

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
May 9, 2022

PRESENT: Paul Dargie, Member John Shannon, Town Administrator
Tim Finan, Member Tina Philbrick, Executive Assistant
Gary Daniels, Member Andy Kouropoulos, Videographer
Laura Dudzkak, Member
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. - Ambulance Staffing – Director Eric Schelberg (tabled from 4/11/22)

In Summary: this is a follow up at the Board's request, for cost information for hiring an additional full-time EMS provider to compare to the proposed request to increase the weekly hours of the current four full-time 40-hour per week employees to 48-hours per week to assist with filling chronic weekly schedule shortfalls. Many factors are taken into effect when scheduling hours. There may be three or part-time providers that may apply, who would either opt-out of or take a single-person benefit plan.

Director Schelberg said this was not part of the proposed 2022 budget. When the budget was submitted in August of 2021, presented in November, and put forth at the January 2022 Budget hearing, the department only had 12-hours of open weekly coverage. On Friday, February 4, 2022, the day before the Deliberative session, an employee scheduled for a weekly 24-hour shift requested to transition to per-diem status at the end of February to return to school on a full-time basis. In the latter half of March 2022, another employee advised they were obtaining full-time employment and would need to drop 4-hours of weekly shift coverage. These two unanticipated events opened 28-hours of additional weekly shift coverage.

Additionally, it should be noted in the last two weeks, an additional 28-hours per week of shift coverage is now open with the resignation of a part-time employee scheduled for 16-hours/week and a second part-time employee reducing their weekly scheduled hours by 12-hours per week. This brings the total number of weekly open hours on the schedule to 56 hours.

As an FYI he applied for a \$50,000 GOFFER grant and he believes that this money will be awarded to the Ambulance Department. If awarded, this will be used to purchase the Ambulance Response Vehicle that the Board previously approved. This will leave an additional \$50,000 in the budget that would have been slated for a vehicle.

He is suggesting adding 8 hours to each of his 4 people who currently work 40 hours and hiring another full-timer at 48 hours per week. This would be \$25,203 for the remaining 30 weeks of this year and annual it would be \$43,686. Overtime hours would be \$14,900 for 4 people. It's hard to fill part-time positions. He's taking the money from the part-time hours and putting it towards the full-time hours. He's taking money from the part-time pot and putting it into the full-time pot. He did not budget for additional overtime hours. He is only looking for one more full-time.

Selectman Finan clarified that no hours are being added. Director Schelberg said yes. When people go on vacation, the full-time and part-time staff covers the hours and wages are not going up. Their wages will remain the same with the increased hours. His full-time staff has always worked 48 hours a week. EMS workers in general work 60 to 70 hours per week. His staff is very conscientious of the current staffing shortfalls. Selectman Freel asked how much will he be over budget from his original budget. Director Schelberg said approximately \$13,000 to \$25,000 depending on if we add in another full-time position.

Selectman Daniels asked how long has the GOFFER money been available. Director Schelberg said about 4 months ago and he submitted it about two weeks ago. It's available for every town in the state to be used for equipment. Selectman Daniels asked how much money is lapsed because you couldn't fill positions.

Selectman Daniels asked if overtime was budgeted for full-time people. Director Schelberg said yes, but we are above the average for overtime because we couldn't fill positions. Director Schelberg said he is above his average in additional hours. They are still projecting revenue to stay where they are at.

Selectman Daniels made a motion to find \$25,000 in the budget to increase the Ambulance full-time staff from 40 hours to 48 hours and to hire one full-time person. Seconded by Selectman Finan. All were in favor. The motion passed 5/0.

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5:45 p.m. - Community Revitalization Tax Relief Incentive RSA 79E Map 19 Lot 14 – Community Development Director, Lincoln Daley

It was determined at this time that this appointment requires a public hearing. The meeting will be rescheduled for June 13, 2022.

5:55 p.m. - Veterans Credit Standard (1), Service Connected Disability (1), Elderly Exemption for Approval (10), Elderly Exemption for Denial (1) and Exempt Property for Approval (1) Correction, Residences in Industrial or Commercial Zone (1), Solar Exemption (7) new, (2) Change of ownership, – Assessing Director, Marti Noel

In Summary: The attached property owners have applied for the Veteran's Property Tax Credits as indicated on the spreadsheet attached. Ms. Noel reviewed all elderly applications and recommends that the Board of Selectman approve the attached list of applicants for Elderly Exemption for the tax year 2022.

