

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
December 27, 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 **EXCUSED**
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. - Social Services Warrant Article – Welfare Director, Lisa Emerson

Ms. Emerson gave a brief overview of the 9 agencies that the Social Services Committee approved for the 2023 Warrant Articles. They received 13 applications; priority was given to Milford based agencies and agencies that didn't get a lot of federal funding. The warrant article is for \$40,000. The needs in our community are great this year.

Ms. Langdell, Social Services Committee Member, said Share has doubled requests for their needs this year. They expect more needs in the future. Chairman Dargie said the committee does a great job, the list seems appropriate.

5:40 p.m. - Public Hearing for the Acceptance for Expenditure of Unanticipated Funds over \$10K NH (RSA (31:95)b) –

Chairman Dargie opened the public hearing.

- Kaley Foundation Grant for purchase of two battery powered extrication tools for the Milford Fire Department - \$26,625

Ken Flaherty, Fire Chief, said this will help with extrication in a motor vehicle accident. This is fully funded. We have currently have two gas powered ones. They are about 49 lbs. each.

- Anonymous Donations of money to be used to purchase new firearms and firearm related equipment for the Milford Police Department - \$17,850

Mike Viola, Chief of Police, this is to transition our 15 year old firearms to new ones to include sights and holsters. His officers did a study on 5 different types of firearms to determine which were best. His firearms instructors also use their firearms to teach at the Police Academy.

Mark Bender, Town Administrator, spoke to the Town's Attorney regarding the anonymous donors and in order to protect their anonymity, which is allowed by law, he suggests that any discussion by the Board be done in non-public under (RSA 91-A:3,II(c)) Reputation. These donors will withdraw their donations if we can't protect their anonymity.

Selectman Dargie made a motion to go into non-public under (RSA 91-A: 3, II(c)) Reputation. Seconded by Selectman Finan. All were in favor. The motion passed 4/0.

Selectman Daniels made a motion to exit non-public. Seconded by Selectman Finan. All were in favor. The motion passed 4/0.

In non-public the Board discussed one topic.

- Milford Special One-Time Bridge Payment – State (SB401) - \$340,246.12. There was no additional discussion.

Chairman Dargie closed the public hearing.

Selectman Finan made a motion to seal the 5:45 non-public minutes of December 27, 2022 under NH (RSA 491-A:3, II(c)) Reputation. Seconded by Selectman Daniels. All were in favor. The motion passed 4/0.

Selectman Daniels made a motion to approve the Kaley Foundation Grant of \$26,625 for purchase of two battery powered extrication tools for the Milford Fire Department, donations of \$17,850 to be used to purchase new firearms and firearm related equipment for the Milford Police Department and a Milford Special One-Time Bridge Payment – State (SB401) of \$340,246.12. Seconded by Selectman Freel. All were in favor. The motion passed 4/0.

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

Kathy Parenti, Library Trustee Chair, gave an update on current issues at the Library. – The motor for the HVAC system in the children's room failed and needs to be replaced. The most recent storm caused some major roof leaks. A contractor checked it out and won't repair the area where it's leaking because they can't guarantee that it won't leak again. They will give the Library an estimate on an entire roof replacement. The forms have been submitted for the ARPA grant and the money should be in house in January. There was additional discussion about additional estimates, trust fund money and incoming ARPA funding.

Chris Labonte, a Milford resident, asked if we had a total on unspent wages. Administrator Bender said they will have an update later in the meeting.

4. DECISIONS

a. CONSENT CALENDAR

1. Acceptance and Appropriation of Unanticipated Revenues Under \$10K NH (RSA (31:95(b))

- From Alfred and Carolyn Karnis - Donation for Bandstand Upkeep/Restoration - \$100.00
- From the Milford Historical Society – Donation for Bandstand Upkeep/Restoration - \$2,304.53
- NH The Beautiful Inc. Grant – for the purchase of roll-off containers for the Transfer Station - \$2,900.

