marti Noel

Ms. Noel presented the MS1 and MS1V to the Board. Total assessed value of property in 2022 is \$2,218,942,243 representing a 1% increase over 2021. The 2021 total assessed value of all taxable property is \$2,084,157,112. Residential property value represents about 81% and commercial property value is about 19%. Elderly exemptions total 88, down from 91 in 2021. The total elderly exemption for 2021 is \$10,829,200 representing roughly \$218,208 in taxes using the 2021 tax rate. Blind and Solar exemptions have had minor increases.

Selectman Daniels made a motion to approve the MS-1. Seconded by Selectman Dudziak. All were in favor. The motion passed 5/0.

6:00 p.m. - Warrant Article – Re-adoption of the All Veterans Tax Credit, Assessing Director, Marti Noel

Ms. Noel presented a warrant article for the Re-adoption of the All Veterans Tax Credit per revised changes in (RSA 72:28), the town has to re-adopt the warrant article which was approved by a town vote in 2017. This Warrant Article is meant to continue the All Veteran's tax credit already in place and will have no additional impact on the tax rate. Currently, 42 Veterans receive this tax credit.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 09/12/2022

Shall the Town vote to re-adopt the provisions of RSA 72:28-b, All Veteran's Tax Credit? This credit is currently available to any resident of Milford, or the spouse or surviving spouse of any resident who served not less than 90 days of active service in the armed forces of the United States and was honorably discharged or an officer honorably separated from service and is not eligible for receiving credit under RSA 72:28 or RSA 72:35. The current credit is \$400, the same amount as the standard or optional veteran's tax credit under RSA 72:28.

6:10 p.m. - Town Engineer Job Description - Community Development Director, Lincoln Daley

Mr. Daley presented the Board with a revised Town Engineer job description as requested at a previous Board meeting. This position will benefit the Town by improving operational and technical engineering capacities for all departments and improving services to residents/development community. It will also provide cost-effective engineering solutions associated with planning, design, construction, administration of capital improvement projects, the maintenance of Town infrastructure, and management of environmental programs.

The position will be between \$80,000 to \$100,000. They would re-appropriate expenses from the Public Works and Community Development budgets. Selectman Freel asked how much has been spent on consultants. Mr. Daley said about \$10,000 per year from the Planning Department. This year we spent about \$7,000 under the MS-4 compliant. The money spent outside will now be in-house and be now part of a revenue stream for us. Selectman Freel doesn't see the benefit of spending this amount of money on an Engineer.

Administrator Bender asked if this position was going to be used for bridges, culverts, and other things. Mr. Lessard said yes and they have 16 bridges in Milford. Selectman Freel asked if it was viable to spend \$125,000 on an Engineer when it could be subbed out.

Selectman Freel doesn't understand why we are net neutral. He has to see the value in this position that the town has never had. Mr. Lessard tried to explain in more detail. Mr. Daley said several side streets also require repair and this person will be part of that process. Once you have a design you will know the overall cost of the project for future budgeting. Mr. Lessard said having an Engineer would allow us to do more things in town that we could be doing. We are not doing some things now because it's too expensive.

Selectman Finan asked about the \$35,000 budgeted for 2023 on the spreadsheet. Mr. Daley said it's partly used to hire an intern to go out into the field and for legal services, its existing budgeted costs. Selectman Finan said it sounds like there is \$35,000 in the budget but we are only appropriating \$5,000 for an intern. Mr. Daley said partially yes, the MS 4 will exceed the engineer's salary so we will still need a little money for other items that will be required for administrative services and compliant matters.

Selectman Daniels has concerns about the Engineer reporting to two people. Mr. Daley said it should fall under Mr. Lessard's department. Administrator Bender asked Mr. Lessard if he anticipated that the Town Engineer be able to reduce some of the bridge engineering costs. Mr. Lessard said yes, and other drainage costs as well.

Selectman Dudziak made a motion to move forward with a Town Engineer Position and re-appropriation of the department funds for 2022 and accept accountability. Seconded by Selectman Finan. The motion passed 4/1 with Selectman Freel opposed. He would like additional information on this.

