

APPROVED  
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING  
December 13, 2021

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

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

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

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

**5:30 p.m. – Keyes Field Skate Park Vending Machine – David Muise**

Mr. Muise, a Milford resident, would like to install a public vending machine at Keyes Park that he will keep stocked and maintained. He would also like access to electricity which he is willing to pay for. It would contain drinks and snacks.

Selectman Labonte asked about vandalism. Mr. Muise will have it insured, and he could set up a camera. Selectman Freel is inclined to say no, he feels that everyone would want to put vending machines all over town. He suggests finding a private property to put the machine on. Selectman Dargie agrees with Selectman Free and is concerned with potential vandalism.

Mr. Muise said he could get a vending machine license. Selectman Dargie suggests sending it to the Recreation Commission for their opinion. There was a discussion about power and types of machines.

**Selectman Dargie moved to send this to the Recreation Commission. Seconded by Selectman Labonte.**

Arene Berry, Recreation Director, hesitates to approve this. There isn't electricity next to the skate park. An electrical line would need to be put in. Concession at the pool is under Recreation. It's usually contracted out to a non-public. Some of the profits from concessions go into the Recreation revolving fund. A vending machine may affect some of the monies made by non-profits. We limit allowing the selling of things in the park to when events are being held.

Marti Noel, Assessing Director, said a for-profit entity should do a lease according to the statute. Selectman Dargie asked Ms. Berry if she feels this should go to the next Recreation Commission meeting in January. Ms. Berry said if the Board wishes to do so.

**Selectman Dargie withdrew his motion.**

Selectmen Labonte asked if Mr. Muise would think differently if he had to do a lease. Mr. Muise said he wouldn't mind signing a lease. He asked about cameras at the park. Chief Viola said there are cameras and they are looking to do more. They don't monitor the park.

**Selectman Freel made a motion to deny the request. Seconded by Selectman Dargie. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels no and Selectman Freel yes. The motion passed 4/1 with Chairman Daniels opposed.**

**5:40 – Social Services Warrant Article – Welfare Director, Lisa Emerson**

Ms. Emerson presented a list of organizations that the Social Services Committee chose to give funds to should the warrant article pass. 14 applications were received and 12 were chosen. Priority is given to those agencies who are based in Milford, and/or who work to provide housing and housing services, support for risk youth or the elderly, or address mental health and substance use disorder needs. There is a formula that is used to determine the criteria.

**Selectman Labonte made a motion to approve the Social Services Warrant Article. Seconded by Selectman Dargie. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. All were in favor. The motion passed 5/0.**

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### **5:50 – Elderly Exemption Discussion – Assessing Director, Marti Noel**

Chairman Daniels said once the revaluation was complete, it increased the amounts the elderly had and they now owe property taxes but don't lose their exemption. Ms. Noel gave an overview of the criteria used when determining the elderly exemption. The exemptions amounts come off the value of the house before there are taxes due. There have always been people who have still owed taxes even after they had the exemption. It isn't that we cover everyone's taxes that apply, the town set an amount that they allow for the exemption.

Selectman Labonte asked if there was an average amount a person would have to pay out of pocket this year. Ms. Noel said in 2021 the average is \$2,478 on the \$123,000 exemption, \$3,345 on the \$165,000 exemption and \$3,677 on the \$180,000 exemption. If you have a higher-valued home, you will be subject to some type of taxation. Most people fell comfortably within those limits even with the increase. Nothing increased drastically because the tax rate went down.

### **6:00 – Replacement of 2016 Police Vehicle (A16) – Police Chief Mike Viola**

Chief Viola would like the Boards approval to replace the 2016 Police vehicle that was totaled by a drunk driver in October. They are asking for \$33,901.14 to be used from the Police Departments' surplus. Primex will reimburse the town \$14,350. There was some discussion about depreciation and insurance. Mr. Calabria said Primex will go after the other vehicle's insurance, and we won't get a hit on our insurance rates. We will have less maintenance cost because we are replacing 2016 with a 2022 vehicle.

Administrator Shannon said this doesn't eliminate the need for the police vehicles that we are asking for, this is replacing an existing vehicle. Selectman Dargie

**Selectman Dargie moved to approve the purchase of a new Police Vehicle for \$48,251.14 from current year funding. Seconded by Selectman Dudziak.**

Selectman Freel asked if the town was covered for replacement cost? Mr. Calabria said replacement cost cover apparatus only. There was an additional cost about filing a suit against the other person's insurance company. Selectman Dudziak said that is up to Primix.

Chairman Daniels asked if they were buying the vehicle and being reimbursed by Primex or waiting until Primex we get the amount first? Mr. Calabria said they will be receiving the check within the next week or so. It's sent out once the final value of the vehicle is determined. There was some discussion about what amount should be authorized.

