

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
February 13, 2023

PRESENT: Paul Dargie, Chairman Mark Bender, Interim Town Administrator
Tim Finan, Vice Chairman Lincoln Daley, Town Administrator
Gary Daniels, Member Tina Philbrick, Executive Assistant
Laura Dudziak, Member Andy Kouropoulos, Videographer
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)

Chairman Dargie welcomed the incoming Town Administrator, Lincoln Daley.

5:30 p.m.- Approval of three (3) Land Use Change Tax, Map 41, Lot 38-1, 38-3, and 38-4 and Approval of four (4) Abatement Applications – Assessing Director, Marti Noel

In summary: This is a new minor subdivision.

Lot 1: 1.5 acres have been removed from current use. The remainder of this site has sufficient acreage to remain in Current Use.

Lot 3: This parcel was sold and doesn't have enough acreage to remain in Current Use on its own.

Lot 4: This parcel lacks sufficient acreage to remain in Current Use on its own, and is no longer contiguous to any parcel of identical ownership.

Selectman Daniels made a motion to approve the recommendation of the Assessor for three (3) Land Use Change Tax for Map 41, Lot 38-1, 38-3, and 38-4. Seconded by Selectman Freel. All were in favor. The motion passed 5/0.

All four of the Abatements presented tonight are recommendations to Approve. Two are due to corrections to records for reclassification, and two are due to changes in physical attributes that required adjustment. Ms. Noel explained common area use to the Board.

Selectman Freel made a motion to approve four (4) Abatement Applications as presented. Seconded by Selectman Daniels. All were in favor. The motion passed 5/0.

5:45 p.m. - Lions Club Road 5K Road Race - Gerald "Jerry" Gutierrez

In summary: The Milford Lions Club is holding its inaugural 5K road race in Milford on Saturday, April 29th, 2023 from 10:00 am – 12:00 am and will begin and end at the Milford Community House parking lot. They are expecting about 40 to 50 participants. They will not require any roads to be closed and will monitor and clean up all trash. They spoke with Captain Shawn Pelletier about the race. They are also looking for sponsorships. They have a timing company from Amherst that will help with keeping everything automatic. It will be a timed run for those who run competitively.

Chief Viola said there should be no issues with this route.

Selectman Feel made a motion to approve the Lions Club 5K Road Race on April 29, 2023. Seconded by Selectman Daniels. All were in favor. The motion passed 5/0.

6:00 p.m. - Community Development Fee Schedule – Community Development Director, Terrey Dolan

In summary: This is the first major update since 2008 for Planning Board and Zoning Board Fees. Board of Adjustment fees were last adopted in 2017. Mr. Dolan explained the postal fees to include the post office going rate plus \$1 per abutter.

Selectman Freel asked why add another \$1 of postal rate to the abutter's rate. Town Administrator Daley said the Planning Board discussed a complex proposal but Community Development wanted to make it easier. Selectman Daniels asked if we are making a profit off people or just covering someone's time to process the applications. Town Administrator Daley said they were not making a profit. It's time-consuming to process and review applications and we could be charging more. A major subdivision could take about 5 or 6 hours of staff time. They are trying to provide a fair and equitable fee structure to account for some of the staff's time, it will never cover the full cost. Selectman Freel said each town is different and some are stacked to cover these costs. There was additional discussion about other towns that charge more or less.

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Administrator Daley said it's been years since the fees were reviewed and they are trying to make them affordable and cost-friendly. Selectman Daniels asked if there has been input from builders. Administrator Daley said no, when it comes to our fees, Milford has been historically low. Mr. Dolan said the fees are consistent and lower than in some places.

Chris Labonte, a Milford resident, asked how much additional revenue this will bring to the town. Administrator Daley said they could look into it based on an average in the past 3 or 4 years, but it is not a large number.

Ms. Noel said adding the additional \$1 to the postal fee also includes the cost of materials like envelopes, paper, and ink. Administrator Daley said they are looking to start the permit increases in March. Selectman Finan suggested a later date and have it posted so that if there is negative feedback, we can address it. Chairman Dargie said the fees are reasonable. Selectman Freel asked about building fees. Mr. Dolan said they are having the new Engineer look into this. Administrator Daley said the Board approved a building fee increase in 2017. Mr. Daley said the numbers being proposed are low.