This was a Correction for the Exemption Application for the Milford Historical Society where there are three properties owned by the Entity, but only 2 were presented on April 25, 2022. This is intended to clear up any confusion that may have entailed earlier.

There was one applicant who applied for Special Appraisal for an owner-occupied single-family residence located in a Commercial or Industrial zone, Ms. Noel recommends approval.

In March of 2016, the Town voted to approve the Warrant Article changing the amount of the solar exemption from the cost of the system to the contributory value of the system. Included in the Boards package are the RSAs that address Solar Exemption. The filing deadline is April 15. The list of property owners who have applied for the Solar Exemption have been verified. Ms. Noel recommends approval.

Selectman Daniels made a motion to approve the approved recommendations of the Assessor except for the Elderly Exemption for Denial (1). Seconded by Selectman Finan. All were in favor. The motion passed 5/0.

Elderly Exemption for Denial (1) - Ms. Noel said the opportunity was given to the applicant to withdraw because they were over in income but the applicant wished to have this go before the Board for the formal denial. The applicant exceeded on income.

Selectman Freel made a motion to approve the denial of the the Elderly Exemption for Denial (1). Seconded by Selectman Daniels. All were in favor. The motion passed 5/0.

6:05 p.m. - Application for Current Use Map 42 Lot 1 and Abatement of Land Use Change Tax Map 8 Lot 46 - Assessing Director, Marti Noel

The Current Use Property is the location of an ongoing gravel removal operation located off Mason and Perry Roads in Milford. The operation was approved in two phases. Five acres in phase 1 were removed from Current Use in or around January 2019 at the start of the operation. The operation has now moved into Phase 2, where the 5 acres for Phase 2 have been removed in April of 2022. The 5 acres in Phase 1 have been reclaimed and returned to Current Use as farmland where hay has been reportedly planted for 2022. The operator has provided a statement from Fieldstone Land consultants PLLC attesting to the reclaimed condition of this area. Ms. Noel recommends approval.

Selectman Daniels made a motion to approve the application for Current Use, Map 42 Lot 1. Seconded by Selectman Freel. All were in favor. The motion passed 5/0.

Abatement of Land Use Change Tax. In July of 2021, and again in December of 2021, the Assessing office requested the property owner of Twelve 5 Properties, Map 8 Lot 46, containing 7.41 acres, provide documentation supporting the use of the land for agricultural purposes in accordance with RSA 79-A:4 and Cub 304 (a tract of land of any size, actively devoted to the growth of agricultural or horticultural crops with an annual gross income from the sale of crops normally produced thereon totaling at least \$2,500 may be classified in Current Use.). This documentation was not provided and the affected land was removed from Current Use classification and a Land Use Change Tax Warrant was signed by the Board of Selectmen on Dec 27, 2021. When the Land Use Change Tax was not paid, the Tax Collector started the lien process against the property.

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On April 28, 2022, the taxpayer came into the Assessing office and provided the requested documentation to declare the property has been used for agricultural purposes and asked that the LUCT Warrant be rescinded and the land returned to Current Use status. At the request of the tax collector, the abatement form is presented for the Board to sign, giving the tax

Selectman Daniels made a motion to approve the application for Land Use Change Tax. Seconded by Selectman Freel. All were in favor. The motion passed 5/0.

6:15 p.m. - Line Striping – Public Works Director, Leo Lessard

In Summary: Director Lessard provided his recommendations for line striping for the 2022 season. He will be putting the list out to bid.

Selectman Daniels asked if the changes were different from the document that was previously approved. Director Lessard said no. He explained the additional roads that he added on and recommended for safety purposes.

Director Lessard said he estimates \$52,752 to complete everything. He would like to make a separate line item for striping. Selectman Daniels questioned some of the lines per the MUTCD guidelines. Director Lessard said his proposal isn't much different except for the fog lines. Director Lessard said there are no street lights and he's suggestion fog lines for the safety of the people. If we do it all this year, we can split up ½ next year and ½ the year after. Director Lessard said he went according to the original list and only added a few more. Except for the fog lines, line stripping is in the budget, it comes out of the state money.

Selectman Daniels asked if Director Lessard's recommendations were based solely on his beliefs that they should be done. Director Lessard said yes, being in the business for 44 years, he recommends this. Selectman Daniels pointed out criteria in the MUTCD and Melendy Road don't meet the criteria.