Selectman Labonte asked how much surplus we will have this year. Mr. Calabria said about \$150,000. He also stated that the insurance check doesn't go into the fund balance, it's to replace the vehicle under loss casualty.

**Chairman Daniels move to amend Selectman Dargie's motion with the approval of the expenditure of \$48,251.14 with \$33901.14 coming from the police budget surplus and \$14,350 coming from the Primex refund. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. All were in favor. The motion passed 5/0.**

**Chairman Daniels move to approve the amended motion to approve the expenditure of \$48,251.14 with \$33901.14 coming from the police budget surplus and \$14,350 coming from the Primex refund. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. All were in favor. The motion passed 5/0.**

### **6:10 p.m. - Conservation Easement for the BROX Sand and Gravel Stewardship Fund – Conservation Member, Alternate Chris Costantino**

Ms. Costantino is asking the Board to pay \$30,000 for the easement at the BROX property. The grant they applied for did not get accepted. Chairman Daniels said he doesn't know where we are on this except that we just received another extension. Administrator Shannon said we could try to get an answer from Fish and Game and come back to the next meeting.

Selectman Labonte said we don't have the permit anymore. We don't even have a permit that says we need to spend the \$30,000. All permit cost needs to come from the contractor. Why is this coming back to us? He's asked this multiple times and still doesn't have an answer. Ms. Costantino said she can't answer that question. Administrator Shannon would

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have to ask Town Council. Selectman Dargie asked if we have money in the budget to cover the cost of this easement. Administrator Shannon said he didn't think so. No one knows what the problem is with the state. We are up to 5th or 6th extension now.

Selectman Labonte said he thought we couldn't take this from the gravel money. Mr. Calabria said the gravel revenue goes directly to the general fund so Selectman Labonte is correct. Administrator Shannon will get more information and bring this back at the next meeting.

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

Katherine Kokko, a Milford resident, asked about a radio investigation process discussed in July, she asked where this stands. Chairman Daniels said he will give that some thought. Depending on where we may be lacking communications, he would not want to publically announce where those problems areas are due to safety of those areas. Ms. Kokko said she is speaking about the policy and procedure and as to whether it exists to date. Her understanding is that it does not exist. Administrator Shannon said it exist in draft form only. Ms. Kokko said she will forward other questions that Administrator Shannon has in his e-mail from her to Chairman Daniels.

Ms. Kokko said because the town is using ARPA money, the expectation is that it isn't the same as what the town previously put forward in article three this past year. Under RSA 32:10, she asked if the town confirmed with DRA that it didn't violate the no means no clause when they moved forward with this in July, given that warrant article 3 was voted down.

Administrator Shannon said this isn't the same, you are talking about a \$2.4 million warrant article and this is slightly over \$600,000 for equipment, it isn't a one-for-one match. Ms. Kokko said it doesn't need to be a one on one match and she feels it needs to be clarified with DRA. Administrator Shannon said when the DRA called to discuss this, they were aware that there was a warrant article similar to this. Ms. Kokko said they could be aware of it without actually having cleared whether or not it was vetted.

**Selectman Labonte asked to remove 4. a) 4.**

**Selectman Dudziak moved to approve the consent calendar except for 4. a) 4. Seconded by Selectman Labonte. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. All were in favor. The motion passed 5/0.**

### 4. DECISIONS

#### a) CONSENT CALENDAR

1. Request for Acceptance and Appropriation of Unanticipated Revenues under \$10,000 (31:95(b)) – Donation from the Marchesi Town Trust Fund towards the purchase of two Zoll Z Vent Ventilators - \$2,732
2. Approval of Recommendations for Police Officer Promotions.
3. Approval of Tree Removal - Eversource
4. Approval of JMLC change to Safety Data Sheet Location

Administrator Shannon explained 4. a) 4) to Selectman Labonte. **Selectman Labonte moved to approve 4. a) 4. Seconded by Selectman Freel. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. All were in favor. The motion passed 5/0.**

#### b) OTHER DECISIONS

1. N/A

### 5. TOWN STATUS REPORT –

#### 1. Revenue Forecast for all Revenue Sources

Selectman Labonte asked if there is a reason we need to put a number in the line items, like on MACC Base. Paul Calabria said we don't know what the number will be each year. He followed the lead of the last Finance Director and put amounts in as placeholders.

Chairman Daniels asked about the Land-use amount. Mr. Calabria said there were not as many building permits coming through as there were in 2021. It can go up or down a lot.

#### 2. Tax Rate Forecast Expense/Revenue

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There were questions about some of the line items. Mr. Calabria will make the appropriate changes, as this is just a DRAFT. He will send an updated sheet to the Board. Selectman Labonte said with the HVAC on the report, shows the tax rate increasing by 30%. Mr. Calabria said the HVAC doesn't affect the tax rate because it's a bond. Administrator Shannon said it goes from 4.03 to 5.23.

