

DRAFT
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
October 9, 2023

PRESENT: Gary Daniels, Chairman Lincoln Daley, Town Administrator
Chris Labonte, Vice Chairman ZOOM Tina Philbrick EXCUSED
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) All votes tonight were taken by roll call because Selectman Freel called in remotely.

5:30 p.m. - Public Hearing for the Acceptance for Expenditure of Unanticipated Funds over \$10K NH (RSA (31:95b)) – Kaley Foundation Grants:

- Milford Ambulance Department for purchase of a REALiTiPlus Training System - \$14,300.00
- Milford Police Department's TAR Team for a purchase of one Topcon Total Station - \$30,655.00

Chairman Daniels opened the public hearing. There were no public comments. Chairman Daniels closed the public hearing. Selectman Finan thanked the Kaley Foundation for their generous donations to the Town of Milford.

Selectman Labonte made a motion to accept both unanticipated donations from the Kaley Foundation. Seconded by Selectman Finan. All were in favor. The motion passed 5/0.

5:40 p.m. - Approval to Appoint Eleanor Spargimino to the Recreation Commission as an Alternate Member - Term Expires 2025

Ms. Spargimino has always been active in her son's school activities and would like to volunteer her time on the Milford Recreation Commission. She is interested in senior activities and making the town more handicap aware for senior activities.

Arene Berry, Recreation Director, said that Ms. Spargimino has difficulty accessing the pool for some of the senior activities through both accessibility points.

Selectman Finan made a motion to accept Ms. Spargimino as an Alternate Member of the Recreation Commission with a term expiring in 2025. Seconded by Selectman Labonte. All were in favor. The motion passed 5/0.

5:45 p.m. - Recognition of Police Officer Promotion – Sergeant William Morrow

Chief Viola introduced Officer Morrow who was recently promoted to Sergeant.

- Officer Morrow started his career with the Milford Police Department on December 29, 2014.
- Upon completion of the New Hampshire Police Standards and Training Academy, Officer Morrow was assigned to the patrol division.
- In July of 2017, Officer Morrow was re-assigned to the Support Division as the department's Juvenile Officer.
- In January of 2022, Officer Morrow was re-assigned back to the Patrol Division. Officer Morrow requested to be reassigned so that he could be more well-rounded and ready for the next supervisory position.
- Throughout his career, Officer Morrow has received numerous commendations and is well respected among his peers and citizens within the community.
- As the Juvenile Officer, he was instrumental in developing and implementing a juvenile diversion program.
- As a Juvenile Officer, he was instrumental in developing and implementing the current ACERT Program.
- As a Juvenile Officer, he received the Hillsborough County (South) Hands of Hope Everyday Hero Award. He received this award for his hard work and dedication in working with the Child Advocacy Center (CAC).

The Board Congratulated Officer Morrow on his promotion.

3. PUBLIC COMMENTS

Kathy Parenti, Library Trustee, said the library roof is underway. The HVAC project started today. Administrator Daley thanked the said Library and Trustees, communication has been fantastic between the Library and the Town.

4. DECISIONS

a. CONSENT CALENDAR

1. Permission for Community Action for Safe Teens (CAST) Youth Empowerment and Service (YES) team to observe Red Ribbon Week on the Oval from October 23rd until October 30th.
2. Acceptance and Appropriations of Unanticipated Revenues Under \$10K NH (RSA (31:95(b))
 - Donation from Haywards Trading Post for the Labor Day Parade - \$50.00
 - Donation from the Kaley Foundation Grant to the Milford Police Department for one Autel Thermal Drone - \$8,424.00
 - Donation from the Sandra C. Newbold Revocable Trust to the Milford Fire Department Fire Rescue Special Purpose Fund - \$250.00
 - Donation from the Sandra C. Newbold Revocable Trust to the Milford Police Department for Law Enforcement related equipment/supplies Special Purpose Fund- \$250.00
 - On-line credit donations from the Milford Historical Society to support the Bandstand Upkeep/Restoration Special Purpose Fund - \$145.17
3. Approval to move Karen Desjardins from an Alternate Member to a Full Member of the Recreation Commission – Term Expires 2026