Selectman Dudziak made a motion to approve the recommendation of the Community Development Director for Fee Schedule increases for April 1, 2023. Seconded by Selectman Finan. The motion passed 4/1 with Selectman Freel opposed.

6:20 p.m. Milford Community Power Plan – Mike Thornton, Chair

MEAC presented the final plan to include the survey numbers which was 25% of the 500 flyers that were handed out. They will bring the plan back on February 27, 2023, and would need the plan signed by voting day. Mr. Thornton said the default number should be the lowest cost available and residents could choose what they want and still save money over their other options. Chairman Dargie said there will be 4 levels and they won't be determined until later. The lowest cost option will be the default. If a resident does nothing, they would get the least cost option.

There was additional discussion on renewables becoming more affordable.

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

4. DECISIONS

a. CONSENT CALENDAR

1. Acceptance and Appropriation of Unanticipated Revenues Under \$10K NH (RSA (31:95(b)) - Donation for the Restoration of the Pillsbury Bandstand
 - Margaret M. Seward - \$2,000

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

b. OTHER DECISIONS

1. N/A

5. TOWN STATUS REPORT – Town Administrator, Lincoln Daley

1. **Deliberative Session Review** – Mr. Daley asked if the Board had any questions about the Deliberative Session.

Selectman Daniels commended IT/Community Development on the sound. There was a power problem at the school that was resolved quickly.

2. **Benchmark Electric Pricing** - The Town's electric contract with Standard Power is set to expire in November 2023. The Town's current rate is \$0.16510. The default rate from February 2022 – August 2022 is \$0.20221. Standard Power has suggested a "blended rate" whereby the Town would extend a contract with Constellation (another provider) for a prescribed length of time (12 months up to 56 months). The savings or reduction in prices is based on the Constellation's ability to purchase electricity further into the future. By doing so, the cost of electricity averages out and lowers rates in the near term.

Staff recommends that the Board consider accepting the 20-month blended rate of \$0.13330 beginning in March 2023 and terminating in November 2024. The Board could choose a longer term period (32, 44, and 52 months) beginning in March that would reduce the rates further.

Administrator Dailey explained the rates for a \$48,000 savings and review again in November. Selectman Finan asked if there would be a termination fee. Mr. Hayden said no. The contract would be with the same vendor. This is the first time

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we've offered this blend and extend. The monthly savings for the contracted months is \$5,680 per month during the known time. We don't know what the Eversource rate will be in the second term.

Administrator Daley said we can re-negotiate this again in November. He recommends 12 months versus 24 months because there will be more savings. We are trying to take advantage of the current rates. There was additional discussion about rates and savings. The Board leaned towards 12 months. The recommended plan would start in March 2023 and extend until November 2024, but we can still re-negotiate this again in November.

Mr. Hayden asked how far into the future is the current rate budgeted and if it is part of the next fiscal year. Chairman Dargie said it's the end of the calendar year. Mr. Hayden said is about \$45,000 over the contracted rate for the balance of the year's savings.

Chris Labonte asked if the original comment of \$48,000 savings for 2023 or the whole term ending in 2024. Chairman Dargie said 2023. Mark Bender said the savings is for the entire town including Water Utilities. Chris Labonte asked if they had a breakdown of what the town uses vs. Water Utilities. Mr. Bender said Water Utilities uses about half. There was more discussion about savings.

Selectman Daniels made a motion to go with the 12-month option with a March 2023 start date and a November 2024 end date. Seconded by Selectman Freel. All were in favor. The motion passed 5/0.

3. Four-Day Work Week - Staff continues to evaluate the feasibility of implementing a four-day work schedule at Town Hall and DPW. Staff views the four-day work schedule as a means to improve overall service to the public, reduce operating costs to the Town, and provide a tool/benefit to retain and recruit employees. The public online survey was encouraging with 300+ responses and the majority supported the four-day workweek schedule with extended hours in the evening, for example, 7:30 am – 5:30 pm. This would be more concurrent with the Town Clerks' office. Staff supported a four-day workweek.

