

APPROVED  
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

September 23, 2019

<b>PRESENT:</b>	Gary Daniels, Chairman	Mark Bender, Town Administrator
	Paul Dargie, Vice Chairman	Tina Philbrick, Recording Secretary
	Mike Putnam, Member	Tyler Berry, Videographer
	Laura Dudziak, Member	
	Chris Labonte, Member	

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

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

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

**5:30 p.m. – Appointment of Library Trustee Alternate – Gloria Schooley**

In summary, Gloria recently retired from teaching (35 years) most of which have been with the Milford School District. She is pleased to be considered for the position of Library Trustee Alternate. Reading has always been a very important part of her life both personally and professionally. She believes the library is a very important part of any community. She would be very happy to serve in this role as Library Trustee Alternate and hope to be part of the future of the Wadleigh Memorial Library.

**Selectman Putnam made a motion to approve Gloria Schooley as an alternate Library Trustee. Seconded by Selectman Dudziak. All were in favor. The motion passed 5/0.**

**5:35 p.m. – Alden's Lane – Food Cart Business – Traci Lane**

In summary: Traci and her partner have a food trailer business that offers clean, healthy, allergy friendly food. They are asking that the Board consider permitting them to set up at town sporting events to offer snacks, hydration, and healthy food options to athletes, spectators, and families. They are very excited about this possibility as a way to serve our community. They would like to offer 10% of their proceeds to the Milford Town teams and organizations. They won't be competing with any parent driven concessions. They would also like to setup at special events like parades with focus on the area parks. They would like to go to places like Keyes Field during special events. MCAA has already given them a spot in their parking lot to setup. They buy our products locally from trusted business in the area that use sustainable practices and have allergy friendly ingredients. Some of their providers are: Trombley Farms, Granite State Fruit Company, Union Coffee, Lulls Farm. They have also thought about mornings at the new DMV and trailheads.

Chairman Daniels asked how they would work it out at Keyes Fields where they have a concession stand. Traci said she spoke with people in the community who said the concession stand isn't open often. They would be setting up mostly for the Milford school games. They've been well received.

Administrator Bender asked if Traci spoke with the Recreation Commission. Traci said the Athletic Director spoke with her. She wanted him to finish that talk so it wouldn't seem like she was going over his head. They would like a calendar of all events so if someone wants concessions, they will be there. Chairman Daniels said they don't currently have a policy regarding food vendor, but it's being looked into.

**Selectman Putnam made a motion to approve for Alden's Lane to pursue their goal. Seconded by Selectman Dudziak. All were in favor. The motion passed 5/0.**

**5:45 p.m. – Town Clerk Discussion – Joan Dargie**

In summary: The Town Clerk would like to hire a full-time employee this year. She has had 4 part-time employees and lost three to full-time jobs with benefits. They are at the level where two clerks are needed at all times to handle the workload. She provided data of how many transactions per day, week and year that they are handling. This doesn't include babies, marriages, and civil forfeitures for dogs, collection calls, elections and voter registrations, which they've seen a major increase in. Next year there are four elections and they will need to cover many hours. They have money in the budget to cover this position until the end of the year and then will put it in the budget for next year. The full-time person can also be a floater helping other departments in need of coverage. Hiring part-time employees cost money for training which takes two months. Hiring another full-time person would also be a benefit to other departments as they could act as a floater to fill in during vacations etc. for other employees. Without another full-time person in, she may have to close one day a week.

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Selectman Labonte asked if she would be getting rid of part-time help to create a full-time position. Joan said the only part-time person she currently has was only hired as a one day a week part-time person. The hours she has budgeted for part-time help is 20 hours for one person, 8 hours for one person and 24 hours for the third person. If she hires a full-time position 44 hours of part-time will go away. Selectman Labonte asked what would be the increase in budget for the full-time person. Joan said she has \$34,900 in the budget and it would mean an additional \$2,700. Removing the part-time person would add \$37,400 to the full-time budget and then it would be \$7,500 in the part-time budget plus the benefits on the full-time person. Administrator Bender said it would be roughly another \$14,000 in payroll taxes and benefits depending on which plan the employee takes.

Selectman Labonte asked if this was approved for this year, would it fall in the default budget going forward. Chairman Daniels said yes. Selectman Labonte asked if she could wait until March. Joan said she would have to hire two part-time people and train them for two months. She doesn't know if anyone would only want to stay temporary. The market is good now, people are getting jobs with benefits and it will be hard to hire part-time. She doesn't want to waste the money to train someone and they get another offer and leave.

Selectman Putnam asked about the effect on services, if you had to shut down on hours. Joan said no but there are long lines. Chairman Daniels said he doesn't like hiring people off budget. Joan said there are four elections next year starting in February and they will need to cover many hours. Time to get ready for it starts this year. She already has 15 registered voters waiting to be processed. She has enough for a full-time person to the end of this year. She repeated that she will have to close a day. She is also a bill collector and has to call with people bounce checks. She still has 600 dogs not registered and she is behind on civil forfeitures letters. We don't just register vehicles. In addition, the deputy clerk still has three weeks' vacation she wants to use this year, which will leave me with no one to cover her hours.

Selectman Dudziak is in support of hiring another full-time person now. Selectman Labonte agrees with Chairman Daniels about not hiring someone off budget. Joan said she could add it now and put it in the budget for next year and if it doesn't get voted for, she can keep the full-time person until March. Selectman Putnam asked if you can hire experienced full-time help. Administrator Bender said that wouldn't be a problem, part-time is difficult. It would take six weeks to get someone trained after they were hired. He gives his support for hiring a full-time person, he sees the need. He also likes the idea of a person in the Town Clerks office helping in other departments as needed.

Selectman Putnam made a motion to hire a full-time person in the Town Clerks office. Seconded by Selectman Dudziak. The motion failed 2/2/1 with Chairman Daniels and Selectman Labonte not in favor, Selectman Dargie abstained.

Chairman Daniels asked if HR could write up a job description for a floater and bring this back at the next meeting. Selectman Labonte said overtime savings may be a deciding factor. Selectman Putnam also asked Joan to provide the amount we would waste in training. Joan said she will be closing on either Wednesdays or Thursdays due to this vote.

### **6:00p.m. – Solar Lease, (Posted on the town website) – Mike Caplan and Dominic LeBel**

#### **In summary: A proposed 16-Megawatt photovoltaic solar energy generating facility.**

- To be developed on a mix of public and private land. They only anticipating using roughly 30 of the 120 acres of the Towns land.
- 75% of the public land would continue to be controlled by the Town during the lease.
- Would avoid approximately 476,000 tons of CO2 emissions; equivalent to planting approximately 1,620 acres of trees.
- Supported by Milford voters at Town Meeting Day 2019 Town would control permitting process
- Would provide direct economic benefits to the Town:
- Lease payments: ~\$3.5 million (years 1-25) and ~\$6.3 million with renewals.
- Property tax or PILOT: opportunity for revenue certainty to Town.
- The Town and appropriate boards will continue to have control of the development process.
- Option Period: Up to four years
- Payments: initial option fee of \$2,500 option fee at signing and \$2,000 extension fee prior to year four
- Legal stipend of \$5,000
- Reporting: Quarterly written updates of development progress to the Town although it may be more frequent because so many of the steps are dependent on the Towns review and approval of the project.