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

b. OTHER DECISIONS

1. N/A

5. TOWN STATUS REPORT –

1. Employee Recognition Souhegan Valley Chamber of Commerce

Administrator Daley would like to recognize 4 employees who received awards from the Souhegan Valley Chamber of Commerce:

- Police Officer Dana Johnson - Police Officer of the Year
- Police Captain Craig Frye - Officer of the Year finalist
- Firefighter Alex Taylor - Firefighter of the Year
- Firefighter Michael Knowles - Firefighter of the Year finalist

On another note, grants were received for the two traffic signs. They will purchase 1 solar power and one battery power. The signs should be in-house within a couple of weeks. The grant was for slightly over \$8,000 and they will need to add \$600 to pay for the remaining cost. There was additional discussion about additional brackets and types of signs. Administrator Daley said these speed signs also collect data/pictures, not just control speed.

We just received our default rate for Standard Power and it came in lower than expected at 10.568 per kWh hour. We will have a series of public meetings in February. The new rates take effect in March. Mailings will go to everyone in town. If you're already on Eversource you will automatically be changed over. If you're not on Eversource, you can opt-in.

6. DISCUSSIONS

1. Traffic Safety Concern – Myrtle Street Parking

Ms. Vaigonic has concerns about working equipment blocking the line of sight on Myrtle Street. It's difficult to see if someone is coming from the opposite direction, and if she goes around, she risks the possibility of causing an accident. The police department has received complaints in the past but the owner of the equipment is entitled

to park in front of his home. Her neighbor had a near miss a few days ago. There was additional discussion about parking in that area. Chairman Daniels recommends sending this to the Traffic Safety Committee.

Captain Frye said in fairness, someone should reach out to the person who owns the equipment so he can attend.

Selectman Freel made a motion to send the Myrtle Street Parking Concern to the Traffic Safety Committee. Seconded by Selectman Labonte. All were in favor. The motion passed 5/0.

2. Fund Balance Discussion – Paul Calabria, Finance Director

Mr. Calabria is looking for direction from the Board on reducing the % to offset the tax rate. They will be meeting with the DRA next Tuesday or Wednesday to set the tax rate. These numbers are based on the actuals for 2022. Selectman Labonte asked if we should keep the money in the fund balance. Director Calabria said this is the one time of year that we set the tax rate. He explained the process of how we look at this.

Selectman Dargie asked about net appropriations and gross appropriations and asked what the difference was. Director Calabria said it isn't truly net or gross, it's mainly based on gross but other factors are added to it. He's still trying to get the exact definition from the DRA on exactly what goes into the number that they use when they say that they retain a certain percentage of our balance.

Selectman Finan clarified that on 12/31/23 we are projecting a fund balance of \$4,900,000 which is 10.58% of what? Director Calabria said 10.58% of the estimated school and town appropriation once the tax rate is set for this year. The actual audited fund balance is from 2022. The final numbers are based on us having about \$300,000 in surplus this year provided we are not using the surplus to buy anything at the end of the year.

Chairman Daniels asked Director Calabria to explain what happens to the surplus from the school's side. Director Calabria said the school returned all of their audited fund balance from the year before which was about \$1,400,000. They had a warrant article to take \$50,000 out of the undesignated fund balance and when they put their forms together to reduce the tax burden, they allocated the remaining balance of their undesignated fund balance. Everything came back, it went into their revenue stream. It doesn't show up in the town fund balance figures.

Director Calabria said previously the Board talked about retaining 7.5% of the fund balance, the town policy is between 5% and 15%, DRA recommends between 5% to 10% and GFOA recommends 8% to 17%.

Selectman Labonte asked what Finance recommends. Director Calabria said he could get behind 7%. It's within previous years' ranges. We have insurance that can cover major issues. There was additional discussion about approximate numbers and how much is recommended as well as additional clarification of the fund balance sheet that was presented.