2. Approval of Road Acceptance for the Tonnella Road Extension

3. Approval of NHDOT – Congestion Mitigation Air Quality Application (CMAQ) Letter of Support – Bus Transportation Network from Nashua to Milford

4. Approval of NHDOT – Congestion Mitigation Air Quality Application (CMAQ) Letter of Support – Nashua St. and Ponemah Hill Rd. Sidewalk Improvement Project

Selectman Freel asked to remove items 4. a) 3. and 4. a) 4. From the consent calendar for discussion.

Selectman Daniels made a motion to approve the consent calendar for items 4. a) 1. and 4. a) 2. Seconded by Selectman Finan. All were in favor. The motion passed 4/0.

Selectman Freel asked how adding a bus that isn't there now, cutting back on emissions in reference to the Bus Transportation Network from Nashua to Milford. And, are people going to use the sidewalks on Nashua St. and Ponemah Hill Rd, it was already voted down twice.

Administrator Bender said public transportation is generally recognized in air quality mitigation grants as more beneficial than private automotive which is the rationale for the bus. This is a benefit to our commercial sector. There is no cost to the town for this. This federal funding is administered by the State, and the local businesses are also funding about 20% of this. Terrey Dolan, Town Planner said he thought it would be at least 5 years.

Selectman Freel has concerns about the businesses not covering the cost if the state eventually takes the money away. Administrator Bender said it's up to the state and businesses on how long this will happen. Mr. Dolan, thought it would be in service for at least 5 years.

There was additional discussion on the benefits of the bus transportation network, to include economic development. The town can decline this at any time if there isn't any funding available. The town isn't locked into anything. This is being supported by Nashua Transit. Administrator Bender said the letter is just to support going forward for the grant, not financial support. Letters of support are being written by multiple organizations and at least two of the manufacturers in town in support of this.

Selectman Freel is concerned about Milford having to pick up the bill if this doesn't work. Mr. Dolan said this is a general letter support from the town. There is a desperate need from some of the larger businesses in town. Additional funding contributions in between Milford and Nashua could have additional funding contributions eventually.

Selectman Finan said we haven't won the grant yet. There are other steps coming up and this will have to come back to the Board again.

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Leo Lessard, Public Works Director, said that Nashua has done their homework and if there wasn't any benefit to this, they wouldn't do it. It isn't costing the town anything. He repeated that it can be stopped at any time. Administrator Bender said Hitchners has 68 openings. Selectman Daniels questioned the word manufacturing and who exactly was this for.

Janet Langdell said that word was used because at the beginning, it was the manufacturing businesses that started this conversation. There are many benefits to this. This will be a PILOT program for year one. This will create a service to and from here and Nashua. It may also include secondary education advancement. This could open us up to getting other federal money in the future. There is usually a clause in this type of contract that anyone can withdraw.

Selectman Freel said if this is a privately done thing with the state and local businesses, why does this Board have to vote on it. Ms. Langdell said they are looking for broad-based support to present this plan to CMAQ. There are many plans to go after this money. There are twice as many ideas than there is money available. We are just trying to get on board. It's a better network of people moving. CMAQ funding doesn't come around often and we are prime now because we have a couple of manufactures in this town that are interested and on board.

Selectman Daniels asked about duplication with the Blue Bus. Janet Langdell said there isn't duplication. The Blue Bus is basically for seniors and the disabled but other people can use it if it's available. This is a different type of transportation and will not pick people up at their homes like the Blue Bus does. It will be fixed route service, not going to your home to pick you up.

Administrator Bender said there isn't a guaranty that we will get this. Letters of support are looked at favorably.

Mike Thornton, a Milford resident, asked if we have done a survey of people who would use this.

Chairman Dargie said that would be difficult to do this. Ms. Langdell said some studies and surveys were done.

Mr. Lessard said one bus is better than 30 cars driving back and forth. The state and Nashua have already done their homework on this. If it doesn't work, the state will turn it off. It comes to the Board because they want the Selectmen to know what's going on.

Ms. Langdell said there may be questions about putting in bus stops. This will have to come back to the Board. This program will not be underutilized. Administrator Bender said this has been discussed since 2020.

Selectman Daniels said he still sees an incomplete picture. He is willing to support it initially. He isn't comfortable with the gray area. Who builds the bus stops? He supports the businesses who think this might work.