Chairman Dargie asked about crosswalks. Director Lessard said that is done by the Highway Department. They will be moving on that soon. He may put an alternate on the striping quote for the oval to see what the cost would be.

Director Lessard would like to put this to bid and get it done before school starting. Selectman Daniels suggested going to the Traffic Safety Committee before starting. Traffic Safety originally supported the document that applies to line striping. Chairman Dargie said it could go before the Traffic Safety Committee but Director Lessard could start going out for quotes in the meantime.

Selectman Freel is in favor of striping as soon as possible. Selectman Finan said some of the roads don't have high traffic counts but are curvy. He agrees with Selectman Free.

Dale White, a Milford resident, said we should be supporting the DPW Director for safety purposes; we haven't done this process for two years. A study was done, but we should be keeping everyone safe. Administrator Shannon said this money is in the budget, they are not asking for any additional money.

Chairman Dargie said once something is stripped, it should be striped forever. This is a long time cost. Selectman Freel asked if the Selectmen have approved this each year, or has it been the DPW Director. Selectman Daniels said the Board received a recommendation from the Traffic Safety Committee to approve the Striping document that was reviewed extensively. The Board accepted the report. Director Lessard repeated that he went according to the original list and only added a few more. The fog lines were not on the original report. At this time, there was more discussion about the criteria and about fog lines.

Selectman Freel asked what the additional cost was to add the fog lines and the three roads that normally wouldn't be done. Director Lessard said about \$17,500.

Selectman Freel made a motion to approve the recommended list of roads to be striped by the DPW Director. Seconded by Selectman Dudziak. The motion passed 4/1 with Selectman Daniels opposed.

6:30 p.m. – Public Works Employee Wage Increase – Public Works Director, Leo Lessard

In Summary: Director Lessard presented his reasons to increase the wage scale for public works employees. As of May 6th, the highway department will not have any truck drivers. All departments in Public Works are extremely short-handed. New employees are hired at a higher rate than seasoned employees. He is proposing to not hire a highway manager and use

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the money from his pay be used for increases in the department. That salary is \$80,000 and he can spread it amongst the department to get pay rates up to where they should be. He explained his reasoning for the changes he is requesting. Recent hires have come in over what seasoned employees were making. He is trying to get current employees up to scale so he can go out and hire others at a reasonable price. He has things that have to be done in town that hasn't been done in years. He will have to hire subcontractors to get things done and it will cost more.

Administrator Shannon clarified that \$51,500 would cover all the adjustments this year. Paul Calabria, Finance Director said we currently have a \$78,000 surplus from unfilled positions through April. We also have legal bills that will exceed \$20,000 to \$30,000 of what was budgeted. Cost estimates that we are going to overrun are about \$148,000. There is also another \$13,000 in benefits cost on top of the \$51,500 that Director Lessard is proposing.

Selectman Freel said it sounds like this department running on a skeleton crew. We expect things to get done and don't have the manpower to do it. You can't get anyone at \$19 per hour, you have to bring people into compliance.

Director Calabria said every overage and every surplus affects the town as a whole. He isn't saying that he agrees or disagrees with Public Works. He just wants the Board to be aware. Director Lessard said pipework comes out of paving, the state money. We have the money, just not the help to complete the projects.

Ms. Blow, HR Director, agrees 100% that the wages need to be adjusted. The compensation group put numbers together and came up with a reasonable two-year approach; we can take care of immediate needs this year. A two-year approach to this would be \$50,000 in year one and \$22,000 in year two. We could also do teamsters this year and non-union next year. We see a need for this to be done. We are looking at a \$15 minimum wage by 2025 and we are looking at making adjustments over the next few years.

Chairman Dargie asked how Director Blow's recommendations lined up with DPW. Director Blow said it is comparable and a few are getting just a little more. Selectman Freel asked how she was on getting the one person on board that was way low. Director Blow said it would be higher by .10.

Director Lessard said HR's recommendation in year two will have people making more than foremen, he doesn't think that is right. He wants to bring them up to par now. One of the foremen is the facilities manager. Director Blow said that the foreman hasn't been with the town a year yet. He wouldn't be eligible for an increase until November according to a protocol unless something is specified in the new hire letter. Director Lessard feels that the Board should waive that and bring him up the same as the other foremen.