Selectman Freel doesn't feel we should go down to 7% on the fund balance. He recommends 7 1/4 and putting any surplus back into fund balance. Director Calabria said we have a larger budget for 2024 and the school is bringing forward a couple of large warrant articles, 7.5% would be okay. There was additional back-and-forth discussion on percentages and remaining amounts. The consensus of the Board was to keep the fund balance rate at 7.5%.

Katherine Kokko, a Milford resident, asked if the projected year-end surplus gets put into fund balance. Director Calabria said no. The Board will make a decision on the surplus based on a presentation in early December by Administration and Finance, based on buying some one-time items based on departmental needs or it would just stay in fund balance.

Selectman Dargie would like to have the estimated tax rate first.

Selectman Dargie made a motion to authorize Paul Calabria, Finance Director to keep the estimated retained fund balance at no less than 7.5%. Seconded by Selectman Finan. All were in favor. The motion passed 5/0.

As an update to the Board, Director Calabria said we still have to complete the Federal Hill Communications Project. In November of 2021, the DRA approved an emergency appropriation for the safety of town residents, we were granted an exception and allowed to overspend our budget by \$264,635. Both Crown Castle and Federal Hill projects are ongoing and have received ARPA money and two different funding for their projects. We have some purchase orders left on the books for Federal Hill Tower and if they were all paid as of now, we would only be tapping into the \$264,635 that the DRA authorized. We are retaining over \$174,000 because of ARPA funds and efficiencies during the purchase and construction of these projects. This will build our fund balance back up quicker; we just need to finish the purchase orders.

Selectman Dargie asked when the fire tower would be complete. Captain Frye said late Fall or early Spring.

3. Review of Board of Selectmen's Policies

Policy 2000-11 Policy Regarding Wages for Hiring/Promotions and Policy 2001-03 are the same thing. 2001-03 amended 2000-11 to add in wage increase had to have the concurrence of the Selectmen.

Selectman Labonte made a motion to combine Policy 2000-11 with updated the language from Policy 2001-03 and repeal Policy 2001-03. Seconded by Selectman Dargie. All were in favor. The motion passed 5/0.

Policy 2001-01 Policy Limiting Legal Advice Requests – Chairman Daniels presented draft language.

Selectman Freel made a motion to approve the updates to policy 2001-01 as amended. Seconded by Selectman Labonte. All were in favor. The motion passed 5/0.

Chairman Daniels gave some policies to HR for review and input before the Board reviewed them.

4. 2024 Warrant Articles

The Board reviewed the DRAFT warrant articles.

Selectman Freel feels that the Raze and Remove of 127 Elm Stree warrant article t is a want, not a need, and that this warrant article should be removed. Selectman Labonte agrees. Administrator Daley said guidance has been given to the Board. Selectman Finan is in favor of razing it but not opposed to removing it, but it needs to be discussed. If we keep not doing this, it's a slap in the face to the people who donated money to buy this building. There was a lengthy discussion on this warrant.

Selectman Freel moved to remove the warrant article about Razing and Removing 127 Elm Street. Seconded by Selectman Labonte. The motion passed 4/1 with Selectman Dargie opposed.

Selectman Labonte mentioned a Roads Assessment meeting between the Selectman, DPW, Water Utilities Director, and the Water Commissioners about maintaining roads. After a detailed discussion about maintaining roads, increasing the Public Works budget for roads, and possibly increasing the Reconstruction of Town Roads warrant article, the Board decided to keep this article on the warrants.

There was some discussion about how a Contingency Fund would be used.

Selectman Freel removed the warrant article for the Contingency Fund. Seconded by Selectman Labonte. All were in favor. The motion passed 5/0.

