

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
October 23, 2023

PRESENT: Gary Daniels, Chairman Lincoln Daley, Town Administrator
Chris Labonte, Vice Chairman ZOOM Tina Philbrick, Executive Assistant
Paul Dargie, Member Mitchell Hemmer, Videographer
Tim Finan, Member
Dave Freel, Member

1. CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING INSTRUCTIONS:

Chairman Daniels 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. - Retirement – Public Works Employee – James Simons

The Board thanked Mr. Simons for all his years of service to the Town of Milford and wished him their best in his retirement.

5:40 p.m. - Pumpkin Festival Overview – Wade Scott Campbell, Granite Town Festivities Committee

Mr. Campbell provided an overview of the Pumpkin Festival. Even with the rain, the numbers held strong. They will be doing a debriefing with Rotary and Lions soon. We had 5 vendors less than the previous year. We are already looking into next year for the 35th year. They are hoping to use parts of Keyes Park next year, but continue to keep it on the Oval. He thinks they had about 25,000 to 30,000 people who attended. It's hard to keep track of the amount of people attending. He will come back to the Board once his debrief is done with his committee. Mr. Campbell said town staff did a great job helping this year. No complaints at all. n

5:55 p.m. - Community Development Department Update – Community Development Director Terrey Nolan

Director Dolan provided an update for the Office of Community Development.

Overall, the comprehensive and approved Department Budgets for both Planning & Zoning and our Building Department have stayed within the predicted and budgeted financial ranges, with only one or two small line items going slightly over. As currently projected, our Building Dept. Yr. End Figures may exceed its budget by \$2,600, but the Planning & Zoning Yr. End figures are nearly \$47,000 under Yr. End Projections. Note: This is primarily due to the ongoing need to fill the allocated Town Planner position, which has not been successful, to date. The lack of qualified candidates for a Town Planner is a New Hampshire (state-wide) issue. We need to fill this Full-time Position as soon as possible.

Other OCD Items:

1. Building Inspector Staffing

The rate of the town's required building inspections is characterized as "steady busy" throughout 2023. The number of Building Department inspectors is seemingly sufficient for the foreseeable future.

2. Featured Projects:

a. The "Q" 216 multi-family unit rental apartment project (five residential buildings and clubhouse) along Nathaniel and Stoneyard Drives was approved on October 17th by the Planning Board for its required Major Site Plan Approval. No construction timetable has been provided to Staff as to when the development will break ground. There will be new sidewalks provided. There was additional discussion about sidewalks.

b. The Milford Motel's (twelve One-Bedroom Apts.) conversion is presently well under construction. No verbal verification from the developers has been provided for completion.

c. Impact Fee Study-The town has contractually engaged the Nashua Regional Planning Commission (NRPC) to research and prepare an updated Impact Fee Study. We are still in the data collection stage.

d. The Envision Milford Master Plan Update's RFP has again been advertised (Statewide through multiple sources) to seek a qualified professional land use consulting firm to undertake the needed update of the Town's Master Plan. All bids are due back in the first full week of November.

e. OCD is been working very closely (daily) with our DPW Director Leo Lessard and with our new (Six-month) Town Engineer, Nicole Crawford. The variety of town infrastructure and private project issues can be very time-consuming for multiple Departments. The relationship between the DPW and OCD is working very well to resolve these issues, and he suspects it will continue to be the case with our new Town Engineer being in place. Full compliance with all EPA-mandated (MS4) Requirements is an excellent example and benefit of having Ms. Crawford on board for the town.

Selectman Freel asked if the updated fees generated any pushback. Director Dolan said he hadn't heard of anything.

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

4. DECISIONS

a. CONSENT CALENDAR

Selectman Labonte asked that this be removed from the consent calendar for discussion. Selectman Labonte asked what the Lions Club would be decorating. Executive Assistant Tina Philbrick said the Lions Club decorates the gazebo and puts lights on the trees around the oval. Selectman Dargie said they also decorate the light poles.

1. Request for Approval for the Lions Club to decorate the Oval for the Winter Holidays from November 25, 2023, until January 7, 2024, dates subject to change due to the weather, and to host Santa on the Oval on December 3, 2023, from 12:00 pm until 2:00 pm.

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

b. OTHER DECISIONS

1. N/A

5. TOWN STATUS REPORT –

1. Fund Balance Discussion

At a previous meeting, the Board directed staff to utilize a maximum fund balance percentage of 7.5%. Finance Director Paul Calabria presented the Board with a summary of the Fund Balance.

