

MILFORD, NH - BOARD OF SELECTMEN'S MEETING AGENDA

Monday, June 22 2020 – 5:30 p.m.

Remote Zoom Meeting

The Public is encouraged to participate remotely, call in on your phone at **1-646-558-8656** and enter the meeting ID# **840 2705 8672**. The password is **458737**. You may also join the Zoom Meeting at <https://us02web.zoom.us/j/84027058672?pwd=dXVQMythdFlxOE9nQVFhNFVFcDZlUT09>.

Please log in five minutes before the meeting's scheduled start time in case there are any technical difficulties.

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

2. APPOINTMENTS – (Approximate times)

- 5:30 p.m. - 2020 Ambulance Lease Purchase – Eric Schelberg (tabled from June 8, 2020)
- 5:40 p.m. - Abatements(22), SNHMC PILOT and Elderly Exemptions
- 5:50 p.m. - 2021 Revaluation Proposals - Marti Noel
- 6:00 p.m. - BROX Complaint – Suzanne Fournier

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

4. DECISIONS

a) CONSENT CALENDAR

- Timber tax cut

b) OTHER DECISIONS

- Selectmen's Rule of Procedure

5. TOWN STATUS REPORT

1. Large Events Status
2. Osgood Pond Dredging Update
3. Town Pool Opening
4. Savage Road Parking

6. DISCUSSIONS

- Review of Oval Reservation Form

7. PUBLIC COMMENTS

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 - June 3, 2020 (work session) and June 8, 2020

10. INFORMATION ITEMS REQUIRING NO DECISIONS

- Board of Selectmen Ethics Policy

11. NOTICES - The Fifth Monday Forum Board of Selectmen's Meeting will be held on June 29, 2020 at 7pm and preceded by an IMA Discussion with MACC Base member towns from 5pm-6pm and a Milford Board dispatch work session from 6pm-7pm. These will be virtual meetings through Zoom; information to access will be posted on the Town's website on or before Friday, June 26, 2020.

12. NON-PUBLIC SESSION - In accordance with (RSA 91-A:3,II (a)) Personnel

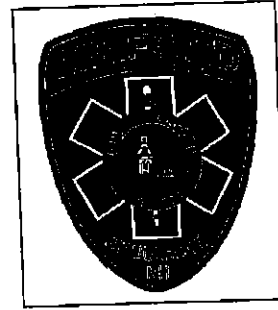
13. ADJOURNMENT

MILFORD, NH - BOARD OF SELECTMEN'S MEETING AGENDA
Monday, June 22 2020 – 5:30 p.m.
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- Conservation Commission (2nd Thursday, 7:00 p.m., Town Hall, BOS Room) - Selectman Dudziak
- Economic Development Advisory Committee (Varied) – Selectman Dargie
- Granite Town Media (Formerly PEG Access) Advisory Committee (3rd Thursday, 6:00 p.m., Town Hall, BOS Room) - Selectman Labonte
- Heritage Commission (2nd Wednesday, 7:00 p.m., Library) – Administrator Shannon
- Joint Loss Management Committee (quarterly, 2nd Tuesday (Jan., April, July, and Oct.), 9:00 a.m., Police Facility, Community Room) - Selectman Labonte
- Library Trustees (3rd Tuesday, 6:30 p.m., Library) – Selectman Dudziak
- NHMA (Varied) – Town Administrator John Shannon & Selectman Dargie (Alternate)
- MACC Base Meeting time and dates TBD at each meeting – Captain Frye & Tina Philbrick (Alternate)
- Planning Board (1st & 4th Tuesdays, 6:30 p.m., Town Hall, BOS Room) - Selectman Dudziak & Selectman Freel (Alternate)
- Recreation Commission (2nd Wednesday, 7:00 p.m., Town Hall, BOS Room) – Selectman Dargie
- Recycling/Solid Waste Committee (3rd Tuesday, 6:30 p.m. – Selectman Daniels
- Traffic Safety Committee (Varied as items are sent for consideration, Police Facility, Community Room, 19 Garden Street) - Selectman Daniels
- Zoning Board of Appeals (1st & 3rd Thursdays, 7:00 p.m., Town Hall, BOS Room) – Selectman Dargie
- Manifest Sign Off (available Thursdays after 4:30 pm through Mondays before 7:00 am) – Selectmen Labonte & Selectmen Dargie (Alternate)
- Payroll Sign Off (available every other week Wednesdays after 3:00 pm through Thursdays before 9:00 am) – Selectmen Freel & Selectman Dudziak (Alternate)

2. Appointments

MEMORANDUM



To: Board of Selectmen
CC: John Shannon, Town Administrator
Paul Calabria, Finance Director
From: Eric Schelberg, Director
Date: June 4, 2020
Subject: 2020 Ambulance Lease Purchase

This memorandum serves to update the Board of Selectmen on and recommend action on the 2020 ambulance lease purchase.