Director Schelberg said nothing was funded in the Ambulance Vehicle Replacement Capital Reserve Warrant last year. Adding \$25,000 would not be of any benefit. He is recommending setting up an Ambulance Replacement Revolving Fund

warrant article and using Ambulance revenue to fund it yearly. He recommends not funding the Ambulance Vehicle Replacement Capital Reserve Warrant only if the Board supports the Ambulance Department Revolving Fund Warrant. He explained how this would benefit the town. Selectman Labonte asked if Director Schelberg, if it came down to looking for support for this, would he consider doing a seven-year rotation on replacement ambulances instead of the current 5-year rotation. Director Schelberg said it would mean a backup ambulance would stay in service for 21 years and 14 years in primary. He would recommend keeping it at 5 years. The cost for a fully outfitted Ambulance in the CIP for 2028 is \$637,000.

Selectman Dargie is in favor of a revolving fund to fund replacement ambulances. This is better than trying for a large warrant when needed. There was an additional discussion of yearly capital reserve versus revolving funds. Selectman Freel is only funding this if the Board can decide what to put into the fund each year. Selectman Finan said this is a capital reserve account funded by revenue. Chairman Daniels asked how much revenue is generated by Ambulance yearly. Director Schelberg said they average about \$800,000. Selectman Labonte is in favor of the concept of a revolving fund but wants different verbiage.

Selectmen Freel made a motion to remove the warrant article for the Ambulance Vehicle Replacement Capital Reserve. Seconded by Selectman Finan. All were in favor. The motion passed 5/0.

There was a discussion about the Fire Apparatus Replacement Capital Reserve Warrant Article. Selectman Labonte feels it's underfunded. Chief Flaherty said the capital reserve account hasn't been funded for at least two years. Selectman Freel is in favor of removing this warrant article. After additional discussion, the Board chose to leave this on the warrants for now.

Selectman Freel would like to remove the Keyes Park Expansion Committee Project Capital Reserve warrant. There was discussion about what the money could be used for. Selectman Labonte said he doesn't believe you should be funding a capital reserve account which is funding a check book which is what this is. That isn't what a capital reserve is for. Chairman Daniels agrees with Selectman Labonte. Administrator Daley there were two reports done to improve the park over some time. This Capital Reserve account funds those needs.

Selectman Freel asked why we are not using the money that Recreations makes to fund these little jobs. Selectman Finan said their revolving fund is used for programs. Selectman Labonte suggests letting Recreation keep their pool pass money and do away with the capital reserve account. We are losing out of revenue but this could be funded from what they raise. There was additional discussion about how to get things done that wouldn't come out of a capital reserve fund, as well as how the reports and surveys were funded.

Selectman Freel wants to remove the Keyes Park Expansion Committee Project Capital Reserve warrant article. There was discussion about what the pool passes were originally intended for. Selectman Finan would like to involve the Recreation Director in discussions about this so they can get accurate information. There was discussion about Recreation being self-sustaining.

Director Calabria said the Recreation budget is about \$160,000 a year so they would have to increase their fee structure a lot to be self-funded. The \$160,000 is mostly for staff. There were several scenarios brought up on how to fund this but not enough accurate information to continue discussing this warrant article. Administrator Daley suggested inviting the Recreation Director and Recreation Chair into this type of discussion.

Scott Kimball, a Milford resident said years ago the pool used to be packed, now on hot days, there may be 12 people in the pool. DPW used to hire lifeguards back in the day.

Selectman Dargie asked if the Assessing Revaluation Capital Reserve warrant article needs to be increased. Administrator Daley reminded the Board that the Assessing Director is retiring at the end of the year and as part of her budget, she presented an idea to outsource to a third party. The full amount of revaluation would go into the budget for the third party would provide assessing services along with the revaluation and not require a capital reserve. The Board has to decide on going with a third party or not. There is currently an RFP out for this. The RFP is due back to the town by November 3rd. We are waiting to find out about this before posting the job position. The Board will revisit this warrant article.

The Board will leave the Conservation Land Fund, Information Technology Infrastructure Capital Reserve, and the Wadleigh Library Maintenance Capital Reserve on the warrants for now.