#### **Principal Actions by Milford Spartan Solar – all costs paid by project**

- Apply for connection to electric grid
- Perform additional studies to support permit applications
- Apply for necessary permits and meet with appropriate Town boards and officials

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- There have already been vernal pool reports done.
- Zoning: Appropriate use, or variance if required
- Planning: Site plan approval
- Conservation Commission: Work closely to mitigate impacts and maximize project benefits
- Propose / negotiate PILOT with Town
- Project begins to pay rent.
- Initial rent during the construction period will be \$59,000.
- Project would be built safely. Construction shall be designed and built to meet the standards of municipal, state and other relevant codes and requirements.
- Impacts on the community from construction will be minimized. Construction Term activities regarding road maintenance, road bonds, and other considerations to be addressed with Planning Board during Site Plan Review
- Removal costs for the project will be funded by the Project via removal bond.
- Decommissioning security to be in place prior to end of the Construction Term.

### Operations:

- Primary Term of 25 years, with three 5-year extensions (up to 40 years in total).
- Annual rent starting at \$119,620 increasing to \$191,392 per year paid in quarterly installments.
- Security, maintenance, and associated costs of the Solar Farm to be the responsibility of Tenant.
- Additional operating requirements for the project will be included in the permit which would only be awarded with Town approval.

### Decommissioning:

- Removal security for the project reviewed and updated every five years.
- Milford Spartan Solar would remove equipment and reseed/replace vegetation at the end of the Project's life.
- Up to 12 months to complete
- Followed by up to three years of reseeded

Selectman Dargie asked for clarification on the 75% of the public land that would continue to be controlled by the Town during the lease. Mike said they would only be using approximately 30 acres of the 120 acres and will have no interest in the remaining 90 acres so the town will be able to determine how they are used. Rent will be paid on all 120 acres as part of the lease. Once the land to be used for the project is defined, and then the rest of the land we no longer have rights to so it goes back to the town. Selectman Labonte asked if this changes the per acre price. Mark said we went with paying rent on a flat dollar amount rather than making it a per acre amount. The town knows what the rent is whether we use the whole 120 or less.

Selectman Dargie clarified that the fenced in area will be defined and you don't care what happens to the rest of the acres. Mark said yes. Dominic said it will be finalized via survey. Selectman Dargie said we could use the remaining acres for recreational purposes or whatever we deem appropriate. Mark said yes, they will need the fenced in area and the access road only.

Selectman Labonte said when you lease the land you are obligated to either paying real property taxes or a PILOT so automatically the town will go back to knowing that we will not be collecting off the remaining 90 acres. Mark said the project size was going to be within a narrow band either way. The property tax or PILOT payment was going to be more a function of the project size. We are still looking at being close to 16 megawatts, the PILOT or property tax should end up being roughly the same to the town, just not on the same acres.

Selectman Labonte said he's heard nothing as far as talks about what potentially the PILOT will be. He assumes that by taking 90 acres out you are taking a big chunk of value away from the project. Administrator Bender said you have to look at the PILOT based on the 16 megawatts in its entirety whether it's on public property or private property. The PILOT will still be in place for the entire project. Selectman Labonte understands the solar part, just not the land part. Mark said it's up to the town how the rest of the land is used. Selectman Labonte said there is a value number that has changed by not using the whole 120 acres. Administrator Bender said no. Selectman Dargie said they shifted part of it to private property; the amount of money that is spent on equipment is going to be the same. Either the PILOT or regular taxes would be the same; just some of it's on private property. Selectman Labonte said the land value taxes would be less. Selectman Dargie said they are not paying that. Mark said the land value is the value of the project. Selectman Labonte said there is an actual value listed on the tax card for that property today. Mark said that value is attributed to how it's being used and that percent can continue to be used the way it's being used now. Selectman Labonte is still confused.

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Administrator Bender said the rest of the property is still industrial and commercial property that will still be available for future development. Selectman Dargie asked if any other PILOTS have been negotiated within New Hampshire. Mark said they haven't been released yet. He can provide the Board with a form later this week to start getting your thoughts on a PILOT.

Selectman Labonte said he spoke with Dominic earlier this year he mentioned that if you had a \$20,000,000 project and the land is worth \$2,000,000, that gives you a full project at a \$22,000,000 dollar value. Mark said the PILOTS are set up as a certain amount of dollar per year per megawatt which would be a fixed payment with some set escalation over the term of the PILOT. They can provide some additional information about the different numbers that they've seen. Selectman Labonte said by knowing where the PILOT will potentially go may answer more of his questions.

Administrator Bender said this will be done in two stages; tonight we are discussing the lease and hopefully Board approval on the lease and then we will be back to talk about the PILOT. The PILOT revenue is going to be lower than we originally thought because the project is smaller. It started as a 20 megawatt project and now it's down to 16 megawatts. This will have a small impact on the PILOT. The lease hasn't changed, and the lease revenue to the Town hasn't changed even though the project has changed significantly in the use of Town property from the 119 acres to about 30 acres.

Chairman Daniels asked Dominic if there was any way that the power generated could be targeted to the local communities. Mark said there are a few ways to keep the power locally. If Milford or another community in the area is participating in a Municipal aggregation program we are open to selling power to one of those programs. To the extent that the net metering program evolves over time, we may be able to sell locally through that. We've already begun reaching out to some commercial and industrial buyers of power in New Hampshire as well and have received interest from them. We are open to taking the time to work with you to find the right one.

Administrator Bender said this year the legislator worked on the authority to give municipalities the ability to aggregate power for residents. It will take a few years to work out but by the time it's in place, hopefully we will have a higher net metering cap and better abilities to aggregate for the town residents and make it a possibility to use the renewable power.

Selectman Labonte asked when the construction will start and end. Mark said no earlier than 2021 and the act of construction will be about three to five months depending on the time of year. Another variable is if we are in the Fall but can't finish until Spring. Selectman Labonte clarified that during construction there will be no generation of power. Mark said correct, but at the very end there is a phase that they are testing, so there may be some test power, not a material amount.

Selectman Labonte asked if the indemnification clause was figured out in 32B. Administrator Bender said yes and there is a modification in the lease to handle it. All attorneys are in agreement. Selectman Labonte asked if it would cost us anything. Administrator Bender replied no. Attorney Drescher said it was already covered.