6:20 p.m. - Local Emergency Operations Plan (LEOP) Grant – Chief Ken Flaherty

Chief Flaherty presented the Board with a grant for the Local Emergency Operations Plan (LEOP) for approval. It's similar to the Hazardous Mitigation plan that the Board approved in 2019. The project is 50% Federal Funds and 50% Applicant Share. The total cost of the program is \$10,000. This is required to be updated every five years; the last one was done in 2017. The Milford Emergency Operations Plan (EOP) establishes a framework for local government to provide assistance in an expeditious manner to save lives and protect property in the event of a disaster. The Town of Milford appreciates the continuing cooperation and support from all the departments and agencies and the volunteer and private organizations which have contributed to the development and publication of this Plan.

The purpose of the Emergency Operations Plan is to facilitate the delivery of all types of emergency responses and to help deal with the consequences of significant disasters. The Plan outlines the planning assumptions, policies, concept of opera-

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 09/12/2022

tions, organizational structures, and specific assignments of responsibility to the Town departments and agencies involved in coordinating the local, state, and federal response activities.

Katherine Kokko, a Milford resident, asked who produces the LEOP and does it go out to bid. Chief Flaherty said it does not go out to bid, it's done through MAPPS. The state gives them two names and we've used June in the past so we are using her again.

Selectman Dargie made a motion to accept the terms of the Emergency Management Performance Grant as presented. Seconded by Selectman Daniels. All were in favor. The motion passed 5/0. Chairman Dargie, Vice Chairman Finan, and Selectman Freel will sign the grant.

Chairman Dargie verified that "The Select Board, in a majority vote, accepted the terms of the Emergency Management Performance Grant as presented in the amount of \$5,000 to update the community's Local Emergency Operations Plan (LEOP). Furthermore, the Board acknowledges that the total cost of this project will be \$10,000, in which the town will be responsible for a 50% match (\$5,000)." The Town Administrator, Mark Bender is authorized to sign all documents related to the grant.

6:35 p.m. - Town Administrator Job Description – Human Resource Director, Karen Blow

Ms. Blow presented the Board with an updated description of the Town Administrators' position. She would like to start advertising for the position this coming week. The deadline for applications will be October 14, 2022. She asked the Board if they had any input. There were no comments.

Selectman Dudziak made a motion to approve the updated job description for the Town Administrator and the posting of the position. Seconded by Selectman Finan. All were in favor. The motion passed 5/0.

6:50 p.m. - Ambulance Staffing – Ambulance Director, Eric Schelberg

Director Schelberg is requesting that the Board approve his request to convert part-time hours into at least one full-time position for implementation on October 2, 2022. With authority if needed to go into a second full-time position. This was previously discussed at two Board meetings. This will reduce the number of part-time hours needing to be filled, reduce additional mutual aid responses to the town avoid ACA and NHRS limits and potentially reduce the number of hiring sessions and field training shifts which were \$6,000 in 2021. He's currently looking at 72 hours that are open every week. Staff is looking for better wage scales and not to work 80 per week.

Selectman Freel asked how many employees are in Ambulance. Director Schelberg said 10 full-time, 6 part-time, and 10 per diem are broken out into two categories. Selectman Freel asked about their break-even number. Director Schelberg brings in about \$800,000 in revenue per year but the total cost to run Ambulance Facility is about \$1,400,000. They bring in about 11% to 12% of non-taxable revenue. They run one vehicle for 24 hours and the second vehicle for 16 hours each day. There was additional discussion about running the department and what was needed. Rates were raised last year but they are still behind. He as well as staff are working to cover extra hours and last night one ambulance was taken out of service due to no additional staff coverage. If we are short a driver during the day, the Fire Department sends someone over. We need to look at the wage scale.

Chairman Dargie asked if the coverage from the Fire Department was a call firefighter. Director Schelberg said no, it's a full-time employee.

Chief Flaherty said he and the Deputy Chief are in the building Monday through Friday during the work day so if an ambulance needs assistance, we send one of our guys over and one of us will ride in the fire trucks. We are trying to help each other out.

Selectman Daniels asked if there has been an effort to use shared services with other towns. Director Schelberg said no, it is not something that is thought highly of in the North East but it's worth looking into.

