

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 3/11/2024

PRESENT: Gary Daniels, Chairman
Chris Labonte, Vice Chairman
Paul Dargie, Member
Tim Finan, Member
EXCUSED: David Selectman Freel, Member

Lincoln Daley, Town Administrator
Susan Mallett, Executive Assistant

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. – Public Hearing held in compliance with NH RSA 31:95(b) Appropriation for Funds, Property & Items Made Available during the Year over \$10,000

Moose Plate grant to the Town of Milford for the Pillsbury Bandstand in the amount of \$20,000 was discussed and accepted.

Selectman Labonte made a motion to approve the Appropriation. Seconded by Selectman Dargie. All were in favor. The motion passed 4/0.

5:45 p.m. – Approval of Veteran Tax Credits – Monica Hurley, Assessing Consultant

Ms. Hurley presented the 5 Veterans Tax Credits, and they consist of the ALL Veterans Tax Credit, they served outside the existing wars and were honorably discharged. These were submitted a while ago, so they are outside the normal April presentation.

Selectman Dargie made a motion to approve the Veteran Tax Credits. Seconded by Selectman Labonte. All were in favor. The motion passed 4/0.

6:00 p.m. – Review and approval of the Milford Hazard Mitigation Plan – Fire Chief Ken Flaherty

Chief Flaherty presented the Hazard Mitigation Plan. Some members of the BOS have not had a chance to review it completely. Selectman Labonte had some questions and wants to review completely. Chief Flaherty noted it is a living document, and can be updated if and when needed. Selectman Dargie suggested reviewing before approving. It was determined to review at the next Board of Selectmen meeting on March 25, 2024. That would allow it to be submitted by the April 1, 2024 to avoid the extension again. This is the third extension due to COVID and FEMA backups.

3. PUBLIC COMMENTS – Mr. Mike Thornton commented that in the past, the Town Administrator's Executive Assistant would post the agendas and minutes onto the Town Website for the Cemetery Trustees. Town Administrator Daley noted he and Chris Gentry had created a worksheet of the primary and secondary persons responsible for updating their assigned pages.

4. DECISIONS

a. CONSENT CALENDAR

1. Approval to re-appoint Janet Langdell to serve on the Nashua Regional Planning Commission with a term expiring in 2028
2. Approval to re-appoint Joan Dargie and Michael Thornton to serve on the ZBA with terms expiring in 2027
3. Approval of Property Tax Interest Waiver Request for 59 Ponemah Hill Road

Selectman Dargie requested to abstain on #2.

Selectman Finan made a motion to approve the consent calendar with the exception of #2. Seconded by Selectman Labonte. All were in favor. The motion passed 4/0.

Selectman Finan made a motion to approve the consent calendar for item #2. Seconded by Selectman Labonte. The motion passed 3/0/1 with Selectmen Dargie abstaining.

b. OTHER DECISIONS

5. TOWN STATUS REPORT –

1. Automatic Fingerprint Identification System – Police Chief Mike Viola

TA Daley introduced Chief Viola and how we are going to modernize the way we do fingerprinting in our community. Automatic Fingerprinting System is offered by the State Police and paid for with State Grant Money. The only identified cost would be the optional printer one time cost of about \$1400.00 and maintenance about \$212.00 a year, the system remains property of the state so they could possibly take it back. The pros are that you can get a match much quicker, rather than sending them off, so much more time efficient and accurate. It goes into a tri-state area (NH, VT and ME) and tap into their databases to see if a match.

Town Administrator Daley noted that right now there are no fees related for staff and others needing fingerprinting services, and in the future the BOS may need to look into a fee structure.

Chief Viola suggested that charging non-residents a fee might be something the BOS might want to consider. He did not have a volume of people that would need fingerprinting. Other Towns charge up to \$50 for this service. He would leave up to the board who gets charged or not, i.e.: businesses, school, citizens.