Selectman Labonte said before he signs anything he wants more information on the PILOT. Administrator Bender repeated that this will be done in two stages; vote on the lease tonight and if we don't get to an agreement on the PILOT, he thinks we won't have a deal. Attorney Drescher said the Board isn't obliged under the statute or the agreement to enter into a PILOT just to discuss it and possibly to arrive to an agreement. If no agreement is agreed upon then taxes would be chargeable to the tenant. This would also give the tenant the ability to place unused land in current use.

Selectman Labonte is still confused as to what would change if they didn't get an approval tonight. Chairman Daniels asked Mark how long they've been in agreement with the town that they are currently doing a PILOT with. Mark said it's typically done in two phases, a lease then a PILOT is negotiated he really can't get into it too much tonight because of negotiations. Selectman Labonte said in the beginning of the lease, the \$2,500 part you would be paying taxes. Mark said the lease begins when the option is exercised. During the option period we are getting permits and the rights to connect to the grid, during that phase we are not yet leasing the land. It starts once the town approves the permit and the right to connect to the grid has been approved.

Attorney Drescher said if they control the property completely so that they can exclude us or the public, under the RSA 72:23 they would be responsible for the taxes. If all they are doing is occasionally going out there with everyone else still entitled to use the property, that wouldn't be an issue. He also reminded that the project approval itself will have to go through Zoning Board of Adjustments and the Planning Board, in addition to approval from the Selectmen for a permit for the use of the Class VI road.

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Selectman Labonte referred to the lease agreement section 1 a), Landlord hereby grants tenant the exclusive and irrevocable right, does that mean taking the whole land themselves. Attorney Drescher said yes, once the option is exercised, with that language, they can exclude anyone from the property then they will own the taxes. There is also another RSA that allows the Board to give them a PILOT in lieu of taxes.

Mark said once the project begins construction, that is when the taxes begin. Selectman Labonte said if we sign this tonight, and a tax bill was sent out tomorrow, you guys would get a bill. Mark said that would be highly unusual. Once a project commences construction, an option has been exercised, that is when the taxes begin. The option exercise is after the diligence period when we get approval from Zoning, Planning, permits and all the other steps. Attorney Drescher repeated once they have exclusive control there will be taxes. The assessment will reflect property that hasn't been developed until there is construction of something on it.

Selectman Labonte is still confused. When a landowner typically puts their land in current use, when they pull it out, they pay 10% of the current value penalty for taking it out. If you don't own the land and you put it in current use, do you still pay the penalty when you take it out? Attorney Drescher said if the lease and option agreement says that they have exclusive control over it, the law says they have to pay the applicable taxes unless they enter into a PILOT. He doesn't imagine that the taxes are very much in view of the fact that it's undeveloped property.

Administrator Bender thanked all the attorneys for their assistance and contributions as well as the Solar team. We added things from the original letter of intent to include the additional year and the \$5,000 legal stipend. The studies, surveys and other documentation about wetlands will be given to the town in the event that the project isn't built. The construction term wasn't part of the LOI, we added it in and it's 50% of the first annual 5 year installment period. We also changed the decommissioning security. We also worked on the indemnity clauses.

Attorney Drescher said the document length is driven in large measure by the likelihood that they will mortgage this to a bank. Mark said correct. Attorney Drescher asked if they would be the owner that builds this. Mark said it would be a large owner operator that would build it and they would have ongoing minority participation.

Administrator Bender said we worked hard on the lease and there was give and take on both sides. He is confident that they will get a PILOT in place that benefits the Town of Milford. Selectman Labonte if there is a time limit to switch to construction after Planning and Zoning approval from the \$2,500 phase. Selectman Dargie said it's up to them when they want to declare when construction starts. Dominic said they would want to start as soon as they can.

**At this time, comments were taken from the public, actual questions will be separated by bullets. .**

Audrey Fraizer, Milford resident and Conservation member questions:

- Do they know how much of the 90 acres not being used is wetlands. Mark referred her to the map that shows most of the northwest portions to not be wetlands.
- Is the 16 megawatt was just for the town lands or does it include the private land as well. Mark said it's for the whole project including private lands.
- She thought you needed 40 acres for 16 megawatts. Mark said the current plan in place has them using 65 to 70 total acres.
- She stated that it's good that over 40 years you can save that much CO2 emissions. By clearing the property, you will be increasing Milford's CO2 emissions. Do you know where you will be planning to plant trees when this is complete? Mark said they would be happy to sit and talk with what every group is interested to see if there is a balance of expectations that they can meet. Dominic said they were already planning to meet with Conservation when needed.
- When would the trees be cut. Mark said it will be cut during construction.
- How far outside the fenced in area would the trees need to be maintained so they don't create shade. Mark said the fencing will include the buffer inside the fence.
- She clarified that the graphs for revenue for the town doesn't include the first 5 years? Mark said it doesn't include the construction period, just the operating phase. Dominic said there would be addition revenue during the construction period, PILOT and other things like that.
- Could this be a potentially be a 44 year project. Mark said no, it was expected to be an up to 40 year project. The initial four years as he stated earlier includes the diligence and studies as well as the construction period. The construction period is expected to be less than one year. Dominic said the graph shows the primary and renewal terms of the project.
- Would the decommissioning get into detail about the seeding and things? Mark said yes.



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Rodny Richie, Milford resident's questions:

- Has there been a discussion by the Board at the MSRP level? If you only need 30 acres, why don't you just buy it? Mark said they typically prefer to buy the land instead of lease it. This process began in the context of the whole 120 acres. As we found ways to move the project away from the town lands it was a balance of expectations in the beginning and where we ended up and this was the compromise of where we ended up. He didn't feel that there was any interest in the town regarding the sale of just the 30 acres. This was a way to meet the revenue requirements that we spoke about in the beginning while reducing the footprint on the town land and maintaining a greater ability for the town to use the remaining parcel as it saw fit.

Selectman Labonte said he didn't find out until last week that the numbers had changed on the acreage. He also didn't know we were coming here for an approval. He thinks the citizens need to be involved in this. The voters voted to approve it and it's the Selectman's job to act in the best interest of the voters.

- Rodny asked if 16,000 kilowatts x 24 hours is 350,000 kilowatt hour, what is the retail value per day and how much do you get. Mark said 24 hours doesn't relate to solar and you don't get a retail value per day. If we were selling the project into the market, your bill is based on generation, and other things, this project relates to that generation portion of the bill, none of the revenue comes into the project. What we get hasn't been set yet.

Administrator Bender asked Rodny how much he pays for kilowatt hour. Rodny said the average for New Hampshire is 20 cents. Administrator Bender said if we were able to work with them and aggregate this for Town residents for a price lower than 20 cents it would be a benefit to the residents.