As the Board is aware, Warrant Article 12 – Ambulance and Equipment Lease-Purchase, passed at the 2020 Town Meeting in the amount of \$45,180 by a 64% margin (1830-1039).

The original language included a Fiscal Funding Clause (Escape Clause) which required a 3/5 majority. The morning of the Deliberative Session, Town Council was approached about changing the language to remove the Fiscal Funding Clause (Escape Clause) which then would only require a simple majority to pass. Town Council stated that the change wouldn't affect our ability to withdraw monies from the Ambulance Capital Reserve. Our NHDRA auditor had advised against that change before publicly posting the Warrant.

After Board approval on March 9th, to move forward with the purchase the NHDRA auditor representative, Michelle Clark informed us the revised language negated our legal opportunity to withdraw from our Capital Reserve Funds for use toward a down payment on the ambulance and further, the revised language only provided funding for the 2020 1st year purchase. Ms. Clark did note the requested and approved use of the Capital Reserves funds can be used to purchase durable equipment for equipping the ambulance as noted in the warrant.

Options moving forward are:

1. Budget the annual lease payment in the town operating budget for the next four years for the life of the lease. The annual lease payment would not be eligible for inclusion as debt service, therefore if the approved budget fails and the 'default' budget is adopted, lease payment funds will need to be identified from elsewhere in the budget, otherwise if not, then the fiscal funding clause would apply and the ambulance would be repossessed.
2. Put forward another Warrant Article before the voters at the 2021 Town Meeting, to guarantee funding the final 4 years of the Ambulance Lease-Purchase.

Our recommendation is to move forward with Option 2.

Capital Reserve Withdrawal

As noted above and in my memorandum of March 5th, the Capital Reserve funds will be used to purchase a cardiac monitor, stretcher, stair chair, mobile radios and video laryngoscope and blades. In order for the Board of Selectmen to expend the \$75,000 from the Capital Reserve account, the Board will need to post a warrant at a public hearing requesting to be the 'agent', vote on said motion, then close the hearing.

Memorandum

To: Board of Selectman
CC: John Shannon
From: Marti Noel, Assessor
Date: June 22, 2020
Re: Elderly Exemption - For Approval
72:33 Application for Exemption or Tax Credit.
For Approval (4)
For Denial – (2)

No person shall be entitled to the exemptions or tax credits provided by RSA 72:28, 29-a, 30, 31, 32, 35, 36-a, 37, 37-a, 37-b, 38-b, 39-b, 62, 66, and 70 unless the person has filed with the selectmen or assessors, by April 15 preceding the setting of the tax rate, a permanent application therefore, signed under penalty of perjury, on a form approved and provided by the commissioner of revenue administration, showing that the applicant is the true and lawful owner of the property on which the exemption or tax credit is claimed and that the applicant was duly qualified upon April 1 of the year in which the exemption or tax credit is first claimed, or, in the case of financial qualifications, that the applicant is duly qualified at the time of application...”.

72:34 Investigation of Application and Decision by Town Officials.

On receipt of an application provided for in RSA 72:33 or RSA 72:38-a, the selectmen or assessors shall examine it as to the right to the tax exemption, tax deferral or tax credit, the ownership of the property listed, and, if necessary, the encumbrances reported.

May request true copies of any documents as needed to verify eligibility. Unless otherwise provided for by law, all documents submitted with an application or as requested, as provided for in paragraphs I and II, and any copies shall be considered confidential, handled so as to protect the privacy of the individual, and not used for any purpose other than the specific statutory purposes for which the information was originally obtained. All documents and copies of such documents submitted by the applicant shall be returned to the applicant after a decision is made on the application.

II. For those exemptions having income or asset limitations, the assessing officials may request true copies of any documents as needed to verify eligibility. Unless otherwise provided for by law, all documents submitted with an application or as requested, as provided for in paragraphs I and II, and any copies shall be considered confidential, handled so as to protect the privacy of the individual, and not used for any purpose other than the specific statutory purposes for which the information was originally obtained. All documents and copies of such documents submitted by the applicant shall be returned to the applicant after a decision is made on the application.