Selectman Freel said the money is here and we should be letting the Director do his job. Selectman Finan asked what happens if don't do this. This is a serious problem in all sectors. If we split it between two years we could lose people or we will have to sub things out and pay more money out. The smart thing to do is to pay the people that you have now. Selectman Freel is concerned about other departments asking for their share as well. Selectman Finan said it should be thought of as a market adjustment not because someone was here 35 years and deserves it.

Director Blow said they need an adjustment but she feels a two-year plan would be better. She gave her recommendations to Director Lessard last week and felt they were fair. Administrator Shannon said asked the Board to support the DPW's recommendations. The workers are dedicated but if we lose one more person, DPW becomes an ineffective department.

Dale White, a Milford resident, said the inflation rate is over 8%. The DPW department should have 10 people and three showed up today with one sick. We have equipment sitting idle. We have a problem. People are not leaving because they are disgruntled; they are leaving because of pay. It's cheaper to keep an existing employee if they have a good attitude than to find another one. Everything is going up, gas, oil, etc. These employees are just asking to be brought up to a fair wage. His company is looking for truck drivers for the first time in years. If you have a truck driver keep him, there are not many out there. Think about what will happen if you have an emergency this winter and no one to plow. As Water and Sewer Commissioner, we had the same problem last year. We had to increase wages because we were losing people. We need to keep our people and add more people that we need.

Candy Burkley, a Milford resident, has two from her family working for DPW. We just lost CDL drivers and if we don't do something about wages, we won't have any plowed roads. Other towns are hiring for better rates. She recommends evaluating the workers that you do have to make sure they have the qualifications needed. She advocated for increased wages in DPW.

Jay Duffy, a Milford resident, is also advocating for DPW. Wages were reasonable years ago, we need to bring them back. He hopes the Board will support the Director.

Selectman Freel made a motion to approve the recommended wage increases to the Public Works Department. Seconded by Selectman Dudziak. All were in favor. The motion passed 5/0.

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

Cindy Nickerson, a Milford resident, has safety and health issues at 545 Millhaven Park and she feels that nothing is getting done. She feels that they have piping and wiring problems because the park is so old. She has issues with the closeness of the trailers. She feels that Mr. Sam Proctor is allowed to do whatever he wants without repercussions.

Selectman Freel said this is private property and doesn't fall within the jurisdiction of the town. Ms. Nickerson said the town allows for rules and regulations and they have to approve them. We have problems and no one wants to help. Chairman Dargie said the town is responsible for health and safety violations. Ms. Nickerson said they are being overlooked.

Selectman Freel tried to explain who is responsible. Chairman Dargie and Selectman Dudziak said this sounds like a civil action and is between Ms. Nickerson and the park owner. Ms. Nickerson is feeling unsafe and wants the town to do something about the issues.

Administrator Shannon said he spoke to Lincoln Daley and they are not aware of any issues that have been found by the town. Ms. Nickerson said she just paid someone to replace a pipe that was nothing but roots, she has feces coming up into her tub. There was some discussion about water and sewer. Selectman Freel said the town is only responsible for the sewer system on the road. Ms. Nickerson said they are responsible for the property line. The town is allowing a person to overload a broken system. Recommendations were made to the park owner years ago to fix this. You are telling me that our health and public safety don't matter because it's private property.

Selectman Freel said he wasn't saying that. Said that in his experience when you're within a park that isn't town maintained it is not the responsibility of the town. Ms. Nickerson said the town can be invited in to make recommendations to fix things.

Ms. Nickerson said she doesn't have the money or the time. Someone isn't doing the right thing.

Selectman Freel asked if they could direct Lincoln Daley to investigate and report back to them. Ms. Nickerson said she has an appointment with Lincoln tomorrow. The town should do something before the park blows up. She replaced her furnace because of an electrical surge.

Chairman Dargie asked Lincoln to come back to the Board with an update. Selectman Freel said he would like to find out who is responsible.

Sam Proctor, a Milford resident, and manager of Millhaven Park said that what Ms. Nickerson is saying is inaccurate. He's been through this with Lincoln Daley for the last two years. Ms. Nickerson's home is next to a new home being installed and while we were digging, her electrical line failed. She had a buried cable that failed. It didn't have anything to do with what we were doing but we paid for a lot of her expenses anyway. The sewer system is working fine. There are no health and safety issues. The pump station is maintained and serviced monthly. The electrical system is also working fine. Ms. Nickerson is a disgruntled tenant.