Other scenarios were discussed. Administrator Bender said staff and HR have been leading a salary review with neighboring towns and throughout New Hampshire, they will be bringing this to the Board in the next few weeks.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 09/12/2022

Ammy Rice, a Milford resident, asked how many of these people are leaving to go to a full-time department. Director Schelberg said it varies. Two went to hospitals; two went to Urgent Care facilities. Ms. Rice asked why don't merge Ambulance and Fire and have better services. Director Schelberg said merging was discussed in 2005 and it's a discussion for another time. Chairman Dargie said it's unlikely that this would happen soon.

Selectman Freel said Ms. Rice makes a good point. At some point, Milford will say, "this isn't worth it". We want people there for our elderly but at the end of the day, it becomes costly. Director Schelberg wouldn't say get rid of the revenue, \$800,000 is a large amount.

Selectman Dudziak said the primary purpose of the Ambulance Department isn't to generate revenue. We are fortunate that it does as well as it does.

Selectman Dudziak made a motion to approve the Ambulance Directors' request to convert part-time hours into one full-time position with the option for a second full-time position. Seconded by Selectman Freel. All were in favor. The motion passed 5/0.

3. PUBLIC COMMENTS (regarding items that are not on the agenda) there were no comments at this time.

4. DECISIONS

a) CONSENT CALENDAR

- 1) Approval to re-appoint Lisa Griffiths as a Full-Member of the Granite Town Media Advisory Committee – Term Expires 2025.
 - 2) Approval of Intent to Cut Map 1 Lot 10 and Map 2 Lot 28-2.
 - 3) Acceptance of Gifts of Property Under \$5,000 (31:95(e)) – Donation to the Police K-9 Special Purpose Fund from Rebecca Pervere - \$40.00
 - 4) Approval of Annual Duck Race Permit – Milford Volunteer Ambulance Association.
 - 5) Approval of Deputy Forest Fire Warden Appointment – Riley Stanchina.
- b)

Selectman Daniels asked to remove 4. a) 5 from the consent calendar.

Selectman Daniels made a motion to approve Consent Calendar except for 4. a) 5. Seconded by Selectman Finan. All were in favor. The motion passed 5/0.

Selectman Daniels asked what the duties were for this position. Chief Flaherty explained the duties.

Selectman Daniels made a motion to approve 4. a) 5 from the consent calendar. Seconded by Selectman Finan. All were in favor. The motion passed 5/0.

b. OTHER DECISIONS

N/A

5. TOWN STATUS REPORT –

1. State's Settlement with Janssen Pharmaceuticals/Johnson & Johnson – Town Administrator Mark Bender

Mr. Bender said the town was advised by the State Attorney General's office that we were named a "primary non-litigating subdivision based on our population. Under the terms of the settlement, (\$39.605 million), the town would be eligible to apply for grants from that fund. He requests that the Board authorize the Chairman or Town Administrator to sign the release so we can submit the document.

Selectman Daniels made a motion to authorize the Town Administrator to sign the Janssen Pharmaceuticals/Johnson & Johnson document. Seconded by Selectman Dudziak. All were in favor. The motion passed 5/0.

2. Sand and Gravel AoT Permit Update – Community Development Director, Lincoln Daley

Mr. Daley provided an update on the Sand and Gravel AoT permit. New Hampshire Fish and Game provided 61 comments to the Town and Northeast Sand and Gravel to respond to and/or incorporate into the AoT permit application/plan set. Some were left unresolved and require further vetting before the permit can be issued.

Determination of the conservation mechanism for the onsite mitigation - Deed Restriction vs. Conservation Easement.

The Town will place 75 acres (out of 142 total acres) of the Brox Community Lands property into permanent conservation for the onsite mitigation of the threatened and endangered species on the property..

In response, the Town contacted the surrounding land trusts and no one expressed interest in holding the easement. The Town has suggested, a Conservation Deed Restriction be placed by the Town on areas to be conserved. The deed restriction would be managed potentially by the Conservation Commission or a contracted third party. NHF&G does not support the creation/implementation of the Conservation Deed Restriction. Staff is currently working with Counsel for guidance.

Determination of the permanent conservation area boundaries and survey.