Selectman Finan made a motion to approve the consent calendar for item 4. a) 3. Seconded by Selectman Dargie. All were in favor. The motion passed 4/0.

Selectman Freel said the sidewalk previously failed, he doesn't understand why we are going for it again. He doesn't follow it.

Chairman Dargie said having sidewalks on Nashua Street is a non brainer. It's a safety issue. More will walk if sidewalks are there. There are many apartment buildings nearby and they will be used. It's a 20% match.

Administrator Bender said part of the reason this is coming up again is because it can accommodate a new housing complex in that area as well as all the other developments already in place. CMAQ is a federally funded program. The project is just under \$1,000,000 and the town's share will be just under \$200,000.

There was additional discussion about where the sidewalks will be and what the new developer will be responsible for.

Administrator Bender said if it got approved it would be a 2024 warrant article. Selectman Finan supports this fully. People do walk in this area, in the breakdown lane. We need to get this taken care of. The feds are willing to give us money. We are always looking for money that doesn't come out of the tax payer's pockets. It has been on the ballot, but it has never received full support from the Board, with the support, it may pass.

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Mr. Thornton said this is a safety issue. He recommends doing a survey to build support.

Ms. Langdell commented on a previous concern about previous project needing to be on a town warrant and who would handle the money for the Bus. NRPC will be submitting for the CMAQ grant for the transit services and they will be managing the money.

Chairman Dargie said it's a safety issue. There are lots of apartment buildings with more coming. There is a real need. Spending \$200,000 to get \$1,000,000 is a big deal. There are many steps to this and this is just to get us going, it may not get approved.

Selectman Finan said there will be lots of discussions about this. Selectman Daniels said \$200,000 is on top of the Water/Sewer we are asking for as well as other things on the warrants.

Selectman Freel said he goes to the voting booth with the mindset on how it's going to affect his bottom dollar and is he going to use this. He votes on things that will be beneficial to the entire town, not just part of the town. He gets it, but it's still \$200,000 that we have to put in. He doesn't support this.

Lynn C. supports sidewalks on Nashua Street, she would use them. Scott Kimball, said he supports this but it has failed every time, find another way to support it. Nancy Amato, a Milford resident, supports this. She said years ago her friend's daughter got hit out there when she was walking and still has issues to this day. Celeste Barr, a Milford resident, agrees about the safety issues. She is sad that a Town representative would only vote for something that would only benefit them.

Mr. Nolan said there are several multi-family units within walking distance from where the sidewalks are needed. There are 552 existing multi-family units right now; not counting the 268 that may come on board southwest of Corywood that may be applied for. Capron Road has about 250 units. There is a missing gap in the network of sidewalks. This could fill in the gaps and we should pursue it.

Selectman Finan made a motion to approve the consent calendar for items 4. a) 4. Seconded by Selectman Dargie. The motion failed 2/2 with Selectman Daniels and Freel opposed.

b. OTHER DECISIONS

1. N/A

5. TOWN STATUS REPORT –

1. Revenue Budget - Administrator Bender presented the 2023 Revenue Budget to the Board. The 2023 revenue is shown compared with 2022 YTD thru Mid-December and actual revenue for the years 2017 through 2021. This revenue was included in our Tax Impact calculations for the Warrant Articles.

Paul Calabria said \$360,000 in surplus salaries from unfilled positions. The benefits that go along with this are \$160,000.

Selectman Freel asked if there were any new hire this month where this is going to change. Administrator Bender said we filled some positions.

Selectman Daniels asked about revenues being up. Mr. Calabria said the state re visited the formula for the meals and rooms tax. The Town Clerk is estimating an additional \$100,000. There was additional discussion on what additional money will come in at the Town Clerks office. Mr. Calabria said they revisit everything before setting the tax rate.

Chairman Dargie said the revenue budget for recyclables next year is \$42,500. It fluctuates yearly. This is the gross number. Selectman Daniels would like surplus for each year added to the spreadsheet.

Administrator Bender explained the tax impact sheet and what needs to be raised by property taxes.