- The figures are strange like \$119,510, why not \$120,000. Dominic said the payment was originally based on a per acre basis and it was 119.62 acres. We flattened the payments so that it was as though we were still leasing the entirety of the acres.
- He doesn't see the payment increase matching inflation 25 years from now. Mark said the initial lease rate is typically far higher than what the land would be leased for, for alternative uses. It's starting at a higher beginning point and over time it may catch up. A big part of these projects is trying to create as much certainty which is how they get built.

Scott Kimball, Milford resident referenced a project built in Minneapolis and their public utility commission estimated the equivalent taxes received from the solar farm was about 5% to 12% than other types of development.

- Are we selling for short money for the use of the land? Chairman Daniels said the moment we get the first payment will be more than we've got in the past 20 years off of that property.
- Jobs were one of the big things in the BROX master plan; solar isn't bringing in any jobs, it just provides us rent. We are stuck with this and we don't get to use it for anything else. Does it impede any other development around it? Administrator Bender referred him to the map on display; the acres used for the solar project are at the back end of the town owned land. The front part of the project closer to Perry Road and the service road are still available for commercial and industrial development. The \$3,500,000 and the \$6,300,000 is only on 30 acres.

Suzanne Fournier, Milford resident's questions:

- Feels there should be more public discussion.
- She would like them to wait for a Supreme Court decision on a case before going forward.
- Review of endangered species don't show up in anything she has read. Mark said it was part of the permitting process and there will be on site studies which will be to extent that there will be a monitor on site to make sure the species are not affected. It's a normal part of the development process.
- She referenced a dead spotted turtle on the private land. Chairman Daniels asked Suzanne to put her comments in the form of questions as opposed to narratives. The purpose of this is to ask questions about the lease.
- She wants the Board to wait for reports from the New Hampshire Fish and Game and wild life studies that will take another year or two. Chairman Daniels said the voters voted this year to give the Board the authority to enter into an agreement. Suzanne said they didn't vote for the Board to be ignorant of important information. There is ignorance going on here. Suzanne laughed when Chairman Daniels said the ignorant comment is offensive to those who have been involved, and the three or four Attorneys that have been involved in this for months. Attorneys have been brought in that specialize in in this type of thing.

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Suzanne said the property is an ecological gem. Selectman Dudziak said that isn't the point. They will have to go through permitting processes and they will deal with those issues at that time. We are going through a lease and if you have something to say specifically about the lease, then say it. Suzanne didn't appreciate Selectman Dudziak's comment. Selectman Putnam said Suzanne makes it sound like we are not doing anything out there about the wildlife. Fish and Game is out there every day and when we have special things going on they have approved those things as well. We also have wildlife scientists, hired by our engineers working out there. Don't make it sound like we are not doing anything because we are! Chairman Daniels told Suzanne to continue her questioning to Mark and Dominic.

- What is the Board doing to prepare themselves with knowledge for this contract you're considering jumping into tonight. Chairman Daniels said they have been brief by our legal counsel, Suzanne interrupted to respond and Chairman Daniels said he wasn't asked for her response, he is asking if she has any questions.
- In your document, you are leasing 120 acres. Mark said they are not leasing 120 acres. Prior to commencement of construction they will have completed their survey to define the acres they want to use the remaining acres will be excluded. Suzanne wants them to remove the lots not being used from the lease.
- What does the Board know about the private portion of the project and how will it affect this project. Has it been signed, it's a joint project. Mark said the entire project will be going before the town for the permitting approval as well as the relevant committees. The PILOT would be for the whole project.

Administrator Bender said that is correct from a permitting process but this Board will not be involved in the lease agreement on the private property. It's private property, it isn't our concern. Suzanne wants them to present the private property owners contract to the Board. Chairman Daniels said we are responsible for town property. What they do on the private property is their arrangement with the private land owner. We don't have control over that; we control the 30 acres that they are looking at. Suzanne asked what will happen if the private portion of the project runs into their own trouble. The Board should not be blind to the other 65% of the project.

- Do you consider that the vernal pool study is finished, will there be more studies and will you be providing the data to the town? Mark said it's complete and yes it will be part of the permitting application. Suzanne said there are other vernal pools that they didn't look at; she proceeded to tell everyone where they were. Chairman Daniels asked Suzanne to ask her question.
- Suzanne asked if they will relook at the vernal pools, the state has records of the vernal pools. Mark said a review of the existing records is part of the process and that information will be considered.

Vicky Chase, TRC said they looked at part of BROX's property using a map that had vernal pools on it. They documented a total of 15. It was a thorough review and made two visits this spring. The whole project will go through a permitting process where they may be additional review of the information. They will also be delineating wetlands. Chairman Daniels asked it was safe to say this will all be part of the permitting process. Vicky said yes. Chairman Daniels asked Suzanne again to concentrate on the lease.

Suzanne asked if Vicky said she identified 15 vernal pools? Chairman Daniels said Suzanne's point is out of order. The question was will these be looked at again, the answer was yes, it's part of the permitting process. Regardless of how many pools there are out there, it will be looked at as part of the permitting process. Attorney Drescher said everything the solar people makes sense but it doesn't belong in this meeting and it doesn't belong on that preliminary document. The solar people will be going before the Planning and Zoning Boards as well as some Conservation involvement. Their engineers will get into these issues in great detail and put to the test because we have a very capable and sophisticated Planning Board.

- Why this is being signed prior to that review. Chairman Daniels repeated, this is the first step. Mark said they can't do the other steps prior to having any type of site control because we will be investing hundreds of thousands of dollars into the studies. No one does that unless they have some type of rights that if there is a subsequent approval they would be able to bid something.
- The vernal pool study cost money so you spent money ahead of time. Mark said yes because part of this was trying to come up with the best foot print that we could for the town.
- Will the private land owners study documents also be part of the reports the town will receive. Mark said if early on in the process it is determined that it didn't make sense to develop anything on that property, to the extent that there is a natural cleaving of the property and we can do that, we will provide the town with the studies.

Selectman Putnam made a motion to approve the solar lease. Selectman Dudziak seconded. The motion passed 4/1 with Selectman Labonte opposed.

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Selectman Labonte still feels there should be more discussion with the public. Selectman Dudziak said the voters did approve the solar project on BROX. This item was on the agenda many times and voters who were interested in coming here to discuss it had the opportunity.

### 6:30p.m. – 2018 Audit, (Posted on the town website) – Jarad Vartanian, CPA

In summary:

- Qualitative Aspects of Accounting Practices - We evaluated the assumptions used in the plan audited financial statements and the plan actuarial valuation report to determine that they are reasonable in relation to the financial statements as a whole.
- Difficulties Encountered in Performing the Audit - We encountered no significant difficulties in dealing with management in performing and completing our audit.
- Corrected and Uncorrected Misstatements - Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements
- Disagreements with Management - We are pleased to report that no such disagreements arose during the course of our audit.
- Management Representations - We have requested certain representations from management that are included in the management representation letter dated September 11, 2019.
- Management Consultations with Other Independent Accountants - To our knowledge, there were no such consultations with other accountants.