NHF&G has stated that Agency will not support the approval of the AoT permit until the conservation mechanism is in place. The Town and the NHF&G need to finalize the boundaries of the permanently conserved areas. Once agreed upon, the areas must be surveyed and legal instruments are prepared for recordation at the NH Registry of Deeds. To date, the proposed boundaries of the conservation areas are still under review by NHF&G. Throughout our discussions, NHF&G has expressed an interest in increasing the areas of mitigation.

The proposed location and boundaries of the 75 acres of conservation land were designed based on limited input from NHF&G and NHDES and are consistent with the previously approved AoT Permit. A survey of the property and 75-acre area would cost approximately \$30,000 and would require Board authorization to re-appropriate funds within the 2022 Town budget for the project.

Determining the level and extent of onsite monitoring during the gravel operations.

Due to the presence of the T&E species on the site, NHF&G has requested a detailed management and monitoring plan. This will require the Town will to do more frequent inspections and monitoring of the site during the gravel operations by a qualified independent third party. Said third-party monitor must meet the specified qualifications established by NHF&G and not have worked on the project previously. The Town, Northeast Sand & Gravel, and its engineering consultant are preparing an updated response.

Installation of Silt Fence.

If the Town and Northeast Sand & Gravel plan to extract material from the site in 2022, the silt fence and related escape mounds must be installed by September 15th. Northeast Sand & Gravel will meet the prescribed deadline and install the silt fence consistent with the submitted AoT plan set before the established deadline day.

Brox Environmental Citizens Group.

Community Development Office received an email from the Brox Environmental Citizens Group containing their filing to NHDES and NHF &G raising several concerns involving the submitted gravel operation project, 61 comments issued by the NHF&G, and potential impacts to the T &E species on the site. They feel that the silt fence will harm the species at the Brox property, we feel that it won't and it complies with what was required.

Renewal of North East Sand & Gravels Contract:

The current contract with Northeast Sand & Gravel is set to expire next year. The Town Administrator will be executing a 3-year contract extension with Northeast Sand & Gravel under the same terms and conditions stipulated in the existing contract.

Review and Potential Update to the Brox Community Lands Master Plan.

The Brox Community Master Plan was first developed in 2005 and then modified in 2014. The Master Plan lays out the anticipated future municipal and school uses for the 142 acres. We recommend that the Board, in collaboration with the Planning Board, School District, and residents, review the document and update it accordingly.

Chairman Dargie asked if the third-party monitor can't be someone who worked here previously. Mr. Daley said yes. Methods were questioned that were being used by the previous third party's process and the state wants a different third party to complete this.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 09/12/2022

Selectman Freel had questions about the map. Mr. Daley explained the different areas and what could or couldn't be done. We feel that this is a good representation of helping the endangered species thrive. Selectman Freel asked about the length of the pit removal. Mr. Daley said the warrant article allows for 20 years to remove the gravel, it should take about two years according to our contractor. Some of this is for the town's use.

Selectman Daniels asked if a Conservation restriction was statutorily allowed. Mr. Daley said yes. Fish and Game would prefer a non-town-related third party to be the agent to ensure compliance. We would pay for them to take it over and they would assume the cost. Selectman Daniels asked if anyone has looked into the restrictions placed on this property by the State and that it could be considered a taking and that the state would buy it from the Town. Mr. Daley said that the topic hasn't been approached by the State yet.

Selectman Freel asked how much money is coming in through the gravel operation and asked how much it would be to have a third party monitor that area. Administrator Bender said the total revenue so far is around \$250,000. Mr. Daley said it would be a one-time contribution, he isn't sure of the amount.

Administrator Bender said it's looking like the state is moving in the direction of taking the property because of the restrictions and the stopping of the gravel operation that the town voters approved. He asked Selectman Daniels who we should speak with about this. Selectman Daniels said we would have to bring it up to the council. It just keeps costing us more and more money. The town's people are not getting the value out of the property that they expected when we bought it.

Chris Labonte, a Milford resident, asked where we would get the \$30,000 for the Conservation easement and why would the town have to pay for that. According to the contract, the contractor has to pay all related expenses. Chairman Dargie said that is Mr. Labonte's interpretation of the contract. Mr. Labonte asked if a trail cam was a good judgment on how many loads were taken from the sand and gravel operation. Administrator Bender said it was.