2. 2023 DRAFT Warrant Articles

The warrants were sent to the DRA for review.

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DRAFT WARRANT ARTICLE 3 – WASTEWATER TREATMENT FACILITY (WWTF) UPGRADE PROJECT – \$23,953,000 BOND (Loan Forgiveness \$3,592,950) (Wilton NH Portion \$3,031,611.45) (20% SAG Grant \$3,465,687.71) Remaining amount \$13,862,750.84.

The tax impact of \$21.01 is based on a 50/50 split between taxpayers and rate users. Selectman Freel wants to change the split to 45/65 with rate users paying the higher amount. There was some discussion on what the tax rate would be on a lesser rate.

Selectman Finan moved to support the warrant article as is. Seconded by Selectman Dargie.

Selectman Finan said it was important that they all support whatever number we end up with. Both Selectman Freel and Selectman Daniels would support a 45/55 split with rate payers paying the higher amount.

Dale White, Water Commissioner said the Commissioners thought 50/50 was fair. This project needs to be done. He would support a 45/55 split and make the change on their end. Selectman Finan withdrew his motion.

Selectman Freel made a motion to change from a 50/50 split to 45/55 split with taxpayers paying 45% and rate users paying 55%. Seconded by Selectman Daniels. All were in favor. The motion passed 4/0.

The Selectmen voted to recommend this warrant article 4/0.

WARRANT ARTICLE - TOWN OPERATING BUDGET - \$ 17,457,068

There was a discussion on the tax rate. The \$19 is a differential between the budget and default budget. Mr. Calabria said Chairman Dargie came up with this way to show the tax rate last year and it passed.

The Selectmen voted to recommend this warrant article 3/1 with Selectman Daniels opposed.

**WARRANT ARTICLE - FIRE ENGINE REPLACEMENT - 7-YEAR LEASE/PURCHASE - \$755,000
Gross Purchase Price (Annual Lease Payment \$124,665)**

The Selectmen voted to recommend this warrant article 4/0.

WARRANT ARTICLE - RECONSTRUCTION OF TOWN ROADS - \$ 400,000

The Selectmen voted to recommend this warrant article 3/1 with Selectman Daniels opposed.

WARRANT ARTICLE - ONE REPLACEMENT AMBULANCE (LEASE) (Annual Payment \$52,857/Total Purchase Price \$371,922)

The Selectmen voted to recommend this warrant article 4/0.

WARRANT ARTICLE - AFSCME/POLICE CONTRACT - \$175,398

The Selectmen voted to recommend this warrant article 4/0.

WARRANT ARTICLE - BANDSTAND RENOVATION - \$90,000

The tax impact rate is based on private funding of approximately \$30,000 so the tax would be based on \$60,000.

The Selectmen voted 2/2 on this article with Selectman Freel and Selectman Daniels opposed.

WARRANT ARTICLE - BRIDGE REPAIR AND/OR REPLACEMENT CAPITAL RESERVE - \$75,000

There is currently \$546,000 in this capital reserve account and the Board just accepted a one-time Time Bridge Payment from the State for \$340,246.12 tonight. The project schedule next year will be around \$200,000 after state funding of \$800,000. Chairman Dargie feels that this warrant article is not needed this year.

Chairman Dargie made a motion to remove this warrant article for 2023. Seconded by Selectman Daniels. All were in favor. The motion passed 4/0.

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WARRANT ARTICLE - WADLEIGH LIBRARY MAINTENANCE AND UPKEEP CAPITAL RESERVE - \$50,000

Lynn Coakley said this capital reserve is unfunded at this time. We are looking to build this reserve.

The Selectmen voted 2/2 on this article with Selectman Freel and Selectman Daniels opposed.

Selectman Daniels moved to reduce the amount from \$50,000 to \$25,000. Seconded by Selectman Freel. All were in favor. The motion passed 4/0.

Lynn Coakley said they would prefer the larger amount but they understand that this is a tough year for the town so they can work with \$25,000.

The Board took another vote with the decreased amount.

The Selectmen voted to recommend this warrant article 4/0.