III. The assessing officials shall grant the exemption, deferral, or tax credit if:

- (a) They are satisfied that the applicant has not willfully made any false statement in the application for the purpose of obtaining the exemption, deferral, or tax credit; and
- (b) The applicant cooperated with their requests under paragraph II, if it applies.

The documentation needed to verify eligibility is as follows:

IRS Federal Form 1040

NH Interest & Dividends Tax Return

Annual 1099 Social Security Statement(s)

All Other 1099 Statements

Property Tax Inventories from other Towns/States/Communities

72:40-b Publishing Prohibited.

The names of persons receiving an exemption under RSA 72:39-b (the Elderly Exemption) shall not be printed in any list for publication except as required under RSA 74:2

I have reviewed all elderly applications and I recommend that the Board of Selectman **approve** the attached list of applicants for Elderly Exemption for the tax year 2020. The attached list identifies all applicants approved as a matter of public record and to expedite your decision making process. Due to the financial criteria governing elderly exemptions and in adherence to RSA 72:40-b, only file numbers will be listed excluding the names and addresses of the applicants. As a reminder to the Board members, the assessing office is on a bi-annual schedule for applications.

The following is a list of applicants for the 2020 tax year. I recommend that the Board of Selectman **approve** the attached list of applicants for Elderly Exemption for the tax year 2020.

File #	Exemption Amount	Assessed Value	Date of Application	Code		Code By Age
1921	165000	244000	5/23/2020	Eld 3		Eld 3
184002	165000	263500	6/13/2020	Eld 3		Eld 3
184389	97700	97700	6/8/2020	Eld 4	Override	Eld 3
2984	71900	71900	6/2/2020	Eld 4	Override	Eld 3

SELECTMEN PRINTED NAME	SELECTMEN SIGNATURES OF APPROVAL	DATE
GARY DANIELS		6/22/2020
PAUL DARGIE		6/22/2020
LAURA DUDZIAK		6/22/2020
CHRIS LABONTE		6/22/2020
DAVID FREEL		6/22/2020

The following Applicants did not qualify for the elderly exemption and a **denial** is recommended for these applications. The applicants have been made aware of this action.

File #	Reason
199	Over on Assets
3488	Over on Income

SELECTMEN PRINTED NAME	SELECTMEN SIGNATURES TO DENY	DATE
GARY DANIELS		6/22/2020
PAUL DARGIE		6/22/2020
LAURA DUDZIAK		6/22/2020
CHRIS LABONTE		6/22/2020
DAVID FREEL		6/22/2020

MEMORANDUM

DATE: June 22, 2020

TO: Board of Selectmen

CC: John Shannon

FROM: Marti Noel, Assessor

RE: **2019 Property Abatement Applications**
Recommendations for Approval - 4
Recommendations for Denial - 18

Property Abatement Application:

As a refresher on the Abatement process, if a property owner feels their assessment is incorrect or inequitable, an abatement application may be submitted to the assessing office between the date the final tax bill is mailed and March 1st of the following year. The deadline for filing for abatement for the 2019 tax year is March 2, 2020 as March 1st landed on a Sunday.

The deadline for response by the municipality to all abatements timely filed is July 1. If no decision has been made, the abatement is to be considered to have been denied, and the Appellants may begin filing for appeal at the state level, either the BTLA or Superior Court.

The Assessing office received 30 abatement requests in all. The discussion tonight includes all abatements that have not previously been processed.

Abatements include:

There are four (4) abatements recommended for approval where either a physical change to the property record card was warranted or market data indicated that the property was inequitably assessed.

I recommend the Board approve the 4 abatements submitted for approval.

There are eighteen (18) abatements recommended for denial. In most instances the applicant or the applicant's representative did not meet the burden of demonstrating why the property was disproportionately or inequitably assessed. Two of these applications were based on hardship, but the applicant did not demonstrate through documentation why an abatement of taxes was the only or best course of action, nor did either party

demonstrated that they were working with Welfare to seek all available assistance while under financial distress.

I recommend the Board Deny the remaining 18 abatement applications.

(Note that 2 of the Denial requests are submitted as multiple units owned by a single entity; each grouping is and addressed on a single form).

The owners of the properties whose abatements are being considered tonight have been notified of my recommendations and reasoning, and were informed the BOS would be considering their requests tonight, and have been informed of their right to appeal.

