

APPROVED  
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING  
January 24, 2022

<b>PRESENT:</b>	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.

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

**5:30 p.m. – Deliberative Session Planning – Town Moderator, Pete Basiliere (VERBAL)**

Mr. Basiliere said if the requirement to have people wear masks in the town hall extends to the deliberative session date then we won't be able to have it here because we would be excluding voters that are unwilling or unable to wear masks. He spoke to the high school people and it is available if needed. It can accommodate all of the people. We would need to give voters a two-week notice.

Administrator Shannon said the mandate was temporary due to the increase of COVID-19 after the holidays. We can lift it at any time. Chairman Daniels said we will have the Deliberative Session in the Town Hall at this time. They have done a lot of work getting the audio up and running.

Mr. Basiliere said he will let the school district know.

**5:40 – Review of Alternate Language for Chapter 7, Disciplinary Rules – HR Director, Karen Blow**

Ms. Blow said due to an incident in 2021, the Attorney recommended that we change the time from 5 days to within 30 days. Five days is too constricting and doesn't give enough time for investigations. Administrator Shannon said the goal would be to rectify the situation as soon as possible.

Selectman Labonte asked if the employee would be notified within 5 days of the infraction. Administrator Shannon said yes, and not everything will need a long investigation. It will be handled promptly.

Chairman Daniels's concern is that you could have an infraction but someone could wait 29 days to report it, he would hope an infraction would be addressed quickly. Ms. Blow said she can change this to whatever the Board wants. She also put within 30 days.

Selectman Freel doesn't understand why we need 30 days for this process. Administrator Shannon said it's time to do what is needed and investigate. Ms. Blow said there will be a time that fact-finding needs to be done and they need time to do that. The employee labor attorney recommended this. The Board would not entertain an earlier suggestion outside the five days. Selectman Dudziak said department heads will not wait until the last minute.

Selectman Dargie supports this change. Before you suspend anyone, you want to make sure it's correct. Chairman Daniels asked Ms. Blow to remove one line under Termination for Cause. "Such recommendation should be forwarded immediately in writing to the Town Administrator". Chairman Daniels asked what they would do if it was a Department Head. There was a discussion about that additional process.

Chief Viola said the Board is part of the process if there is a grievance, not the disciplinary process. An investigation takes time; you can notify the employee at the beginning. Selectman Labonte said it doesn't say in the original policy that it stops at the Town Administrator. Administrator Shannon said they can work on verbiage.

Selectman Labonte wants to see this again before they approve it. Chairman Daniels asked Ms. Blow to bring this back with changes at the next meeting.

**5:50 – Bronze Plaque for the Town Hall – Historical Society Chairman, Mark Genovesi**

Mr. Genovesi referenced a letter that the town hall was listed on the National Register of Historic Places in 1988 and there was never anything provided about this. He recommended some language. Administrator Shannon recommended the front door as an official place to place the plaque.

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Mr. Genovesi referenced the Swing Bridge and he is hoping something may be placed there as well when the bridge is re-stored.

Selectman Labonte made a motion to approve the Bronze Plaque for the Town Hall. 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.

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

Selectman Dargie moved to approve the consent calendar. 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.

### 4. DECISIONS

#### a) CONSENT CALENDAR

1. Request for Approval of Intent to Cut Wood or Timber, Map 52, Lot 18-3
2. Approval of Reduction of the Subdivision Performance Surety – Timber Ridge Drive

#### b) OTHER DECISIONS

1. N/A

### 5. TOWN STATUS REPORT –

#### 1. Fire Department Personnel – Chief Flaherty (VERBAL)

Administrator Shannon said there are 3 full-time firefighters on the budget for this year. He was asked if it would be better to raise the volunteer call rate instead of adding full-time people.

Ken Flaherty, Fire Chief said there are not enough volunteers to cover the shifts. We can't fill the weekend spots. The community was left unprotected this past weekend. People work other jobs not necessarily in town so they can't make the calls.

Chairman Daniels asked if they've analyzed this to find out why they can't get the volunteers. Chief Flaherty said we are not the only organization in the state and country having this same problem. We can raise the rate, but we won't get the volunteers, and at that point, they would be employees because they would be here for the pay instead. People are not coming into volunteer. The current rate is \$15.08 per hour and they average 250 hours per year. They are not here for the money. We've had multiple discussions about this with staff. We are trying to make sure the community is protected. People found other things to do with their time with the pandemic and are now spending more time with their families. Selectman Freel witnessed this when there was a 14 minute response time for a building fire in his neighborhood. We reviewed per diems which would be hard to manage because they don't live in the community and are not vested in the community. Call force per diems now become part-time employees and you need to start watching wages for retirement and insurance.