Observation:

- As part of our audit procedures we tested controls over the Town's use of credit cards. During the review of the credit card activity, we noted instances where supporting documentation was not attached to the monthly credit card statements. In addition, we noted instances of the credit card statement not being paid in full each month, which was a condition of receipts not being remitted to the finance office in a timely manner. None of the purchases were questionable, this just a matter of proper record keeping.

Implication

- The controls over the credit card transactions are weakened. There is an increased risk that errors or fraudulent activity may occur and not be detected by the Town. Furthermore, if monthly statements are not being paid in full each month, there is an increased risk that the Town will incur interest or finance fees/charges. Recommendation
- We recommend that all documentation supporting each purchase be submitted and retained by the Town's finance office. In addition, we recommend that supporting documentation be submitted in a timely manner so that the finance office has time to process credit card payments and pay the entire statement balance by its due date.

Selectman Dargie asked if full review is done every two years. Jarad said yes. Paul said money is in the budget for an Other Postemployment Benefits Program (OPBP) every other year audit, a full one and a roll forward. This year it's \$3,500 and next year it will be \$2,000. Administrator Bender assumes the Board will continue with this expense.

Selectman Dargie asked for more clarification on the Ambulance Accounts Receivable. Jarad said the town switched over how they collect Ambulance receivables. Once it changed over, there was an old balance that hasn't been paid and is just sitting there. You have a receivable that isn't getting collected and no one is monitoring. There is no effect on the bottom line. Paul said it was a clean-up entry and it zeroed each other out. Jarad said it doesn't mean you can't collect on it, but it will still go to the same place.

Other highlights:

- Total current assets decreased by the prior year by roughly \$1,850,000 primarily due to spending the capital outlays prior to authorized bonds and proceeds being received. Numerous pieces of debt were issued in 2019 which included authorizations for 2017, 2018 and some of 2019. This affected the capital projects fund which reported a deficit balance at the end of 2018. This will be replenished once the 2019 issuance are made. It's more so of borrowing from the general fund. Some towns like to do this but it should be monitored if making big payments to the schools.

Selectman Labonte said for clarification, would this be where the Town of Milford didn't get the bonds prior years? Jarad said it was authorized but didn't get issued until 2019. Selectman Labonte asked if there was a reason it wasn't caught in the audit a year ago. Jarad said it has no bearing on whether or not they were issued, we report on it being



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authorized and we report it. There was a note in the previous year about the capital project being in a deficit however this year it's in major funds and it's on the financials on page three of the report.

- All liabilities remain stable.
- The Town's total new position increased by roughly \$1,900,000.
- The Town's governmental funds had a combined ending fund balance of \$5,100,000, a decrease of \$1,400,000 from the prior year.
- Total unassigned fund balance for the general fund was \$2,600,000, which represents 18% of the total general fund expenditures.

Chairman Daniels asked if they look at the same things every time they do an audit. Jarad said no. They look at significant changes and rotate for unpredictability when they are going to do heavy testing in certain areas. We rotate different people in to do the audits.

The town received an unmodified opinion which is the highest level opinion that can be achieved. This is the first time in the last ten years that the town has received an unmodified opinion for all the reporting units. All letters as well as the full audit report are on file in the Finance Department.

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

### **4. DECISIONS.**

**a) CONSENT CALENDAR.** Chairman Daniels asked if there were any items to be removed from the consent calendar. There were no items to be removed. **Selectmen Putnam made a motion to the consent calendar. Selectman Dudziak seconded. All were in favor. The motion passed 5/0.**

- 1) Request for Acceptance and Appropriation of Unanticipated Revenues Under \$10,000 (31:95(b)) –
  - \$100.00 Donation to support the Labor Day Parade from Tech Transport
  - \$109.05 Donation to the Police K-9 Special Purpose Fund from Vinterest Antiques & Flips, LLC
- 2) Request for Approval of two (2) Timber Tax Levy's - Map 54 Lot 2 and Map 54 Lot 6.
- 3) Request for Approval for Community Action for Safe Teens (CAST) to host their Annual Red Ribbon Week on the Oval

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

- 1) N/A

### **5. TOWN STATUS REPORT – Administrator Bender**

#### **a. Dispatch RFQ - CTA provided the following clarifications:**

1. CTA understands that Milford needs to determine if we are best served with our own dispatch/radio system or a regional system.
2. CTA will provide accurate budgetary cost estimates for each of these options. They understand that we will need to use these cost estimates to support a 2020 Warrant Article. CTA projects accuracy within 3% and provided details to support this projection.
3. CTA is confident that the outcome from their Phase 1 scope of work will clearly and concisely provide answers for elected officials to make good decisions for the citizens of Milford.
4. CTA is committed to completing Phase 1 with budgetary cost estimates by December 16 provided onsite initialization meetings start on October 7. The town is committed to start as needed. This date is important and still gives us time to prepare a warrant article for the Budget and Bond Hearing on January 13, 2020.
5. CTA local representative, Mark Cady will provide project progress reports throughout Phase 1 and Phase 2.
6. CTA representatives Cheryl Giggetts, Principal Consultant, and Mark Cady will present findings and recommendations to the Board of Selectmen.

Selectman Labonte asked if there will be discussions with the public about this prior to the Budget and Bond hearing. Administrator Bender said yes.

Rodny Richie, Milford citizen asked if CTA distinguish between a Milford managed regional system and multi town regional system. Administrator Bender said we will wait to see the report. Rodny asked how CTA will invoice us. Administrator Bender said it's too be determined but their pricing was based on two phases. They may want some money

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upfront for phase I with the balance due upon completion of phase I, and then we will get into phase I. Rodney Richie said if there is opportunity for presentation and discussion of the deliverables prior to the end date, that would be good to have. He clarified that the estimate is due on December 16<sup>th</sup> and this should according to the consultant, solve the Milford Communications problem and then you have time to develop a warrant article prior to Budget and Bond Hearing. Administrator Bender said yes. Rodney said by December 31<sup>st</sup> we have to declare intent to stay or not stay with MACC Base. Is that the concept that you have in mind? Chairman Daniels said yes. Rodney asked what they will do if the warrant article doesn't pass. Chairman Daniels said we have thought about that and we may want to have a secondary warrant article on the warrants so that if one fails the other may pass. We will certainly educate people as much as possible and answer any questions they may have.