WARRANT ARTICLE - SOCIAL SERVICES - \$40,000

The Selectmen voted to recommend this warrant article 4/0.

WARRANT ARTICLE - NON-EMERGENCY COMMUNITY TRANSPORTATION BUS SERVICES – \$32,000

The Selectmen voted to recommend this warrant article 4/0.

WARRANT ARTICLE - INDEPENDENCE DAY CELEBRATION FIREWORKS - \$14,000

The Selectmen voted to recommend this warrant article 3/1 with Selectman Daniels opposed.

WARRANT ARTICLE - ANNUAL LABOR DAY PARADE SUPPORT - \$10,000

Selectman Daniels asked how much was in the Labor Day Fund. Tina Philbrick, Executive Assistant said about \$13,000.

The Selectmen voted 2/2 on this article with Selectman Freel and Selectman Daniels opposed.

Selectman Daniels made a motion to lower the warrant article amount from \$10,000 to \$3,000. Seconded by Selectman Free. The motion failed 2/2 with Selectman Finan and Chairman Dargie opposed.

WARRANT ARTICLE - SUMMER BAND CONCERTS SUPPORT - \$9,000

The Selectmen voted 2/2 on this article with Selectman Freel and Selectman Daniels opposed.

WARRANT ARTICLE - MEMORIAL, VETERANS & LABOR DAY PARADES AND RECOGNITION SUPPORT - \$8,000

The Selectmen voted to recommend this warrant article 4/0.

WARRANT ARTICLE - MODIFICATION OF EXISTING ELDERLY EXEMPTION CRITERIA

The Selectmen voted to recommend this warrant article 4/0.

WARRANT ARTICLE - RE-ADOPT THE OPTIONAL VETERAN'S TAX CREDIT WITH EXPANDED ELIGIBILITY - \$5,000

The Selectmen voted to recommend this warrant article 3/0/1. Selectman Daniels recused himself from the vote.

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WARRANT ARTICLE – RE-ADOPT ALL VETERAN’S TAX CREDIT WITH EXPANDED ELIGIBILITY - \$5,000

The Selectmen voted to recommend this warrant article 3/0/1. Selectman Daniels recused himself from the vote.

WARRANT ARTICLE – TRANSFER STATION RECYCLING CENTER / REVOLVING FUND - \$40,000

Chairman Dargie explained that this warrant article would take the revenues that came in minus the associated cost and the remainder would go into the revolving fund. Selectman Finan feels that using the word net wasn’t a good idea. Selectman Daniels is ok with this wording.

Chairman Dargie suggesting removing the word “net” from the warrant article. He would be more comfortable with a capital reserve fund instead of a revolving fund.

Celeste Barr, Recycling Committee Member, said the revenue is only the items that they get actual cash from.

Fred Hobbs presented a list of what they would be using the Transfer Station Recycling Center / Revolving Fund for. It’s aligned with the Waste Management Plan of New Hampshire. There will be some restrictions. There was discussion about life cycle management; there is a lot of equipment that is around 40 years old. There will be lots of education on what can be recycled. The committee supports this funding mechanism.

Chairman Dargie supports all the things mentioned. There are three ways to support this, the regular budget, a revolving fund and a capital reserve and which one is the best. Revolving fund is best used for things that you can’t forecast. He doesn’t see a revolving fund as being a solution to this problem.

Ms. Barr said there are lots of issues with this facility. How does it hurt to have a revolving fund? Chairman Dargie said you are locked into this. If you get a great year, that money has to stay where it is and can’t be used anywhere else. There was additional discussion about the differences between a capital reserve and a revolving fund and what both can be used for.

Mr. Hobbs said over 85% of the public interacts with the transfer station on a monthly basis and it’s a public and high value area.

Selectman Freel was in support of the demo as well. Mr. Calabria said the demo pays for itself.

Chairman Dargie moved to remove the word net from the warrant article. Seconded by Selectman Daniels. All were in favor. The warrant passed 4/0.

The Selectmen voted to recommend this warrant article 3/1 with Selectman Dargie opposed.