Mike Thornton, a Milford resident, and Cemetery Trustee said we only have 8 to 10 years before our cemeteries are full. We were supposed to have some of that property for another cemetery. What will we do if we don't have this property? Mr. Daley said the idea has always been to use the property for town-related things such as the expansion of our cemeteries. A cemetery may be a more passive use which is what NH Fish and Game wants.

Mr. Daley said Fish and Game will not approve the AoT permit until the conservation mechanism is in place. We still have to do the survey work to identify the boundaries and that is about \$30,000 to create the mechanism. If we want to move forward this year we need the survey complete. Chairman Dargie said we should have a third-party solution in place and approval from Fish and Game for something before we spend \$30,000 on the survey. It won't happen this year.

Mr. Daley said we need to get these issues resolved before we can move forward.

3. Emergency Communications Update (Crown Castle) Verbal – Captain Frye

Administrator Bender said he spoke to several officers about communications and they reported that things were a lot better. Captain Frye said DPW have their portable radios and they are in use. It was nice not to have to use cell phones. We are using them between agencies. DPW's mobile radios will be installed in October. Water Utilities are in the process of putting their mobiles in. They will share DPW's frequency. The ambulance should be up and running this week. MPD and Fire are all set. All of his people are happy with what's been done so far. We haven't had any issues. Federal Hill will help out the Ambulance when they travel out of town as well as the Fire Department. 2-Way has been very accommodating with anything we need. They are excited to see that things are getting where they should be. This is bringing the departments closer together.

Ray Anderson, MACC Base Director, said it's night and day on their side as far as operations. The responders are out where we couldn't hear them before and now it's crystal clear. Some improvements were made upstairs and he thanked the Town of Milford for making this investment.

Selectman Freel asked if the transmissions go through MACC Base. Captain Frye said everything goes through Crown Castle and then to MACC Base. He explained the process the Selectman Freel. Director Anderson said the amount of radio traffic that used to go through dispatch has decreased. Captain Frye said Federal Hill should pick up a couple of shadow areas that may need some help. Morale is higher and the Officers are confident that someone is going to hear them.

4. Paving Update - Public Works Director, Leo Lessard

Director Lessard gave the Board an update on paving. Paving will start on September 11th. Brox started milling from the Amherst town line to Pleasant Street and from Mont Vernon Street at Rite Aid to Granite Street. He explained what the Water Department will be doing. DPW will be working on installing drainage around Mile Slip. He received three bids and Leighton White was the lowest. The project will start around the third week of September. Other work includes Federal Hill Road from the Hollis town line to past Foster Road. Foster Road from Federal Hill to the Brookline town line. Ball Hill Road from Annand Drive to Young Road and Young Road. Due to a pipe collapsing, we will be doing work on Mont Vernon Street which will hopefully only take a couple of days. They will have to detour around town to accommodate larger trucks

Selectman Freel asked if the line striping is done. Mr. Lessard yes, except for the roads being paved. Selectman Freel asked if we had an excavator. Mr. Lessard said no. Selectman Freel asked if we are on budget for paving. Mr. Lessard said yes and no, we had \$483,000 plus the block grant. Amherst Street is getting done with the Block grant money. Materials went from \$85 per ton to \$115 per ton so we didn't get as much done as originally planned. Selectman Freel asked if we should be thinking of raising the amount. Mr. Lessard said yes.

Selectman Freel asked about the utility rates' in the department. Mr. Lessard was told that the rates will be at least 77% higher if not more. He accommodated the increase in his budget. Selectman Freel said that is something we have to think about in the budget.

6. DISCUSSIONS

1. ARPA Funding review

Administrator Bender removed three items from the original list, Town Hall HVAC, Nashua St. Water Main/Culvert Replacement, and Recreation Revolving fund. As of the last meeting the Board still had \$434,030 to allocate and Administrator Bender recommends funding the following items.

2022-2023 Master Plan Update -	\$100,000	ranked #3
Cyber Security/Fiber Install -	\$ 75,000 (this amount was decreased from \$100,000)	ranked #4
Library HVAC System -	\$209,030.90	ranked #5
Permitting Software -	\$ 50,000	ranked #6

He further recommends that the New Ambulance Equipment be a warrant article and the N95 & SCBA Quantitative Fit Testing Device be a budget item for 2023.