Chief Flaherty said they can't do anything with two firemen because they need three to run a truck. He explained how he covers shifts now which don't include weekends and holidays. It's approximately \$292,000 for 12 months. This year we would only have to staff for 6 months.

Deputy Jeff Marshall said three firefighters on a single piece vehicle do not cover us for all of our calls. The call staff is very important to our model. Selectman Freel asked why we haven't been adding people in the last 5 years. Chef Flaherty said they have. Since 1986 we've hired a chief, training officer, then two more firefighters. We currently have 4 employees plus our Administrator. We would do a rotating shift.

Selectman Labonte said he's worried that the call firemen won't make a truck. Chief Flaherty said that is an inaccurate statement because they still come and they are still very important to us. That second piece of apparatus is a crucial piece and we are not meeting the time deadlines for it. It's over 15 minutes to get the second piece out. Selectman Labonte said in his opinion, he feels that they will suffer. Chief Flaherty said that isn't the culture of a call firefighter. We currently have 6 or 7 that come to everything and they are getting burnt out.

Deputy Marshall explained the model. We feel it's important to take this next step to service the town of Milford. We are in competition with 32 other communities daily who are looking for per diem help. Some towns are paying \$25 to \$35 per hour for per diem firefighters. Per Diem people don't get benefits. Selectman Labonte asked if most places start off as per diem. Chief Flaherty said it depends. Deputy Marshall said that most departments that ease into full-time are a combination of Fire and EMS which brings in revenue.

Selectman Freel feels that this is important but if we are going to add this to the budget, we need to take something out of the budget. The tax rate is going up by 30%; we need to get the budget to go down. Mr. Calabria clarified that only the town's portion will go up, we don't know what the county and school will be. For the shock factor for everyone, the tax rate isn't going up 31%; the town's tax rate is a very small portion of the overall tax rate.

Administrator Shannon said the firefighters are already included in the budget. The tax rate went from 5.74 to 4.03. There was additional discussion throwing out more tax rate numbers from last year and this year.

## 2. Radio Process Report – Captain Frye

Captain Frye presented the Board with a multiple-page spreadsheet of Milford Police Department radio failures from 2016 through 2021. This report consisted of dates of failures, Officers, and eight types of ways the failures occurred. This report did not outline the location of failures for the safety of the town's people and officers. He will give Director Johnson the full copy. Radio failures have occurred over 373 times in the last 5 years. The problems are all over the place. Hopefully, with the antenna, it will be fixed, or at least most of it.

Jason Johnson, MACC Base Director, said portable to portable never goes through MACC Base. He doesn't know much about what the planned system will be. This is the first time he's seen this list. He has dealt with specific issues with Captain Frye. Every service has some things that will have problems. He gave examples of types of issues that can occur. There needs to be a process in place on what to do when these issues come up. Captain Frye said this is an ongoing problem.

Selectman Labonte asked if radios from other emergency services have been tracked. Eric Schelberg, Ambulance Director said there have been very few and they know where the issues are. Deputy Marshall said police and fire are on different frequencies physically so there will be differences. There will be a better advantage to being on one system that is currently being proposed which will make it easier to manage. A unified system will be a much better advantage to do these ongoing measurements. We will get data from the new system to help us with this process. We've had 6 different radio vendors tell us what the problems are, we've paid for surveys, and now we want a piece of paper that causes our Police Officers to stop what they are doing for their job to write something down because their radio doesn't work. We now have invested in new technology that can give us this work. We already bought the new system.

Katherine Kokko, Milford resident, asked how many of these incidents have been investigated by a vendor. Captain Frye said they know about them and they say the system and equipment need to be updated; it's the same thing that they have been saying for the last 5 years. The guys are getting tired of tracking because they don't think it will ever get fixed. Ms. Kokko said she's been asking for a process for several months now. Chairman Daniels said we are starting with this.

Ms. Kokko asked if we know that the new system will do the automated reports that Mr. Marshall mentioned. Captain Frye said he would check into it. Ms. Kokko said recording a problem doesn't help get to the bottom of the problem.

Selectman Freel asked if there was an estimated time to get this up and running. Captain Frye said Spring/Summer. The tower will be usable in late spring.

Dave Palance, a Milford resident said we need to be smart about this. We need technical data to back up what decisions we are making. This sheet is meaningless because it doesn't have documentation backing it up. This data is useless.