Thank You

TY 2019 Abatement Recommendations									
App #	Map/Lot	Address	Property Owner Request	Recommend	Reason	Letter Sent	2019 Assessed Value	Adjusted Assesed Value	Abatement Amount @ \$25.97 rate
1906	22 / 9	60 Highland Ave	Assessment seems high compared to other properties; driveway access is via an unmaintained town road spur.	Approve in Part	Based on a review of similar properties within the neighborhood and a review of recent sales, the property seems reasonably assessed; Access on an unmaintained town road spur presents less than optimal conditions; functional obsolescence noted for cost to cure.	6/1/2020	333,400	311,100	579.13
1913	26 / 68	24 Souhegan St	The property owner claims the property is unfinished and suffers from reduced income.	Approve in Part	This property has had update and remodel to a portion of the dwelling, but also has an addition started more than 10 years ago and never completed. The unfinished area is treated as storage within the property records, but it is recognized that there may be higher depreciation noted for the unfinished portion than the completed portion.	6/1/2020	493,800	444,100	1,290.71
1927	25 / 14	25 Elm St	The property owner claims the assessed value is too high.	Approve in Part	A recent sale of this property supports the owner's claim for lower assessment.	6/15/2020	401,200	362,300	1,010.23
1928	19 / 17	188 Elm St	The property owner claims the assessed value is too high.	Approve	The property has been listed on the open market with an asking price below the assessed value.	6/15/2020	511,400	458,800	1,366.02
1903	43 /59-M-6	539 Nashua St #6	The property owner claims the assessed value is too high	Deny	The property appears to be appropriately assessed.	6/1/2020	69,400	69,400	
1911	41 / 53	303 Mason Rd	The property owner claims the assessed value is too high	Deny	The property appears to be appropriately assessed.	6/1/2020	407,700	407,700	
1912	40 / 96	682 Mason Rd	The property owner requested a hardship abatement	Deny	The property owner has not provided any information to allow an assessment of their financial situation in order to determine necessity for a hardship abatement. Further, the owner has refused to work with Welfare for any additional assistance.	6/15/2020	251,200	251,200	
1914	22 / 35	23 Dearborn	The owner requested a hardship abatement.	Deny	In 2019, the property owner owns several investment properties including one that had large outbuildings constructed in the past year. The owner failed to demonstrate why a hardship abatement would be the only alternative available.	6/1/2020	315,200	315,200	
1915	48 / 12	484 NH Rte 13 S	The property owner claims the assessed value is too high	Deny	The property appears to be appropriately assessed.	6/1/2020	225,100	225,100	
1916	22 / 59	15 North St	The property owner claims the assessed value is too high	Deny	The property appears to be appropriately assessed.	6/15/2020	1,993,200	1,993,200	
1917	38 / 1	128 Savage Rd	The property owner claims the assessed value is too high	Deny	The property appears to be appropriately assessed.	6/15/2020	5,795,000	5,795,000	
1918 - 1921	8 / 52-1C 14 through 17	3 Abby Ln Units 1,2,5, & 6	The property owner claims the assessed value is too high	Deny	The property appears to be appropriately assessed. 4 condominium units under same ownership)	6/15/2020	651,500	651,500	
1922 - 1925	8 / 52 1C-18 through 21	3 Abby Lane Units 3,4,7 & 8	The property owner claims the assessed value is too high	Deny	The property appears to be appropriately assessed. 4 condominium units under same ownership)	6/15/2020	659,400	659,400	
1926	43 / 43-C-55	28 James St #55	The property owner claims the assessed value is too high	Deny	The property appears to be appropriately assessed.	6/15/2020	126,500	126,500	
1929	29 / 117	50 Oak St	The property owner claims the assessed value is too high	Deny	The property appears to be appropriately assessed.	6/15/2020	252,700	252,700	

**ABATEMENT RECORD
TY 2019**

Date: 22-Jun-20

Record #: 1906

Account #:

Current
Assessment

Revised
Assessment

Owner: McQuaide, Gary

Land: \$70,900

\$70,900

Address: 60 Highland Ave
Milford, NH 03055

Building: \$262,700

\$240,200

Total: \$333,600

\$311,100

Map/Lot: M 22 L 9

Credit Exemption

Other

Property Location: 60 Highland Ave

Tax Rate: 25.97

Abatement Amount: \$584.33

REASON FOR ABATEMENT: Abatement for functional obsolescence covering cost to cure to add a driveway on own land.