Representative Vanessa Sheehan said the Wadleigh Library's application has been approved and it is currently going through a couple of other stages, the funding looks favorable at \$813,895.50. Kathy Parenti said with that plus what the town gives us and what we have in the trust should cover the HVAC system and it won't be a warrant article. We have other CIP projects but they have been pushed off to other years.

Selectman Freel suggested holding off on allocating the \$209,030.90. Chairman Dargie likes the Town Administrators' allocation of money, we can authorize this, it doesn't have to be spent until 2026. Selectman Daniels asked what the timeline was on the County Grant. Representative Sheehan said the end of this month. Selectman Daniels would like to hold onto the money until other things come through.

Selectman Finan made a motion to approve the suggestions as recommended by the Town Administrator. Selectman Dudziak seconded. Selectman Daniels asked to divide the question and vote separately on the HVAC system.

Selectman Daniels made a motion to divide the question. Seconded by Selectman Freel. All were in favor. The motion passed 5/0.

Selectman Finan made a motion to approve allocations #3 Master Plan, #4 Cyber Security, and #6 Permitting Software as suggested by the Town Administrator. Seconded by Selectman Dudziak. All were in favor. The motion passed 5/0.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 09/12/2022

Selectman Finan made a motion to approve \$209,030.90 for the Library HVAC system. Seconded by Selectman Dudziak. The motion passed 3/2 with Selectman's Daniels and Freel opposed.

2. Milford Energy Advisory Committee

Chairman Dargie proposes forming this committee soon. Chairman Dargie read the purpose and charge. The committee would consist of four citizens of Milford appointed for a two-year term, one Selectman, one Planning Board member, and two alternate citizens, a term for also two years.

Selectman Daniels questioned greenhouse gas emissions. Chairman Dargie said that section could be removed. There was some discussion about the number of people. Chairman Dargie suggested making it five people for a total of seven to include two alternates.

Mike Thornton said he's been a volunteer for a long time and would like to be on this committee. Chairman Dargie asked that the public come forward if they are interested in joining this committee. We can appoint them at the next meeting.

Administrator Bender said the town has worked with Standard Power to negotiate and bid a better electric rate for town usage, and Water Utilities. This contract is up in November. They have come back with a proposal for another two-year agreement. Would this Board like this committee to look at this, and if you do, should we look at a one-year program to carry us over while they are reviewing this? We should do something or else the town's utility rate will go up to what Eversource is charging.

Chairman Dargie said if they could do a one year that would be fine, but it will be a lot of lead time so two years will be fine. Selectman Freel wants to find out what the rates would be for one year versus two years. Selectman Finan asked if we could give the Town Administrator the authority and he can let us know. All agreed.

3. Board of Selectmen's Public Comments Procedures

There was a discussion about what public comments mean under rule 9. Order of business. People have a different understanding of what we should be doing. Chairman Dargie feels that we are not following this exactly.

Reference this rule: 3. Public Comments

a. Any member of the public may request time to address the Board of Selectmen after first stating their name, address, and the subject of their comments. The Presiding Officer **may** then allow the comments subject to such time limitations as the Presiding Officer deems necessary, generally five (5) minutes. Following such comments, the Presiding officer may place the matter on the current agenda or future agenda, or refer the matter to the Town Administrator or other official for investigation, report, or to take such actions as may be appropriate.

b. Subjects on the current agenda. Any member of the public who wishes to address the Board of Selectmen on an item on the current agenda shall make such requests to the Presiding Officer at the time when comments from the public are requested. The Presiding officer shall rule on the appropriateness of public comments as the agenda item is reached. The Presiding Officer may change the order of speakers so that testimony is heard in the most logical groupings, e.g. proponents, opponents, adjacent land owners, vested interests, etc.

Chairman Dargie said 3 a. should be when people get up and speak about something that isn't on the agenda. The Chair should set up an agenda item later in the meeting or place the subject on a future meeting, or not at all. There should be no back and forth in public comments.