Administrator Bender clarified that on December 16<sup>th</sup> they will be getting two cost estimates, one for a Milford only dispatch system and one for a regional dispatch system. He doesn't think we want to point them in the direction to do their study as far as that regional system whether managed by the Town of Milford or continued to be managed by MACC Base. They should be able to do that analysis and come back to us with that recommendation.

**b. Paving and Center Line Marking Update** - Water Utilities finished work in Union Street the week of September 13. In mid-October we will mill and pave Nashua Street and reclaim and pave Union Street to complete this year's projects. Line Painting on Nashua and Union Streets will be delayed until late-October. Other primary streets including Elm, South, West, Prospect, Savage, Whitten, Mason, Osgood, Clinton, McGettigan, Amherst and Mont Vernon Streets will have lines painted no later than the week of October 7.

Administrator Bender asked if there were any other roads the Board would like them to look at. Chairman Daniels said we need to follow the center line document. Administrator Bender said we don't paint all those roads every year. Chairman Daniels said to leave it up to the DPW Director.

Selectman Labonte asked about paving on Garden and Cottage Street. Selectman Putnam said equipment was brought in a couple of weeks ago but SUR wasn't done with a couple of things. Administrator Bender said he would check on it. Selectman Dargie asked if Union Street be paved prior to Pumpkin Festival. Administrator Bender said after. Selectman Labonte asked if it could be graded and re-claimed prior to Pumpkin Festival. Administrator Bender said he would check.

**c. Culvert Replacements** - Our planned work using Bridge Repair and/or Replacement Capital Reserve Funds for 2019 included \$90,000 to replace a culvert on Joslin Road. We have a failing culvert on Armory Road and another on Ball Hill Road that probably needs more immediate attention. Rick estimates replacement of both culverts would cost \$80,000 to \$90,000 total, roughly the same amount planned for Joslin Road. This includes materials (pipe, stone, headwalls), guardrail on Armory, excavation/installation and paving. Work on Armory Road would require daytime closures for 3-5 days with detours on Melendy or Osgood and Union. Work on Ball Hill would require daytime closures for 2-3 days with a detour on Annand Drive. The selectmen have authority to expend these capital reserve funds. Do you want to reallocate the funds to replace these two culverts this year?

Selectman Putnam said if they are a priority then yes. Selectman Labonte asked about the minimum for capital reserve. Administrator Bender said it's \$75,000 but the warrant article is worded so that the Board has some flexibility. Selectman Dudziak asked who determined that the two culverts were in worse shape.

Administrator Bender read the warrant article, "Shall the town vote to rename the Bridge Replacement Capital Reserve Fund to Bridge Repair and/or Replacement Capital Reserve Fund, and to include culverts greater than \$75,000 replacement cost, and to use Capital Reserve funds to provide matching funds for grants? This would clarify the intent of the capital reserve fund which has always been "high priority projects for either replacement or repair in place". This article will require a 3/5 vote to pass". It passed 1,541 to 299.

Selectman Labonte said it sound like \$75,000 per culvert. Selectman Putnam agreed but said there isn't anything saying we can't do it. Selectman Labonte said he interprets it as being a culvert over \$75,000 is acceptable. If you go back to minutes, anything under \$75,000 is a budgeted item. Selectman Putnam asked if Selectman Labonte wanted to let it wait until it was budgeted next year. Selectman Labonte said he was only telling them the interruption of the capital reserve fund.

Selectman Putnam asked how much the two culverts would cost. Administrator Bender said the combined cost for both is between \$80,000 and \$90,000. The culvert on Ball Hill is smaller than Armory Road but it's 10 to 12 feet deep and takes more excavation and time. The culvert on Armory Road is larger. Selectman Labonte would like more infor-

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mation on them and doesn't want to approve something that is against the original capital reserve. Selectman Dargie asked if there is money available out of regular town funds to repair these. Administrator Bender said not this year. Selectman Putnam asked how bad the culverts were and if they could wait another nine months. Administrator Bender said Ball Hill probably could but it would be nice to do Armory Road.

Selectman Dudzak said she agrees with Selectman Labonte on the intent of the warrant article. Selectman Dargie asked if Administrator Bender had a guess as to the implication if this was postponed. Administrator Bender said worse case, we detour if the culvert fails or we steel plate it. Chairman Daniels asked how it would affect snowplowing. Selectman Putnam said it should be fine. The Selectmen's consensus was to wait.

### 6. DISCUSSIONS:

**a) Review of the Purchasing and Procurement Policy (tabled 9/9/2020)** - Chairman Daniels said the Town Administrator did what we asked at the last meeting and is now presenting option 1 and option 2 for our review. Changes were made in section VI under procurement authority and number 10 Bid Award.

#### Option 1

- **Greater than \$7,500:** The Town Administrator shall have full authority to approve procurement of goods and services provided such good(s) or service(s) are identified within the Town's budget.
- **Greater Than \$25,000:** Approval of the majority of the Board of Selectmen is required for the procurement of goods and services in excess of \$25,000, which are not otherwise approved in the budget, **or when the low bid is not recommended by Staff.**

#### #10

- Bids meeting the specifications shall be reviewed by the Department Head in consultation with the Town Administrator and others as needed. A recommendation shall be made to the Board of Selectmen for approval, **if the preferred vendor is not the low bidder.**

#### Option 2

- **Greater than \$7,500:** The Town Administrator shall have full authority to approve procurement of goods and services provided such good(s) or service(s) are identified within the Town's budget.
- **Greater Than \$25,000:** Approval of the majority of the Board of Selectmen is required for the procurement of goods and services in excess of \$25,000, which are not otherwise approved in the budget, **or when the low bid is not recommended by Staff. The Town Administrator will provide an overview to the Board of Selectmen for approval of Capital purchases (building improvements, vehicles, etc.) prior to the expenditure.**

#### #10

- Bids meeting the specifications shall be reviewed by the Department Head in consultation with the Town Administrator and others as needed. A recommendation shall be made to the Board of Selectmen for approval, **if the preferred vendor is not the low bidder.**

Selectman Labonte showed the Board purchasing policies from surrounding towns. He feels all purchases should go back to the Boards if it's in the budget. In a previous statement it was mentioned that the voters approved the vehicles, Selectman Labonte said they did not, they just approved the numbers for the vehicles. Many of the towns say anything over \$5,000 should go to the Board of Selectman. Milford is being generous. He isn't in favor with either option. He said before we approve anything, it should be reviewed by town council.

Chairman Daniels said we don't need to follow what every other town does. He also has a problem shipping everything to town council when it runs up the legal bill, and this is our policy. Those towns decided that is what they want, and we can decide what we want.

Selectman Labonte feel we allow Department Heads and the Town Administrator to approve things on a vast level higher than what other communities do. It's a simple vote and it won't take us much time to approve it. We should just shrug it off. He doesn't feel oversight is happening when we can approve Transfer Station signs for \$500, but not \$60,000 and \$70,000 purchases.