Chairman Daniels said much of this will have to be done in non-public so we don't divulge problem areas due to safety issues. Mr. Palance said he doesn't think we need to go non-public.

Chairman Daniels said we know that using the tower on Crown Castle will improve our communications. The process that we've started gives us a base, to begin with. There is no value in having the officers repeat what they have already done. He feels that by supporting the tower we can evaluate the processes and see where we are at.

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Selectman Labonte asked if we will be continuing this discussion, he feels we should have a process to go forward. Chairman Daniels said this is what Captain Frye can give us and we can look at it further. Selectman Freel said why not wait until the system is up and running to see if it fixes most of the problem. We shouldn't need a whole other process in place.

### 2. ARPA Update

Town Administrator Shannon presented the Board with an updated Proposed Milford Projects that can be covered under ARPA funding according to the final guidelines. We should be getting about \$860,000 in June, maybe more. He updated the original suggested list which includes a Paramedic Response (PRV) Replacement Vehicle for \$57,659 and a Police SUV Vehicle for \$56,392. He asked the Board to consider using the ARPA funding for the Ambulance SUV vehicle instead of keeping it in the budget. There was some discussion as to why or why not it should be left in the budget. He will send out the full ARPA list. Federal Hill tower will be coming down in March and he just found out about it. It will be about \$300,000. Selectman Labonte asked why it wasn't on as a warrant article this year. Administrator Shannon said we don't have a set price. Chief Flaherty said the tower information just came out to us. They will put up a temporary piece; we won't lose communication abilities but may lose some coverage as the new one will be lower. There was some discussion about the list.

Mr. Calabria said if we were to fund the Ambulance response vehicle with ARPA funding, it would shrink the operating budget. Selectman Labonte still wants to keep it in the operating budget.

**Selectman Dargie made a motion to approve the purchase of the Ambulance SUV from the ARPA funding for \$57,659. Seconded by Selectman Dudziak.**

Selectman Labonte wants to know what we are doing with the old vehicle. Selectman Dargie said they are using it as a trade-in. Chairman Daniels asked the Town Administrator to prioritize the list and get back to the Board.

**Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte no, Chairman Daniels no and Selectman Freel no. The motion failed 2/3 with Selectmen Daniels, Labonte and Freel opposed.**

## 6. DISCUSSIONS

### 1. 2022 Warrant Articles

Chairman Daniels asked that someone identify the warrants that have changed. Tina Philbrick, Executive Assistant said that the library warrant increased around \$100,000. The Ratification of 10-year public safety cell tower license contract changed for additional clarification. She said we didn't need all the information that everyone is suggesting be put into the warrant article. She reviewed the previous lease that was done in 2019 for the Solar Farm and people tried to do the same thing, it was simplified at the deliberative session with an amendment and all the additional information was removed. We didn't need a ton of information in the warrant article itself when we can put it in the voter's guide. She starts the warrant articles and then receives information from other departments, and they work together on language and additional clarification.

This is a lease, and the first year of the lease is paid for. We will include all the information needed to explain this in the voter's guide. This warrant according to the DRA, NHMA, and Town Council, whom we've gone to several times to review this, have all said that this is the way it should read for our town vote in March. The changes have been continual and at one point you have to stop. If someone wants to try to amend this warrant article, and it passes, we can change it again before voting. Warrant Article 25 is a 10-year lease and its fine like it is. She turned the discussion over to the Town Administrator to explain why \$1,648 was removed from the warrant article.

Selectman Labonte is confused as to why the warrant article doesn't have \$220,000 in the header because that is what it will cost over 10 years. Administrator Shannon said this has no tax dollars associated with it for 2022. Due to concerns that some people had, we are now executing a one-year contract for 2022. This is paid for in ARPA money, already approved in July 2021. This warrant article is for a contract that won't start until January 2023. No tax dollars will be spent in 2022. We involved Town Counsel and the legal Counsel at NHMA and this is how we are proceeding. The warrant contract will go into effect next year in 2023.

Selectman Freel has no problem with the way this warrant article is written. Selectman Dargie asked to add "This article has no tax impact in 2022" to the bottom of the warrant article. Selectman Labonte questioned not having a tax impact statement for 2023 on this warrant article as we do in warrant article 3. Paul Calabria said we typically have that statement on bond articles only.

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Selectman Labonte asked why we changed to a one-year lease from a 10-year lease. Administrator Shannon said to correct some issues that people had with the warrant article.