There would be energy cost savings by closing the building from Thursday evening to Monday morning estimated to be an annual cost savings of approximately \$5,000-\$8,000. Staff is still reviewing alternative and extended hours for the Transfer Station. DPW is open to a flexible schedule depending on the season.

An informal public session is scheduled on February 21st in the Town Hall Board of Selectmen Meeting room from 4:30 to 6:00 for residents/stakeholders to provide input/comments. Zoom access will be provided. We anticipate submitting the final proposal for Board of Selectmen review and consideration at the February 27th regularly scheduled meeting.

Selectman Daniels has concerns about construction trades and unloading their demos at the Transfer Station. Administrator Daley said the response to changing hours at the Transfer Station was not very receptive. They will need to review this more with the DPW Director and residents. The survey needs additional questions.

Chairman Dargie said he's agreeable to four days we just have to find out where it works. It's positive for employees but if it doesn't make sense, don't do it. He doesn't expect any energy savings. Paul Calabria, Finance Director said the savings is for electrical not heating. Administrator Daley recommends putting it out for a trial run to see if it works or not.

Katherine Kokko, a Milford resident asked that the public hearings be posted on the website in a clearer area. She asked if the survey had a restriction so that an IP address could only be used once. Administrator Daley said he would check. Ms. Kokko said she answered the survey but it was focused on users of the Town Hall. Were employees able to respond to this? Administrator Daley said there were no restrictions on the survey with employees. Ms. Kokko encourages usage from the public and whether or not this works for them.

Katherine Parenti, a Milford resident asked how regular homeowners will feel about only having 4 days open for building inspections. Administrator Daley said they reached out to the building community and the response was positive. Fridays are slow and the majority of inspections are Monday through Thursday. If something is needed on a Friday, we will do it with appointments only.

Selectman Finan agrees with Chairman Dargie but isn't completely sold on a 4-day workweek. Transfer Station and DPW are separate he looks at this as just Town Hall. We did a lot over the last year with employees by boosting morale. Chairman

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Dargie said it's a case-by-case basis. Administrator Daley said if we modify hours, we should make it consistent throughout departments. He thanked the Board for being supportive of the employees. He wants to offer as many opportunities as possible to retain and recruit employees. This will improve our level of service by having the town hall open later in the afternoon.

Chris Labonte said he looked at other towns comparable to ours and they are open 5 days a week. We should stay with the norm. Administrator Daley said those other towns may not be facing the same challenges as Milford is trying to retain employees.

Selectman Freel does not agree with this. The town has gone through many measures to make the employee's priority. Some people got raises above and beyond that were not in line with industry standards and they have a good healthcare benefit program. At some point, we need to stop worrying about what we can do to make employees happy. We are providing a good salary and they have a benefit package. The hours are Monday through Friday and if you want to change the hours to make it more elegant and entertaining to be here, then what are we doing, "will you please work for us". This building is here for the residents. He suggests Monday through Friday 10 to 7. He feels that at some point people have to go to work and do their jobs. He feels that every few minutes, it's give, give, give.

Tina Philbrick, Milford Resident, and town employee said if you want a 10 to 7 then you are changing all your Boards, Commissions, and Committees to later hours. The employees are not asking for much, many people go into her office and asked that we be open until 5:30. A majority of the contractors that she is familiar with work 7:00 to 3:30. We are trying to accommodate the town's people. It doesn't matter what hours we have; people are going to complain. This suggestion will help the employees and the public.

Chairman Dargie asked if Selectman Freel thinks a 4-day work week is bad. Selectman Freel said yes. Chairman Dargie said if there are no redeeming merits to it, we shouldn't do it. But there are good aspects to a 4-day work week. We need to see if the good points outweigh the bad points. There was additional discussion on good and bad points.

Katherine Kokko said it would be helpful for the informational session next week to have models of comparison. When you're looking at the demand for services population is important. The HR situations that Milford is facing are real and there is a middle ground somewhere to allow for flexible scheduling.