3 b. is something that we are not doing. People should be requesting to speak on the current agenda topics later in the meeting. Selectman Daniels and Selectman Finan feel this has been run this way. Selectman Dudziak said you can choose to address the topic at that time, or not. Her issue with public comments is that it's not public comments. It's an interrogation or a question and answers session and that isn't what this says. Selectman Freel said they can address the Board. Selectman Finan said it's up to the Chair to stop that. Selectman Dudziak said the way it should be done is if you have a lot of questions, call and ask to be put on the agenda or deal with the Town Administrator.

There was additional discussion on how this section should be run. The public should be allowed to speak and if the Board can answer the question they should, if they can't, they can get back to the person asking.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 09/12/2022

Selectman Daniels suggested a word change in Rule 9, 3. Public Comments. Change the word may to shall. We have a problem if we don't let the public speak. We can answer the questions if we have the answers. Selectman Dudziak said comments are different than questions. If it gets argumentative, the Chair is in charge of the meeting and can halt that. We should find an answer if a question is asked. Selectman Dudziak agrees, but we don't have to do it during the meeting if we are not sure of the answer and it puts us on the spot.

Mike Thornton said he agrees with Selectman Dudziak that it's not an interrogation of the Board but the public deserves an answer to their questions or concerns.

Tina Philbrick, Executive Assistant suggests that the Board review the policy to see if other changes are needed. It's a working document and if someone has something that they feel should be changed, now would be the time to do it.

4. NH Municipal Association Legislative Policy

Chairman Dargie explained the Legislative Policy and would like to represent the town to vote on these. He agrees with most of the items on the policy.

Selectman Daniels has a problem with some of the items starting with number 1. There was a discussion on what happens in the process of voting. Chairman Dargie said it's likely that these all will pass. Selectman Dudziak and Selectman Finan were okay with Chairman Dargie representing the town. Some of the Selectman haven't had time to review the policy as they have only had it a short time.

Selectman Daniels said the rules and procedures state that only one person isn't supposed to speak for the Board and he feels that we are better off not sending anyone.

Katherine Kokko questions why the board would consider appointing someone to vote on several issues that they haven't taken the time to review. She said it's an uninformed voting process. Mike Thornton said this came out 4 ½ weeks ago. It should be a common voice.

Selectman Dudziak said she's going through the policies and she's not uninformed. Chairman Dargie also is informed.

Selectman Dudziak made a motion to make the chair a voting member of the 2023 – 2024 Proposed Legislative Policy Positions. Seconded by Selectman Finan with discussion. Selectman Finan asked if he could reach out to the chair with his concerns before he goes to vote. Chairman Dargie said yes. The motion failed 2/3 with Selectmen's Freel, Daniels and Finan opposed.

Some of the Selectman didn't have time to review the items on the policy. It was decided that no one would represent the town at this session.

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

Chris Labonte questioned that the clock wasn't working. Mike Thornton said it was being repaired today.

8. SELECTMEN'S REPORTS/DISCUSSIONS

a) FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES

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

9. APPROVAL OF FINAL MINUTES - Selectman Daniels moved to approve the minutes of August 22, 2022, as amended. Seconded by Selectman Freel. All were in favor. The motion passed 5/0. Selectman Dudziak moved to approve the minutes of August 29, 2022. Seconded by Selectman Finan. All were in favor. The motion passed 5/0.

10. INFORMATION ITEMS REQUIRING NO DECISIONS.

a. N/A

11. NOTICES. Notices were read.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 09/12/2022

12. NON-PUBLIC SESSION – Selectman Daniels made a motion to go into non-public under in Accordance with NH (RSA 91-A:3, II(a)) – Personnel Seconded by Selectman Finan. All were in favor. The motion passed 5/0.

Selectman Daniels made a motion to exit non-public. Selectman by Selectman Freel. All were in favor. The motion passed 5/0.

In non-public, the Board made one decision. Selectman Daniels made a motion to seal the non-public minutes for September 12, 2022, under reputation as it could adversely affect the reputation of any person other than a member of this Board. Selectman Freel seconded. In a roll call vote, all were in favor. The motion passed 5/0.

13. ADJOURNMENT: Selectman Daniels moved to adjourn at 9:34. Seconded by Selectman Freel. All were in favor. The motion passed 5/0.

Paul Dargie, Chairman

Laura Dudziak, Member

Tim Finan, Vice-Chairman

Dave Freel, Member

Gary Daniels, Member