Selectman Dargie asked about the tax rate. Director Calabria said they are not allowed to give out the tax rate until it's finalized. Selectman Labonte asked why the previous summary sheet and this summary sheet are different. Director Calabria said he didn't have all the numbers at the last meeting so the information he provided tonight has more accurate numbers per discussion with the DRA about what goes into the numbers.

There was additional discussion about how much to take out or leave in the fund balance by either offsetting taxes or leaving the fund balance alone. Selectman Labonte asked if there was a way, we could pay out debt down using fund balance. Director Calabria said it would take a warrant article.

Selectman Dargie asked what Director Calabria recommended. Director Calabria recommends taking \$595,000 from the undesignated fund balance, we will have about 7.5% remaining in the fund balance. This will drop the tax rate increase by about 2%. Depending on what the Board approves tonight, he can drop the number into the

portal and a tax rate will become final tomorrow. There was additional discussion about how much to take or leave in the fund balance.

Selectman Labonte asked if applying the fund balance would lower the tax rate below last years rate? Director Calabria said no, it would be 2% below what the DRA has set our tax rate for 2023. Our tax rate has been set, but the Board has a chance to reduce it with monies in undesignated fund balance account. Selectman Freel asked how come we can't get the number. Director Calabria said it hasn't been finalized. He isn't allowed by statute to give the number out. Selectman Labonte said it's all done by numeric equation and he doesn't understand what's secret about that. Director Calabria said he doesn't make the laws. He knows what the rate is, he just can't tell them. Selectman Freel would rather not bring the fund balance down to 7.5%.

Selectman Labonte asked if there would be any substantial savings by using the \$595,000 in a warrant article to pay off debt versus using it to lower the tax rate. Director Calabria said our debt is manageable and he wouldn't be in favor of doing that.

Selectman Dargie made a motion to authorize lowering the fund balance to 7.5% for a total of \$595,000. Seconded by Selectman Labonte. The motion passed 4/1 with Selectman Freel opposed.

2. Status of Open Requests for Proposals (RFP)

Milford Town Hall HVAC (RFP 2023-03) – This includes the removal and proper disposal of the existing HVAC system. Proposals are due November 10th.

Building Demolition Services for 127 Elm Street (RFP 2023-04) – This is to demolish a 30,000-square-foot commercial manufacturing building located at 127 Elm Street. Proposals are due October 30th

Milford General Assessing Services (RFP 2023-05) – This is for contracting service to provide Municipal Assessing services to the town for five years. Proposals are due October 30th

Milford Master Plan Comprehensive Update (RFP 2023-06) – This is to hire a professional firm to lead and prepare a comprehensive Master Plan update. Proposals are due November 3rd

3. Town Website Maintenance

Staff developed a schedule to identify the responsible individuals and departments for updating the website. This should improve communication and coordination among staff and Boards, Commissions, and Committee members.

Selectman Dargie asked if the people who are designated to be responsible for posting also be responsible for posting hard copies on the bulletin boards. Administrator Daley said yes. Additional training will be provided to the primary responsible person for each committee.

4. Low Power FM Station Construction Permit Application

Director Gentry asked the Board to consider a new low-power FM Radio Station for Milford. The cost for Application is free and we would have 3 years to establish the station, meaning, that we wouldn't have to build out for at most 3 years from acceptance. This is important as frequencies are limited and the opportunity to apply only comes up once every 5-15 years. The last one was 15 years ago in 2009.

The Granite Town Media Advisory Committee supports the application unanimously and they unanimously support this financially. Applying as a town, the Selectmen would be listed as "officers" This is the same as the Cable Franchise and with Selectboard approval, would be treated as such. No additional staffing will be required.

We have to put the place of the tower/antenna for the application, The tower on top of the town hall was chosen as a placeholder and possible location. This can be easily changed in the future. The Wattage will be limited to 100 Watts, on Channel 236, broadcasting at the frequency of 95.1

There are multiple reasons for having a terrestrial radio station, especially in emergencies, but this could also provide the town with other opportunities to inform in Real-time or prerecorded formats. The filing dates are November 1st to November 8th, 2023.

Bedford, Nashua, and Derry have a radio station and Merrimack is submitting an application to be considered. Several towns in the North Country are also submitting applications.