Administrator Daley asked if the Board wants to move forward with the information work session. The Board said yes.

4. Town Report and Voters Guide Update

Tina Philbrick said the town report was submitted to the printers on Thursday. The voter's guide was submitted to the printers today. Both reports should be complete before the end of the month. The voter's guide will be sent to all residents in Milford. Extra copies will be delivered to the Town Hall. She will ask the post office if we can put a stack out in their lobby for all residents that have post office boxes.

6. DISCUSSIONS

1. Matters Before the NH House or Senate – This policy was adopted by the Board on July 12, 2004, in regards to Town of Milford employees taking positions on matters before the State of NH House of Representatives of the Senate. Any statements or information needs to be approved by the Board first.

Selectman Daniels said he used to ask the Board if there is anything that could be changed at the state level. There are guidelines if we want to send someone up to testify. He would like to make a motion to modify the policy to remove the statement, "or the Town Administrator". Someone could go up and the Board would never know about it.

Administrator Daley said sometimes the Board doesn't meet in time to review this. Selectman Finan said they should leave that line but include, "the Selectmen should be notified". Chairman Dargie explained the process.

Chris Labonte said the policy doesn't apply to the Selectman, only employees. He feels that what they are referring to should be under the Selectmen's Rules and Procedures.

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Chief Viola said they are asked to go to the state and testify on many occasions. Are you saying that we now need authorization from the Board before we can do this? They sometimes call the day before. Chairman Dargie said he would like to at least get an e-mail that you are doing this. Selectman Daniels said there are provisions to call a special meeting.

Selectman Daniels made a motion to change the policy to “or the Town Administrator, with notification to the Selectmen”. Seconded by Selectman Finan. All were in favor. The motion passed 5/0.

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

8. SELECTMEN’S REPORTS/DISCUSSIONS

a) FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES

Selectman Finan said there will be a Conceptual Design Alternatives Presentation and Public Input Session for the Downtown Pedestrian & Transportation Improvement Project on February 15, 2023, in the Town Hall Auditorium at 6:00. This will reflect modifications that they gave to the Board. The Board may need to take some action at the next meeting.

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

9. APPROVAL OF FINAL MINUTES -

1. January 23, 2023, January 30, 2023, and February 4, 2023

Selectman Daniels moved to approve the minutes of January 23, 2023, as amended, January 30, 2023, and February 4, 2023 (Deliberative Session re-votes). Seconded by Selectman Finan. All were in favor. The motion passed 5/0.

2. Modification of Sealing of non-public minutes from January 30, 2023

Chairman Dargie said that the non-public minutes of January 30, 2023, were sealed using the wrong criteria. Selectman Finan recited the RSA and the three reasons that these can be sealed.

Katherine Kokko, asked if and when the members of the Board and Administration would be getting trained on the Right to Know Law. The Board did not comment.

Selectman Dargie moved to re-seal the non-public minutes of January 30, 2023, because it could render the proposed action ineffective. Seconded by Selectman Dargie. All were in favor. The motion passed 5/0.

10. INFORMATION ITEMS REQUIRING NO DECISIONS.

a. N/A

11. NOTICES. Notices were read.

12. NON-PUBLIC SESSION – Selectman Daniels made a motion to go into non-public at 7:15 under RSA 91-A:3, II (c) Reputation. Seconded by Selectman Freel. All were in favor. The motion passed 5/0.

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

In non-public, the Board approved as amended, the non-public minutes of January 30, 2023. The minutes were already sealed at the January 30, 2023 meeting but they were sealed incorrectly and they were re-sealed earlier in the public meeting. They discussed one topic and no decisions were made. The Board did not seal the minutes of 2/13/23.

13. ADJOURNMENT: Selectman Daniels moved to adjourn at 7:55. Seconded by Selectman Finan. All were in favor. The motion passed 5/0.

Paul Dargie, Chairman

Laura Dudziak, Member

Tim Finan, Vice-Chairman

Dave Freel, Member

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Gary Daniels, Member