There was additional discussion about the Fireworks warrant article. One suggestion was to go out to bid. Selectman Labonte is fine with Summer Band Concerts but he thinks we can find other ways to support them instead of putting them on the warrants.

Additional information was needed to make decisions on Memorial, Veterans & Labor Day Parades and Recognition Support and Labor Day Support.

Selectman Freel thinks that the Bandstand Renovations shouldn't be a warrant. Selectman Labonte asked what we have left in the Town Facilities Renovation and Major Repair Replacement Capital Reserve Account. Director Calabria said \$25,000 because the Board approved a \$75,000 withdrawal for the library roof. There was a discussion about using the remaining \$25,000 from the Town Facilities Renovation and Major Repair Replacement Capital Reserve Account and coming up with the rest of the money so they could eliminate this warrant article. The Heritage Commission has already raised \$42,000 and needs \$48,000 more. \$25,000 from the capital reserve account would bring it down to \$23,000 and Heritage is still looking at a grant for \$20,000. This leaves only \$3,000 remaining.

Administrator Daley said grants are never guaranteed. Ms. Kokko said they should hear something within the next month. Administrator Daley said he would have to look into this. The Bandstand Renovation warrant article was left in for now.

The Town Clerk will look into the warrant article for Municipal Transportation Improvement Fee warrant articles.

After some discussion, more information is needed for the Town Grant Writer, Mont Vernon Street Parking, and Clinton Street Parking warrant articles. Selectman Labonte would rather see money put into roads and not the parking warrant articles. Administrator Daley said the discussion has always been for Clinton Street to have a parking area. It will be used by our community. We try to look at opportunities for parking in our downtown area. It isn't that far away and we have been asked by our residents and businesses to provide alternatives to downtown parking. We should at least remove the structure and regrade it. Selectman Labonte isn't opposed to supporting some money towards it, just not over \$230,000 for it. He suggested \$30,000 to \$35,000.

Mike Thornton, a Milford resident, said there was a lot of use on this property for parking over the Pumpkin Festival weekend. There were other suggestions provided about what could be done with this property.

7. SELECTMEN'S REPORTS/DISCUSSIONS

a) FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES

Selectman Labonte asked where we were at with EDAC. Administrator Daley is working with Director Dolan to organize that, hopefully by November.

b) OTHER ITEMS (not on the agenda)

Selectman Freel asked where we were on receiving the Tree for the oval. It needs to be planted soon. Administrator Daley said they are moving forward with it. He will get with Director Lessard on the details.

Selectman Freel said the oval was muddy after the pumpkin festival. He feels that we should rake, and reseed as soon as possible and rope it off so we can try to get grass to grow as soon as possible. Board members don't have a problem with roping off the grass to clean this up.

Selectman Freel asked about the comfort dog. Captain Frye said we don't have the dog yet. It takes a year to train it. She is coming for a visit next week.

8. PUBLIC COMMENTS –

9. APPROVAL OF FINAL MINUTES – September 25, 2023

Selectman Dargie made a motion to approve the minutes of September 25, 2023, as presented. Seconded by Selectman Freel. All were in favor. The motion passed 5/0 by roll call vote.

Chairman Daniels asked how we were doing on updating minutes on the website. Administrator Daley said they are working up a process.

Katherine Kokko, a Milford resident said if Committee members/volunteers are going to be putting things on the website then the town should provide another right-to-know session for everyone. Administrator Daley said the previous training was recorded and can be provided for additional training. Selectman Labonte said committee members/volunteers should sign a waiver that they understood the training.

10. INFORMATION ITEMS REQUIRING NO DECISIONS.

a. 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(c)) Reputation for approval of non-public minutes from September 11, 2023. Seconded by Selectmen Labonte. All were in favor. The motion passed 5/0.

In nonpublic the Board addressed one issue under personnel.

Selectman Finan made a motion to seal the minutes under (RSA 91-A:3, II(a)) Personnel, 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 Freel moved to adjourn at 9:00. Seconded by Selectman Dargie. 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