Selectmen Dargie made a motion to add “This article has no tax impact in 2022” to the bottom of the warrant article. 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.

WADLEIGH LIBRARY HVAC/Electrical Systems Upgrades – BOND \$1,423,000 (the selectmen requested additional information)

Selectman Dargie made a motion to recommend the TOWN OPERATING BUDGET Warrant. Seconded by Selectman Dudziak. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte no, Chairman Daniels no and Selectman Freel no. The motion failed 2/3 with Selectmen Daniels, Labonte and Freel opposed.

TOWN OPERATING BUDGET \$16,349,126

Selectman Labonte changed his vote to oppose. The Selectmen now recommend this warrant article 4/1

Selectman Dargie asked Administration to look at the tax impact number. Mr. Calabria said he’s still looking at how the number is calculated and hopes to have something by the end of the week. There was a lengthy discussion on how the tax rate number should or could be calculated. Multiple numbers were thrown out. There was confusion about tax rates on the regular budget and default budget. Mr. Calabria recommends taking time to educate the public before making any drastic changes and implementing the changes next year. Selectman Dargie objects to having the wrong number in the warrant article. Administrator Shannon feels it's reckless to make changes now with so little time before the town vote. Selectman Dargie would like to simplify it "a vote yes is \$12 per \$100,000 higher than a vote no. Selectman Dargie said the language in the operating budget is fixed by law. You can adjust the tax rate only.

DPW VEHICLES AND HEAVY EQUIPMENT CAPITAL RESERVE \$40,000

Selectman Labonte changed his vote to oppose. The Selectmen now recommend this warrant article 4/1

TOWN FACILITIES RENOVATION AND MAJOR REPAIR REPLACEMENT CAPITAL RESERVE \$25,000

Selectman Labonte changed vote to oppose. The Selectmen now recommend this warrant article 4/1

AMBULANCE VEHICLE REPLACEMENT CAPITAL RESERVE \$25,000

Selectman Labonte changed his vote to oppose. The Selectmen now recommend this warrant article 4/1.

KEYES PARK EXPANSION COMMITTEE PROJECT CAPITAL RESERVE \$25,000

The Selectmen re-voted on this warrant article:

Selectman Dargie made a motion to recommend the KEYES PARK EXPANSION COMMITTEE PROJECT CAPITAL RESERVE Warrant. Seconded by Selectman Dudziak. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte no, Chairman Daniels no and Selectman Freel no. The motion failed 2/3 with Selectmen Daniels, Labonte and Freel opposed.

TEAMSTERS UNION COLLECTIVE BARGAINING AGREEMENT \$32,070

Selectman Dargie made a motion to recommend the TEAMSTERS UNION COLLECTIVE BARGAINING AGREEMENT Warrant. Seconded by Selectman Dudziak. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Chairman Daniels yes and Selectman Freel yes. The motion passed 5/0

TEAMSTERS UNION COLLECTIVE BARGAINING AGREEMENT SPECIAL MEETING \$0

Chairman Daniels said people don’t typically go to special meetings. It also adds incentive for the parties to agree. Selectman Dargie is opposed but would rather let the voters decide if they want the meeting or not. Selectman Labonte asked how much it would cost to do a special election. Tina Philbrick said around \$14,000. Chairman Daniels said you could still have a special meeting without this warrant article but you would have to go through the court. Selectman Labonte asked how these have been handled in the past. Ms. Philbrick said they have never had this type of warrant article and all Teamster contract warrants have passed since she has been here. Selectman Freel asked what would happen if the above warrant failed. Mr. Calabria said they would go status quo and everything would stay the same until the next town vote.

Selectman Daniels made a motion to remove the TEAMSTERS UNION COLLECTIVE BARGAINING AGREEMENT SPECIAL MEETING Warrant. Seconded by Selectman Labonte. Selectmen Dargie no, Selectman Dudziak no, Selectman Labonte yes Chairman Daniels yes and Selectman Freel yes. The motion passed 3/2 with Selectman Dargie and Dudziak opposed.

CONSERVATION LAND FUND \$20,000 (the selectmen requested additional information)

Selectman Labonte said conservation is getting additional land with warrant article 29 and that helps them build their inventory. We are already high in the tax rate. He will be voting against this. Selectman Dargie feels we should be adding money to conservation regularly yearly. You don’t know when something will become available.

Chris Costantino, a Conservation member, said that there is \$105,000 in their fund. She said that the BAC gives a recommendation each year as to how much they should have in their fund at \$180,000. This is based on the average property value. They spent \$13,000 last year, but don't spend every year. They also used some money for legal work for conservation. They spent about \$30,000 in the last 5 years.