Selectman Labonte asked about the fund balance. Mr. Calabria said we were at \$5.369 million. We are at 8.2% which is well within the recommended level that is suggested. Selectman Dargie asked what Mr. Calabria would like the rate to be. Mr. Calabria said 8% is a good amount. There was an additional discussion about fund balance. Selectman Dargie would like to see \$200,000 put in the line item in the fund balance sheet.

Selectman Dargie would like to put an additional \$100,000 in the budget for roads in the DPW budget. They currently have \$320,000 in the budget and there is a warrant article for \$300,000. He would like to hire someone to estimate the cost to repair and develop bidding documents as to what this will take. He thinks it would be around \$10,000 to do this. Selectman Dargie would like any salary adjustments to be incorporated into the budget.

Selectman Labonte talked about the cost of living adjustment and would like to increase the salary from 3.5 to 4.5. He asked what the amount of the increase would be. He would also like to do it without raising the top number of the budget. Mr. Calabria said it would be around \$31,000 to increase the raises by 1%. He received e-mails from other towns and we were on the low side. Wilton is increasing salaries by 5%, Mont Vernon 6%, and Amherst 4%. Selectman Freel said he would support 4.5% or even 5% but he would also like to see it come off the top of the budget. Mr. Calabria will run the numbers for the next meeting. Administrator Shannon said they could look at the budget, he isn't promising that he can find that amount. He doesn't want to give up a police or ambulance vehicle to do the raise. We cut back things last year that we still need this year.

Administrator Shannon said the increase is about 4.8% and 2.4% is nondiscretionary. Selectman Labonte said he could come up with a couple of places the money could come from.

Selectman Dargie made a motion to increase the budget by \$100,000 for roads. No one seconded. The motion failed. Selectman Labonte asked if the DPW Director had any idea of what he would like to do in his budget for roads next year. Administrator Shannon said he would get together with him. The Board would like to see where we are with the above changes before adding more to the roads.

Selectman Labonte asked if there were thoughts on the remaining surplus. Selectman Freel would like to put it towards the fund balance. Administrator Shannon said he would speak to the department heads about their thoughts.

### 3. Amherst Grant Partnership

Administrator Shannon said they met with Amherst and will be meeting again this week. We are hoping to have our application in late January, early February. It's a first come first serve basis at 100% funding. We are looking ahead at what work needs to be done under the road. We will meet as many times as possible to get this done.

Chairman Daniels asked if they determined how far down Amherst Street the sidewalks will go. Administrator Shannon said no, other factors are being reviewed in looking at that.

**4. ZOOM Usage** – Administrator Shannon said that there were questions as to whether or not every meeting had to be on zoom, and the answer is, no they do not. It is nice to have but not required. All emergency orders governing meetings have expired. It is up to the Boards and Committees if they want to keep using zoom. There have been conflicts in zoom usage for a couple of meetings.

### 6. DISCUSSIONS

#### 1. Traffic Safety Concern – Nye Drive.

Selectman Dargie made a motion to send this to the Traffic Safety Committee. Selectman Dudziak seconded. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. All were in favor. The motion passed 5/0.

#### 2. 2022 Draft Warrant Articles –

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Administrator Shannon said he hasn't received any input from the Board. Mr. Calabria said warrant articles are still being reviewed by the DRA, language is still in DRAFT format, he have the tax rate for the warrant articles by the next meeting. Tina Philbrick asked if there was anything the Board wanted to be removed from the warrants.

**Selectman Labonte moved to remove the Wage Benefit Survey for \$40,000 from the Warrants. Seconded by Selectman Freel. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. All were in favor. The motion passed 5/0.**

Selectman Labonte mentioned using the capital reserve when buying something on a warrant and asked if we still need to fund the capital if we are using it to fund something. Selectman Freel asked for the totals of the capital reserve accounts. Mr. Calabria said Fire, Town and Ambulance all have \$100,000 in them right now.

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

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

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

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

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

**9. APPROVAL OF FINAL MINUTES – Selectman Dargie moved to approve the minutes of November 29, 2021. Seconded by Selectman Dudziak. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. All were in favor. The motion passed 5/0.**

**Selectman Dargie moved to approve the minutes of November 29, 2021. Seconded by Selectman Dudziak. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. All were in favor. The motion passed 5/0.**

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

1. Treasurers Report - October

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

### **12. NON-PUBLIC SESSION N/A**

**13. ADJOURNMENT: Selectman Dudziak moved to adjourn at 7:21 pm. Seconded by Selectman Freel A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.**

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Gary Daniels, Chairman

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Paul Dargie, Member

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Chris Labonte, Vice-Chairman

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David Freel, Member

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Laura Dudziak, Member