WARRANT ARTICLE – MILFORD COMMUNITY ELECTRICITY AGGREGATION - \$0

The Selectmen voted to recommend this warrant article 4/0.

WARRANT ARTICLE – HISTORICAL PRESERVATION OF THE TOWN OF MILFORD’S FIRE HORN BY Petition

Mr. Kimball asked if this warrant article passed through Town Council. Chairman Dargie said yes.

The Selectmen voted to not recommend this warrant article 1/3 with Selectman Dargie, Selectman Finan and Selectman Daniels opposed.

This is a petition warrant article and will be included on the 2023 Town Warrants.

3. Town Hall and DPW Four Day Work Schedule – Administrator Bender approached the Board with a suggested 4 day work week for the Town Hall and DPW department.

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Administration would like input from the Board on the feasibility of implementing a four-day work schedule at Town Hall and DPW. Ambulance, Fire and Police have their own unique schedules. The concept here is to improve service, reduce costs and provide an employee benefit/recruiting tool.

Staff at Town Hall feels that we could improve service with extended hours earlier than our 8:00am start time and later than our 4:30pm closing time. The new schedule could be 7:00am through 5:00pm Monday-Thursday. We should also see energy cost savings by closing the building from Thursday evening to Monday morning. Community Development has reviewed with builders/developers who generally support the concept. The Town Clerk is also supportive.

DPW is open to a flexible schedule for employees at buildings, highways, parks and cemetery. This may include a combination of 4-day and 5-day schedules during certain seasons. We will have to discuss with the Union. We feel that Transfer Station service would be improved by eliminating the Friday 8:00am to Noon schedule and shifting the hours to Wednesday (or vice-versa). Other scenarios were discussed.

Mr. Labonte said it would be an inconvenience felt by everyone; typically Municipalities have a 5 day workweek. Selectman Finan said it all comes down to services. Selectman Freel said he isn't a fan of a 4 day workweek. He personally thinks the Transfer Station should be opened every day of the week. This is a town, not like a coffee shop, it should be open during the week. There was additional discussion about services.

Administrator Bender asked if there was a consensus of support that we continue to look into this or does the Board want to kill this? Selectman Finan is in favor of more review of this. Chairman Dargie is also in favor of more review. There would have to be some exceptions.

Mr. Labonte said some departments have multiple employees and they could do a rotating schedule. Mr. Calabria said there could be up to a \$5,000 savings and we could see more if the HVAC was fixed. Across the US there are 1,000,000 unfilled government jobs and people are retiring earlier. We have many employees that are plus 50 and 60. We will need to start recruiting soon and a 4 day work week will be a way to do this.

Chairman Dargie said continue investigating.

6. DISCUSSIONS

1. N/A

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

Mr. Kimball said we should find a way to get the sidewalks done, maybe integrate the money into a department's budget.

Ms. Langdell explained in a little more detail about the Selectmen Daniels concerns about duplication of the Transit plan. It will be a commuter line running twice a day.

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 December 12, 2022 as amended. Seconded by Selectman Finan. All were in favor. The motion passed 4/0.

10. INFORMATION ITEMS REQUIRING NO DECISIONS.

a. N/A

11. NOTICES. Notices were read.

12. NON-PUBLIC SESSION – Selectman Daniels made a motion to go into non-public in accordance with NH (RSA 491-A:3, II(a)) Personnel and NH (RSA 491-A:3, II(b)) Personnel. Seconded by Selectman Finan. All were in favor. The motion passed 4/0.

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Selectman Daniels made a motion to exit non-public. Seconded by Selectman Freel. All were in favor. The motion passed 4/0.

In non-public the Board made two decisions.

Selectman Daniels made a motion to seal the non-public minutes of December 27, 2022 under NH (RSA 91-A:3, II(c)) Reputation. Seconded by Selectman Finan. All were in favor. The motion passed 4/0.

13. ADJOURNMENT: Selectman Daniels moved to adjourn at Freel. Seconded by Selectman Finan. All were in favor. The motion passed 4/0.

Paul Dargie, Chairman

Laura Dudziak, Member

Tim Finan, Vice-Chairman

Dave Freel, Member

Gary Daniels, Member