2. Foster Road – Class VI section

Foster Road was discussed and input from public was heard. No decisions were made in public session. Some information has come forward from the Town's attorney and should be discussed in a non-public session. Public comments were heard and seemed to be in favor of using it as walking trail, but not for motorized vehicles. David Wilson, 20-year resident, people are coming through and he feels the town should maintain, not a third party with heavy equipment. People were cutting brush at night, and giving the finger to cameras, and he would like it addressed.

Mr. David Palance, understood other commissions in Town were going to provide feedback. He asked who is the point of contact for this issue, and Town Administrator Daley noted it is the Board of Selectmen as part of the discussion this evening.

Michael Casey, appears an appropriate process is missing or a fundamental disrespect for the process there. If allowed to go unchecked it will set an unfortunate precedent for the future

Jeff Wells, Bear Court, a current tax map appears to have incorrect property ownership exactly where this trail goes. Town Administrator Daley noted that our tax maps are not 100% correct. The tax maps are not considered survey quality maps.

Kat Perket, Foster Road, why can't this be decided right now? Board of Selectmen Chair noted that under state law it is a non-public meeting with the lawyers to discuss information, and the decision will be made in a public session.

3. Contradance events at the Town Hall

Letter to the Board of Selectmen outlined the issue with the Contradance and fees associated.

Mr. David Palance noted he was misquoted in the Feb 26 letter, and that they did not discuss fees at the Heritage Commission meeting. The Heritage Commission supports the Contradance event. The organizers work with Custodial staff to clean up after the events. Recreation Dept is quite proud of the Contradance and list it as one of their accomplishments. Mr. Palance would like the letter withdrawn and perhaps re-written to correct the facts. Selectman Labonte asked what they have been charged in the past. It was noted that it's been \$100 a month and is going up to \$150 a month. He also asked if all Town Hall events go under Recreation.

Town Administrator Lincoln will look into this and he is the contact for the cost. He noted if staff stays late there are overtime costs incurred.

4. House Bill 1479 – Relative to prohibiting the use of federal, state, or local funds for lobbying activities

Town Administrator Daley introduced the new House Bill 1479, relative to using funds to lobby the state. State Representative Vanessa Sheehan along with Representative Josh Yokela appeared to summarize the bill and

expand on the amendments. Rep. Sheehan noted they will be voting on the amendment on the house floor. She noted that there are exceptions that allow municipal officials to speak. Rep Sheehan has some concerns about the issues NHMA has brought up. For instance, a ban on members of municipality going to testify is not true. The bill would require NHMA to delineate the cost of lobbying. The amendment would require detailed bill that outlines the lobbying on your behalf and would need to have a separate account to pay for it. Joan Dargie, Town Clerk spoke and noted discussion between separation of funds only for lobbyists that received grants or money from state. Rep Josh Yokela, said most municipalities are in non-compliance with 15-1 already, per 15-2 you shall segregate the state funds so that they are physically and financially separate, mere bookkeeping is not sufficient. Rep Yokela sent out a letter to the AG to investigate municipalities for compliance. He also noted there are a couple of amendments that will be voted on. Rep. Yokela handed out copies of the proposed amendments.

6. DISCUSSIONS

1. Policy Review

Policy 2000-06 Policy on Cashing out of Sick Leave due to Worker's Comp Injury

Town Administrator Daley noted that upon review with HR there were no changes. The policy was read aloud to the audience. Karen Blow, HR to follow up with Finance on questions re taxable vs nontaxable revenue being taken out.

No vote taken

Policy 2003-01 Procedure to be followed in Establishment of New Positions

Town Administrator Daley read the full policy to the audience. Minor change made to #5 to now read **Department Head presents** to the Board of Selectmen for approval/consideration **of the requested new position**. The purpose of this is to put the onus on Department Heads as they understand the position and its benefits best.

Selectman Dargie made a motion to accept Policy 2003-01 Policy on Establish New Positions as amended. Seconded by Selectman Finan. All were in favor. The motion passed 4/0.