Selectman Freel asked if the service from the outside disconnect into the trailer the responsibility of the tenant? Mr. Proctor yes but we've replaced 27 of the 34 homes with new lines. The old lines belong to the people who have been there before our time. We also replace all lines to any new trailer being installed.

Jay invited the Board to the May 21st Riverside cemetery 2nd annual flag placement. The town response has been great. There will be coffee and donuts and he hopes the Board will attend.

4. DECISIONS

a) CONSENT CALENDAR

1. Approval of Annual Request for LGBTQ Pride Display on the Oval, June 17 – 19, 2022

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2. Notification of 2021 Real Estate Tax Liens

Selectman Finan asked to remove 4. a) 2) from the consent calendar.

Selectman Dudziak made a motion to approve 4) a) 1) from the consent calendar. Seconded by Selectman Daniels. All were in favor. The motion passed 5/0.

Selectman Finan asked if the number of liens was a lot of money. Director Calabria said it's around what we had last year. Chairman Dargie said it's on the low side. Selectman Finan asked what the process was to get the lien removed. Director Calabria said he wasn't sure. Selectman Finan asked at what point are the taxes written off. Director Calabria said they don't get written off, they stay on the accounts receivable. It's not part of the revenue stream. Every year is its own year.

Selectman Dudziak made a motion to approve 4) a) 2) from the consent calendar. Seconded by Selectman Finan. All were in favor. The motion passed 5/0.

This was added to the agenda on Monday as it didn't come in until late afternoon on Friday, May 6 after the agenda was posted.

3. Approval of Notice of Intent to Cut, Map 8 Lot 1

Selectman Daniels made a motion to approve 4. a) 3) an Intent to Cut Notice, Map 8, Lot 1, a properly noticed, addition to the consent calendar that came in late on Friday, May 6. Seconded by Selectman Freel. All were in favor. The motion passed 5/0.

b. OTHER DECISIONS

1. N/A

5. TOWN STATUS REPORT –

1. Request to Increase Employee Personal Time

Administrator Shannon currently all non-union employees get 20 hours of personal time each year. The Teamsters were just approved to get 24 hours per year and the Union employees will be asking for the same thing. We are asking to bring non-union employees up to the same. This doesn't roll over; it goes away at the end of the year. The increase would be approximately \$5,000. (4 hours X \$25/pay rate X 50 employees)

Chairman Dargie said people usually use this during the year because if they don't, they lose it. Selectman Daniels asked if this was a negotiated benefit. Administrator Shannon said this is for non-union employees. It was negotiated for the Teamsters.

Selectman Dudziak made a motion to increase employee personal time from 20 hours annually to 24 hours annually. Seconded by Selectman Freel. The motion passed 4/1 with Selectman Daniels opposed.

6. DISCUSSIONS

1. Wallingford Road/Ponemah Hill Road Recommendation – Captain Frye and Public Works Director, Leo Lessard (verbal)

Ms. Shannon Dilsa, a Milford resident, previously asked about adding another stop sign on Wallingford Road/Ponemah Hill Road. There is limited visibility. Captain Frye and Director Lessard were asked to review the request and come back to the Board with a recommendation.

Captain Frye said people crossing the intersection are the problem. There aren't a lot of accidents in that area. We feel we should put a stop sign there. If approved, it will end up being a three-way stop sign on the Amherst side

Selectman Freel made a motion to approve the stop sign to be placed at the intersection of Wallingford Road/Ponemah Hill Road. Seconded by Selectman Freel. All were in favor. The motion passed 5/0.

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

Chris Labonte, a Milford resident, asked if the Board received the report from the Keyes expansion thing. Chairman Dargie said no. Administrator Shannon will talk to the Recreation Director.

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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 Dudziak moved to approve the minutes of April 25, 2022, as amended. Seconded by Selectman Freel. 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 Dudziak made a motion to enter into non-public in accordance with (RSA 91-A:3,II(c)) Reputation. Seconded by Selectman Daniels. A roll call vote was taken with all in favor. The motion passed 5/0.

In non-public, the Board discussed two topics under Reputation and made 2 decisions. The Board did not vote to seal the minutes.

13. ADJOURNMENT: Selectman Freel moved to adjourn at 8:04 pm. Seconded by Selectman Daniels. All were in favor. The motion passed 5/0.

Paul Dargie, Chairman

Laura Dudziak, Member

Tim Finan, Vice-Chairman

Dave Freel, Member

Gary Daniels, Member