Selectman Dargie made a motion to recommend the CONSERVATION LAND FUND Warrant. Seconded by Selectman Dudzkak. Selectmen Dargie yes, Selectman Dudziak yes, Selectman Labonte no, Chairman Daniels no and Selectman Freel no. The motion failed 2/3 with Selectman Daniels, Labonte and Freel opposed.

INFORMATION TECHNOLOGY INFRASTRUCTURE CAPITAL RESERVE \$20,000

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Selectman Labonte changed his vote to oppose. The Selectmen now recommend this warrant article 4/1

### ELECT MEMBERS OF THE MILFORD PLANNING BOARD - \$0 by petition

Selectman Freel asked what was behind this. Administrator Shannon said it's a petition and you would have to go to the person who started this. Selectman Labonte said Amherst recently did this. Administrator Shannon said the terms would be scattered. Selectman Labonte would like more information. Ms. Philbrick said they could change their vote after the deliberative session.

Selectman Dargie made a motion to recommend the **ELECT MEMBERS OF THE MILFORD PLANNING BOARD Warrant**. Seconded by Selectman Daniels. Selectmen Dargie no, Selectman Dudziak no, Selectman Labonte no, Chairman Daniels no and Selectman Freel no. The motion failed 0/5 with everyone opposed.

## 2. Designation of Majority and Minority Report Authors 2022

### Majority

### Minority

#### WARRANT ARTICLE 3 - WADLEIGH LIBRARY HVAC/ ELECTRICAL SYSTEMS

UPGRADES - **\$1,423,000** (995,000 BOND and \$428,000 DONATIONS)

TOWN OPERATING BUDGET **\$16,349,126**

DPW VEHICLES AND HEAVY EQUIPMENT CAPITAL RESERVE **\$40,000**

TOWN FACILITIES RENOVATION AND MAJOR REPAIR REPLACEMENT

CAPITAL RESERVE **\$25,000**

AMBULANCE VEHICLE REPLACEMENT CAPITAL RESERVE **\$25,000**

KEYES PARK EXPANSION COMMITTEE PROJECT CAPITAL RESERVE **\$25,000**

WARRANT ARTICLE 17 - TEAMSTERS UNION COLLECTIVE BARGAINING

AGREEMENT (2022 — 2025) — **\$32,070**

WARRANT ARTICLE 20 - CONSERVATION LAND FUND - **\$20,000**

INFORMATINON TECHNOLOGY INFRASTRUCTURE CAPITAL RESERVE **\$20,000**

RATIFICATION OF 10 YEAR PUBLIC SAFETY CELL TOWER LICENSE CONTRACT **\$0**

WARRANT ARTICLE 31 - ELECT MEMBERS OF THE MILFORD PLANNING BOARD

- \$0 by petition

Selectman Daniels

Selectman Daniels

Selectman Dargie

Selectman Dudziak

Selectman Dargie

Selectman Daniels

Selectman Daniels

Selectman Freel

Selectman Daniels

Selectman Daniels

Selectman Freel

Selectman Dudziak

Selectman Labonte

Selectman Labonte

Selectman Labonte

Selectman Labonte

Selectman Dudziak

Selectman Dargie

Selectman Labonte

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

Katherine Parenti, Library Chair, asked why the majority of the Board was not supporting the Library warrant article. Selectman Freel said because of the amount of money being spent and what is coming down to the voters in taxes. There will never be a good time, but this year for him isn't the best time. Ms. Parenti said there was a 10% increase in the warrant this year and we need to protect our patrons. Selectman Freel said at the end of the day it's up to the voters.

Katherine Kokko, a Milford resident, questioned the word "ratification" in Warrant article 25, is still ratification of a 10-year lease. Administrator Shannon said yes.

## 8. SELECTMEN'S REPORTS/DISCUSSIONS

Selectman Labonte asked if we can put a new button on the town website to reflect 2022. Ms. Philbrick said yes.

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

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

**9. APPROVAL OF FINAL MINUTES** – Selectman Dargie moved to approve the minutes of January 10, 2022 and January 10, 2022, Budget and Bond Hearing. 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. N/A

## 11. NOTICES. Notices were read.

## 12. NON-PUBLIC SESSION – N/A

The Board went into recess at 8:10.

**13. ADJOURNMENT:** Selectman Dargie moved to adjourn at 8:40 pm. Seconded by Selectman Dudziak. 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