Chairman Daniels said it isn't that we are saying that we are not interested. The way this was setup was for expediency in the event of an emergency. Selectman Dargie said we do have oversight we look at the manifest. Selectman Putnam is in charge of this this year. He looked at every invoice when he was doing it and he provided good oversight on it. Selectman Labonte said he went into Finance and looked through the manifest. You are putting one Selectman in charge of the manifest to verify anything that is going to happen. Boards over the years had Selectmen that didn't want to

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spend the time at the table. He had them pull invoices to see what it would involve for time. You can spend 30 hours a week reviewing them. He repeated that purchases should come to the Board. He feels they need to put more time in.

Chairman Daniels said it's a matter of balancing the time versus giving our employees the opportunity to do their jobs without micromanaging what they are doing. Selectman Labonte argued that it wasn't micromanaging. Chairman Daniels said yes it is. This was the reason that the policy was setup. We had to approve every little thing and we were here until 1:00 in the morning. We hired a Town Administrator and we are paying them good to take care of the day to day activities of the town. We watch the bottom line which is what the voters voted.

Selectman Labonte said we haven't been watching the bottom line. Earlier he didn't ask the auditor the correct question, but why didn't we know we were out \$9,000,000 and what are we going to do so it doesn't happen again. Chairman Daniels said we have taken steps already to address that and you know there is non-public information involved where variances apply. Selectman Labonte said our Town Administrator didn't know we were out \$9,000,000. Chairman Daniels asked Selectman Labonte if he thought changing the purchasing policy would make a difference on that.

Administrator Bender detailed the \$9,000,000 because Selectman Labonte is blowing this out of proportion. Selectman Labonte started to interrupt and Chairman Daniels told him that Administrator Bender was speaking. Administrator Bender said for the \$9,000,000, if you take 2018 that was just audited, and the current year, that is \$6,000,000 out of the \$9,000,000. 2017 was \$2,300,000 and most of that was roads. 2016 was \$924,000. If you are asking me, why didn't I know, well, \$6,000,000 was for either the year we just audited or the current year. As far as the \$2,000,000 that wasn't bonded, the auditor said many towns pay for those things using exactly how we did using the fund balance that is available to us. We could easily take \$2,000,000 and do the bond later on. He repeated, this was not that unusual and you are blowing it out of proportion.

Selectman Labonte said is isn't to attack anyone; he is trying to prove a point on oversight. He repeated that there not be many purchases for the Board to approve. All the other towns have recently updated purchasing policies. He isn't looking to go down to their amounts, he was content with the number that we had. What makes our town so much better that we don't need oversight. Selectman Putnam said we have plenty of oversight. Selectman Labonte disagrees and we need to verify everything. Selectman Putnam asked for examples.

Selectman Labonte said purchases of vehicles. You say they are in the budget but they are not, only the number is in the budget. He brought up the recent DPW vehicle purchase again. He said the Town Administrator gave the authorization to dispose of their vehicle for \$12,000. Administrator Bender said that was discussed by this Board. Selectman Labonte said prior to that you told us it doesn't need to come to the Board. Administrator Bender started to speak and Selectman Labonte interrupted him again, at this point, Chairman Daniels raised the gavel and asked that they not make him use it.

Administrator Bender said he doesn't think he has to defend a vehicle purchase that was brought to the Board. This Board approved it and they knew what was being traded in. Selectman Labonte is just regurgitating the same stuff over and over again meeting after meeting after meeting.

**A motion was made by Selectman Dargie to approve the Purchasing and Procurement Policy option 1. Seconded by Selectman Dudziak. The motion passed 4/1 with Selectman Labonte opposed.**

**b) Dispatch Discussion** - Chairman Daniels said we are currently scheduled to meet with the other towns next Monday, do we want to continue to meet or wait until we get some information from the consultant.

Selectman Dudziak asked what we would specifically want to meet with the other Boards about. Chairman Daniels said some items in the IMA, like voting rights. Selectman Dudziak is in favor of waiting, she thinks it's premature to meet with them without some consultant information. Selectman Putnam said we still need to work on the IMA. Selectman Dargie recommended contacting the Chairs of the other two Boards to see what they would like to do. If they want to meet, then we should to keep things open. Selectman Labonte agrees with Selectman Dargie.

Selectman Labonte asked what would be the second option of a warrant article if the original warrant article failed. If we don't discuss the IMA with them, why don't we just tell him that we don't have any interest. Chairman Daniels said we don't have enough information to form an informed decision yet. Selectman Labonte said it would be just negotiating the IMA. He asked Captain Frye if he thought there would be interest at MACC Base in having the IMA discussed. When does MACC Base need an answer.

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Captain Frye said December 31<sup>st</sup> for a one year pull out. At the last several MACC Base meeting they have been asking where we are at with the RFQ. His reply to them is, what are we doing as a Board to rebuild communications. As a taxpayer he thinks that Milford is the only town doing anything to help out the situation. Selectman Labonte said the currently IMA is over at the end of 2020. If we approve a warrant article in March we will still be with MACC Base longer than 2020.

Selectman Dargie said they haven't discussed as a group as to what kind of voting would we agree to in terms of a new MACC Base agreement. He is in favor of keeping Milford at the 71% and the voting is portional to the amount of money each group brings in. The other Boards gave the impression that if we are firm on that, it would be a deal killer and they would want to explore other opportunities. We need to put this up front, it's a good point.

Selectman Labonte said at 71% that is us telling them where to go. Selectman Dargie said we would have majority voting rights. Selectman Labonte said then we could say, we are going to upgrade the infrastructure, you guys are responsible for 28% and you have no other option. Chairman Daniels said if they saw something that would be beneficial to our 71%, they could vote against it and it wouldn't happen. Selectman Labonte said the other towns would be fine with us have 50%.

Selectman Putnam said this discussion is about meeting with the other towns, we are getting into the meat and that is what we will do when we meet. We invite them to next Monday's meeting and then we can discuss the IMA with them. Selectman Labonte said the last meeting between towns had good discussions. Chairman Daniels agreed but he identified things that were deal breakers. He is fine meeting with the other Towns on Monday.

Selectman Labonte asked if we are at the point where we want to go with the 71% vote or the 40% vote. Selectman Putnam said we should just decide if we are going to make MACC Base work or start our own. Chairman Daniels said we need information from the consultant. Selectman Labonte asked if we've every approached the other towns about hiring a consultant to look into all the problems. It would have saved us money if everyone pitched in. Chairman Daniels said he didn't think that question has been asked but he has mentioned to the Chairs the need for them to determine their problems. One town doesn't need anything, we need something and the other town is waiting on Milford.