Scott Kimball, a Milford resident, asked about the cost difference of setting up a physical radio station when that is done over the internet. We've been told that our emergency management system doesn't need a backup. Director Gentry said he didn't have numbers for that but the internet base would probably be a part of what we would do with this station. MACC Base is excited to have a way to get information out to people faster. Selectman Labonte asked about an engineering study. Director Gentry said it's included in the \$30,000.

Selectman Dargie made a motion to allow Granite Town Media to go forward and submit an application for a radio license. Selectman Freel seconded. All were in favor. The motion passed 5/0.

5. Board, Commission, Committee Volunteers

The Town is actively seeking volunteers seeking to serve on the various boards, commissions, and committees. The following is a listing of current vacancies:

Board of Adjustments	2 Alternate positions
Conservation	2 Alternate positions
EDAC	TBD
Granite Town Media	1 Full-time position
Recycling Committee	1 Full-time position
Planning Board	2 Alternate positions

If you are interested in applying, please contact the Administration Office or visit the Town website at www.milford.nh.gov and download /complete the volunteer application.

6. DISCUSSIONS

1. Key Dates for the 2024 Town Meeting

Tina Philbrick, Executive Assistant provided the Board with a memo outlining the key dates for the 2024 Town Meeting. It will be posted on the town's website once it's approved tonight.

Selectman Labonte made a motion to approve the 2024 key dates. Seconded by Selectman Dargie. All were in favor. The motion passed 5/0.

2. 2024 DRAFT Warrant Articles

Selectman Labonte isn't in favor of the last two parking warrant articles, one for Mont Vernon Street and one for Clinton Street. Selectman Finan supports leaving them on the warrants for now. There was additional discussion about parking lots. Selectman Dargie wants to keep the warrant articles for Mont Vernon Street Parking and Clinton Street Parking on the warrants for now. Selectman Daniels would like to remove them. Nothing was decided at tonight's meeting.

Selectman Dargie said he thought that motorcycles would be included in the Municipal Transportation improvement fee warrant article. Ms. Philbrick said that the Town Clerk reviewed the warrant article and chose to remove the motorcycle wording from the warrants.

Selectman Dargie asked if we had an estimate of the cost of Fireworks. Arene Berry, Recreation Director, said she needed clear direction from the Board. The actual 4th of July date is unavailable without a minimum of about \$25,000 to \$30,000 and even then, the actual 4th may not be available. If she has a dollar amount, she can price out shells. The cost of fireworks has increased a lot. The weekend before the 4th could be a possibility.

Selectman Labonte asked if Recreation puts out an RFP for fireworks. Director Berry said she could, but she usually reaches out to see who will give her a quote.

Director Berry said she is here with the Chair of the Recreation Commission as a follow-up to questions that were asked at the last meeting when she wasn't available to provide correct answers.

3. Review of Board of Selectmen's Policies

2001-02 Employee Performance Reviews

Selectman Dargie made a motion to approve the amendment for Policy 2001-02. Seconded by Selectman Freel. All were in favor. The motion passed 5/0.

2004-01 Matters Before the NH House of Representatives of Senate

All set. There was no change to this policy.

2015-001 Personnel Use of Town Vehicles

Selectman Dargie made a motion to approve the amendment for Policy 2015-001. Seconded by Selectman Freel. All were in favor. The motion passed 5/0.

2018-001 Municipal Flag Rule (Oval)

All set. There was no change to this policy.

7. SELECTMEN'S REPORTS/DISCUSSIONS

a) FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES

MACC Base budget meeting is October 30th at 5:00 pm and November 14th at 5:00 pm on the 4th floor.

b) OTHER ITEMS (not on the agenda)

Selectman Labonte asked if we could put out an RFP for timeclocks and payroll companies. He heard that not a lot of departments are utilizing the timeclock software that we pay over \$20,000 a year to upgrade. Administrator Daley said he could talk to the Finance Director.

Selectman Dargie said the Board received an e-mail from a Middle School student regarding the New Hampshire Flag. He feels it's not a Town of Milford issue and he recommends that someone contact the student and have them reach out to the State Senator.

7. PUBLIC COMMENTS -

Katherine Kokko, a Milford resident, asked about the availability of the MS4 data and asked if Community Development could post that information. Administrator Daley said yes.