Policy 2004-02 Policy on Exit Interviews

Town Administrator Daley read the full policy to the audience and noted this is a voluntary process not mandatory. Karen Blow, HR Director notes she is not always able to speak with the employee. Minor change made to the policy description to change as follows: It is the policy of the Town of Milford to **provide the opportunity for** any employee whose employment is being terminated (voluntarily or involuntarily) receives an exit interview.

Also, a change from bullet points to numbering system was made to the document under Policy.

Under the Procedure section, the text in #4 was updated to note this is a voluntary process. It reads: The departing employee will be asked to complete the Exit Interview Form (sample attached) as thoroughly as possible **noting that this is a voluntary process**.

Selectman Finan suggested the form be updated to allow the employee to acknowledge they are waiving right to exit interview if they so choose.

It was suggested to track trends to see why employees are leaving. Karen said this can be provided to the Board of Selectmen. Town Administrator Daley also said to capture for voluntary vs involuntary departures. Karen noted that not all departments get seen by her, as some are gone before she is aware.

Selectman Dargie made a motion to accept Policy 2004-02 Policy on Exit Interviews as amended. Seconded by Selectman Finan. All were in favor. The motion passed 4/0.

Policy 2006-02 Policy Hiring Process/Criminal Check

Town Administrator Daley suggested we table this one because after speaking with Karen Blow, it's best to table this discussion until they speak with other departments to see what different requirements, they each have.

No vote taken.

Policy 2006-03 Policy on Deductions from Salaries for Employees Exempt from Overtime Pay Requirements

Town Administrator Daley reviewed this quickly and noted that further review is necessary.

No vote taken.

Further review of policies to continue at the next Board of Selectmen meeting on March 25, 2024

7. SELECTMEN'S REPORTS/DISCUSSIONS

a) FROM PROJECTS, SPECIAL BOARDS, COMMISSION & COMMITTEES

- a. GTM was approved and we are officially 98.1, and applied for WGTM call letters.
- b. Chris is investigating a new website platform, all investigated providers have come in cheaper. Demos will be occurring with three of the providers.
- c. Master Plan kickoff will be early April 2 at 4:00, goal is to have members of the board to be part of the team. It was suggested to wait until after the election to determine who it will be on the subcommittee assignments.

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

8. PUBLIC COMMENTS –

Jennifer Barbor on topic of Foster Road trail, she is opposed to it as a snowmobile trail. She feels children and pets would be endangered. Not opposed to it as a walking trail.

Jane Texiera, on topic of Foster Road trail, is a snowmobile trail being discussed? She would like to enjoy the neighborhood walking trails but not snowmobiles or other motorized vehicles. Selectman Daniels indicated no longer considering snowmobile trail.

9. APPROVAL OF FINAL MINUTES – Feb 26, 2024

Selectman Dargie made a motion to approve the final minutes of February 26, 2024 as amended. Seconded by Selectman Finan. All were in favor. The motion passed 4/0.

10. INFORMATION ITEMS REQUIRING NO DECISIONS.

11. NOTICES. Notices were read.

- a. Town Voting Tuesday March 12th, 2024 at the Milford High School on 100 West St from 6:00am until 8:00pm
- b. The next Board of Selectmen's meeting is March 25, 2024 at 5:30 in the Board of Selectmen's meeting room, 1 Union Square, Milford NH at 5:30pm. This will be a HYBRID meeting. Information to access ZOOM will be posted on the Town's website on or before March 22, 2024.

12. NON-PUBLIC SESSION – Selectman Finan moved and Selectman Dargie seconded a motion to go into non-public session under RSA 91-A:3 II(a) Personnel. The roll call vote passed 4-0. The Board entered non-public session and the public left the room.

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206 **13. ADJOURNMENT:** The board returned to public session. Selectman Daniels announced that while in non-
207 public session one issue was discussed and no votes were taken. **Selectman Finan moved to adjourn at 8:30.**
208 **Seconded by Selectman Labonte. All were in favor. The motion passed 4/0.**
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Tim Finan, Chairman

Paul Dargie, Vice Chairman

Dave Freel, Member

Chris Labonte, Member

Tina Philbrick, Member