Captain Frye said he didn't think the MACC Base Board has looked at that. Selectman Putnam said its simple, are we willing to work with the other towns like it's been for 30 years or do we want full control. Chairman Daniels said if it cost us more to go with MACC Base than go alone, is that a good thing to do. What justification do we use to spend extra money just so we can stay together. Selectman Putnam said we have a system in place; we need antenna locations and new equipment, and take care of the Police first.

Captain said you are right, the infrastructure is upstairs, not outside. You are talking about just fixing Milford Police and Selectman Labonte is taking about regional. MACC Base should be looking to fix everything at once. The consultant is going to tell us what we need and where it will go. It's not simple. Everyone has their own opinions.

Chairman Daniels said all the Boards agree that everything needs to be fixed. Chief Viola said four years ago MACC Base had Belltronics give them a quote to fix everything for Police. We didn't like that solution because we felt like it's a band aid. They when we had a big meeting with everyone involved, it went wrong. It's was, "Milford's trying to take control of the situation". It's been like that ever since. Selectman Labonte said it didn't pass, did we just give up. What communication have we had with the other towns. Chief Viola said the philosophy is different between towns. We didn't want to do it in sections, it's another band aid. Selectman Labonte said he doesn't think it's like that now.

Chief Viola said at the last meeting he heard we need to come and say this is what we want. They don't want to waste their time either. What is our deal? They don't want to come here Monday and listen to us say we want 71%, they might buy into the 50%, or not. I don't want to pay for the other towns. They've known this issue for several years now. Selectman Labonte said we have also known about the problems, what have we done. Chief Viola said we've tried to work with the other towns. He feels like it's never going to get solved if everyone is involved. You will never come up with the perfect answer. Mont Vernon isn't going to want to spend money if they don't have a problem.

Selectman Labonte Milford has historically we have a tendency of buying things and not fixing things, if we buy all this equipment for Milford, are we going to update it. Chief Viola he hopes the oversite that they've talked about all night will be there. Selectman Labonte replied, it's not in the rest of the town so he doesn't know why it would start there. Chief Viola said he has faith in the employees, the department heads, the Board and the citizens of Milford. If we don't take care of it, it's going to fall on us.



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Administrator Bender commented on Selectman Labonte's statement about Milford never upgrading systems; it's a grossly unfair generalization. We just finished a phone upgrade, we continually upgrade our IT systems, we are looking at upgrading the town hall HVAC system, and we just upgraded the electronic locks at town hall. We continually look at upgrades and you make a blanket statement that we don't take care of anything. Selectman Labonte brought up the condition of our roads, they haven't been taken care of. Administrator Bender said ultimately the tax payers decide, the road bond was put out there three years ago and passed with over 60%.

Selectman Dudziak asked if Chairman Daniels spoke with the other Boards and invited them to come on Monday. Chairman Daniels said yes. Selectman Dudziak said then just keep it on the agenda. Chairman Daniels asked Captain Frye asked if putting repeaters in the cars would work for Milford like it did for Mont Vernon. Captain Frye said when you get a whole bunch of cars together, one car has to take over so that the portable radios go to that one car and they are not stepping all over each other. He gave some examples.

Administrator Bender said it's pragmatic that Milford is not telling MACC Base that we are pulling out on December 31, 2019. We are going to go into 2020 with hopefully one or more warrant articles. We are going to get to a point in 2020 where the IMA is going to have to be renewed or we are going to have a completely new IMA. It's going to come into the same thing we did this year, at the eleventh hour we will sign a contract to continue with MACC Base unless we do something beforehand. The point that Selectman Dargie was making is that there are some of these things in the IMA that the Board should make a decision on going into that negotiation. If you feel strongly about the 71%, is that something that this Board wants to vote on tonight or will you wait until Monday night.

Selectman Dargie said they should vote on it because if it's 4/1 then we are done in terms of talking about it. If everyone wants to stick with 50% that's fine but if three or more people want to go with 71%, we need to tell them that. He's in favor of 71%. Selectman Labonte said he is not in favor of 71%. Selectman Putnam said he's happy with the percentages the way they are not, done by population. Selectman Dudziak said she doesn't think the other towns are going to go for that. Selectman Dargie said that's true, he can see us having a Milford solution and having them as customers so it's still a regional solution if it's managed correctly. Selectman Dudziak agrees but that will be the end of the discussions if that's what we say. Selectman Dargie said if that is the way we are headed, then let's tell them that. If it isn't the way we are headed then that's fine. Selectman Putnam said if we own the system and they are customers if they are having problems, it becomes our problem. Selectman Dargie said if there's a MACC Base it's a common problem so it really doesn't change anything depending on how it's written. Selectman Putnam said let's just sit with them Monday.

**c) Traffic Safety Concern – Phillips Way** – Residents want to make it a two-way, Chairman Daniels recommends that it go to Traffic Safety. Selectman Dargie asked for a rough estimate for what it would cost to make it a two way road and consider a warrant article to see if the town is interested. There was more discussion on the amount of traffic. Selectman Labonte said it doesn't make sense to make it two way. Selectman Dargie said it use to be two way. Chairman Daniels told Administrator Bender to go ahead and get an estimate.

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

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

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

Selectman Putnam said the parking committee is meeting tomorrow.

Chairman Daniels said recycling is still working on revisions to the ordinance and videos on composting.

Selectman Labonte said when we changed the rate for demo, didn't we determine it was going to be by the pound. Chairman Daniels said yes but it has caused some problems. The scale is in 20 lb. increments so if you have 14 lbs. it's measured out at 20 lbs. The software will be updated and it will come back to the Board.

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

**9. APPROVAL OF FINAL MINUTES.** Selectman Dargie moved to approve the minutes of September 9, 2019. Selectman Dudziak seconded. All were in favor. The motion passed 4/0. Selectman Putnam left the room.

### **10. INFORMATION ITEMS REQUIRING NO DECISIONS.**

**11. NOTICES.** Notices were read.

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**12. NON-PUBLIC SESSION.** Selectman Putnam made a motion to enter into a non-public meeting in accordance with (RSA 91- A:3,II (c)) – Reputation and Approval of Non-public minutes in accordance with (RSA 91-A:3,II(e)) – Legal, August 19, 2019, and (RSA 91-A:3,II(a)) - Personnel, and (RSA 91-A:3,II(c)) – Reputation, September 9, 2019. Seconded by Selectman Dudziak. All were in favor. The motion passed by roll call vote 5/0.

**13. ADJOURNMENT:** Selectman Putnam moved to adjourn at 10:25. Selectman Dargie seconded. All were in favor. The motion passed 4/0. Selectman Dudziak left the room.

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Gary Daniels, Chairman

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Laura Dudziak, Member

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Paul Dargie, Vice Chairman

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Chris Labonte, Member

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Mike Putnam, Member