Chairman Daniels asked if other Board members had any questions that they needed answers for from Recreation about the last meeting. There were several questions about revenue, how it's generated, and also questions about the Revolving fund.

Director Berry explained revenue and expenses for the Recreation Department. Her budget is \$157,000 which is mostly comprised of salaries except for \$17,000. The \$17,000 is for music licensing, training, lifeguard certification, etc. They operate out of a revolving fund that allows them to add and delete programs.

Pool pass revenue goes into the general fund, this year it was \$36,872. A majority of pool passes are sold online and the revolving fund pays the credit card fees for those transactions. All money from events, trips, programs, and swim lessons goes into the revolving fund. All of the money for supplies for those programs, and wages for instructors for those programs including swim lessons all come out of the revolving fund. The town budget pays for the lifeguards. If someone is lifeguarding, it comes out of the town budget, if that person is teaching a swim lesson, it comes out of the revolving fund. Things are coded during payroll.

For 2024, we budgeted \$44,100 for lifeguards, the pool manager, and the front desk staff. Up until now, DPW has paid for the maintenance of the pool, chlorinator, and chemicals this will be moved to Recreation in 2024.

Selectman Freel asked what revenue is brought in on the Recreation activities. Director Berry said as of October 10, 2023, \$108,909. Expenses were \$91,045. The revolving fund except for 2020 has always pulled in a profit of \$4,000 to \$12,000 a year. When the balance gets a little high, they do a project to improve something. They gave \$29,000 towards the purchase of 127 Elm Street, \$5,000 to the pergola project at Keyes Park, \$2,300 for fitness anchors, and numerous other projects including \$15,000 towards the Recreation bus. The revolving fund also pays ½ of the Program Coordinators salary, the general fund pays the other half. The reason the revolving fund is showing a \$17,000 profit is because we went 7 weeks without a program coordinator's position.

There was a lengthy discussion about expenses, pool passes, revenues, and Recreation taking over the pool chemicals which will raise her budget by \$22,000 but lower DPW's budget by the same amount. Having the chemicals and general day-to-day maintenance stay within Recreation saves on having a public works employee on call every weekend to help with any issues so it saves money in DPW. Director Berry provided numbers for the amount brought in for pool passes from Milford residents and out-of-town passes. About a previous statement that "on a hot July afternoon there are only 12 people in the pool", Director Berry said that according to the badge scanner, they had about 5,644 entrances to the pool this past summer. The pool is utilized daily and due to the weather, this summer, it may have been closed early a few times, but they only fully closed the pool for one full day this season. The pool is open for 10 weeks in the summer. All field and park rental fees go into the revolving fund. They brought in \$4,928 for rentals this year.

Selectman Labonte asked Director Berry for her thoughts were on what can be done with the capital reserve warrant article. Director Berry explained that the warrant article was set up to address items found on page 17 of the Keyes Expansion Committee Report. The money in that capital reserve account has addressed some of those items. The word "expansion" is in there because at the time it was an expansion of Keyes Park. When we purchased 127 Elm Street, we expanded it. Anything brought forward from this account was brought to the Board for approval. To change that word in the capital reserve account may need a warrant article.

9. APPROVAL OF FINAL MINUTES – October 9, 2023

Selectman Dargie made a motion to approve the minutes of October 9, 2023, as amended. Seconded by Selectman Freel. All were in favor. The motion passed 5/0 by roll call vote.

10. INFORMATION ITEMS REQUIRING NO DECISIONS.

- a. Treasurers Report June 2023
- b. Selectmen's Goals and Initiatives

11. NOTICES. Notices were read.

12. NON-PUBLIC SESSION – Selectmen Freel made a motion to go into non-public in accordance with (RSA 91-A:3, II(a)) Personnel. Seconded by Selectmen Finan. All were in favor. The motion passed 5/0.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 10/23/2023

In nonpublic the Board addressed one issue under personnel.

Selectman Freel made a motion to seal the minutes under (RSA 91-A:3, II(c)) Reputation, as it would adversely the reputation of any person other than a member of this board. Seconded by Selectman Dargie. All were in favor. The motion passed 5/0.

13. ADJOURNMENT: Selectman Finan moved to adjourn at 9:02. Seconded by Selectman Freel. All were in favor. The motion passed 5/0 by roll call vote.

Gary Daniels, Chairman

Tim Finan, Member

Chris Labonte, Vice-Chairman

Dave Freel, Member

Paul Dargie, Member