BOARD OF SELECTMEN:

Date: 6/22/2020

Abatement Approved:

Gary Daniels

Abatement Denied:

Abatement Approved:

Paul Dargie

Abatement Denied:

Abatement Approved:

Laura Dudziak

Abatement Denied:

Abatement Approved:

Chris Labonte

Abatement Denied:

Abatement Approved:

David Freel

Abatement Denied:

TAX COLLECTOR:

Original Tax Due:

Date Abatement Executed: ___/___/___

___/___/___

Abated Amount:

\$584.33

Date Corrected Tax Bill Sent: ___/___/___

___/___/___

Interest/Costs, if any:

Date Corrected Tax Bill Due: ___/___/___

___/___/___

Total Tax Now Due:

If tax has been paid and a refund is due.

Amount:

Interest, if any:

Refund Date: _____

Total Refund:

**ABATEMENT RECORD
TY 2019**

Date: 22-Jun-20 Record #: 1913

Account #: Current Assessment Revised Assessment

Owner: Soucy Family Revocable Trust Land: \$82,500 \$82,500
 Soucy, Kurt & Diane Trustees

Address: 23 Dearborn St Building: \$411,300 \$361,600
 Milford, NH 03055

Map/Lot: M 26 L 68 Total: \$493,800 \$444,100

Property Location: 24 Souhegan St Tax Rate: 25.97
 Abatement Amount: \$1,290.71

Credit Exemption
 Other

REASON FOR ABATEMENT: The property was adjusted for physical depreciation attributable unoccupied unfinished addition.

BOARD OF SELECTMEN: Date: 6/22/2020

Abatement Approved: _____ Abatement Denied: _____
 Gary Daniels

Abatement Approved: _____ Abatement Denied: _____
 Paul Dargie

Abatement Approved: _____ Abatement Denied: _____
 Laura Dudziak

Abatement Approved: _____ Abatement Denied: _____
 Chris Labonte

Abatement Approved: _____ Abatement Denied: _____
 David Freel

TAX COLLECTOR: Original Tax Due: _____

Date Abatement Executed: ___/___/___ Abated Amount: **\$1,290.71**

Date Corrected Tax Bill Sent: ___/___/___ Interest/Costs, If any: _____

Date Corrected Tax Bill Due: ___/___/___ Total Tax Now Due: _____

If tax has been paid and a refund is due. Amount: _____

Interest, If any: _____

Refund Date: _____ Total Refund: _____

**ABATEMENT RECORD
TY 2019**

Date: 22-Jun-20

Record #: 1927

Account #:

Current
Assessment

Revised
Assessment

Owner: Grey Fox Realty, LLC
c/o CPTM
Address: 345 Cilley Rd Suite 1
Manchester, NH 03103

Land: \$62,600
Building: \$338,600
Total: \$401,200

\$62,600
\$299,700
\$362,300

Map/Lot: M 25 L 14

Credit Exemption
 Other

Property Location: 25 Elm St

Tax Rate: 25.97
Abatement Amount: **\$1,010.23**

REASON FOR ABATEMENT: The recent re-sale of this property would suggest a slight reduction in the assessed value as of April 1, 2010 is warranted.

BOARD OF SELECTMEN:

Date: 6/22/2020

Abatement Approved:

Gary Daniels

Abatement Denied:

Abatement Approved:

Paul Dargie

Abatement Denied:

Abatement Approved:

Laura Dudziak

Abatement Denied:

Abatement Approved:

Chris Labonte

Abatement Denied:

Abatement Approved:

David Freel

Abatement Denied:

TAX COLLECTOR:

Original Tax Due:

Date Abatement Executed: ___/___/___

___/___/___

Abated Amount:

\$1,010.23

Date Corrected Tax Bill Sent: ___/___/___

___/___/___

Interest/Costs, If any:

Date Corrected Tax Bill Due: ___/___/___

___/___/___

Total Tax Now Due:

If tax has been paid and a refund is due.

Amount:

Interest, If any:

Refund Date

Total Refund:

**ABATEMENT RECORD
TY 2019**

Date: 22-Jun-20 Record #: 1928

Account #: Current Assessment Revised Assessment

Owner: Bowsowski Properties LLC Land: \$144,800 \$144,800
 c/o CPTM

Address: 345 Cilley Rd Suite 1 Building: \$366,600 \$314,000
 Manchester, NH 03103

Map/Lot: M 19 L 17 Total: \$511,400 \$458,800

Property Location: 188 Elm St Tax Rate: 25.97
 Abatement Amount: \$1,366.02

Credit Exemption
 Other

REASON FOR ABATEMENT: This property has been on the market for several months at \$450,000. Offering price appears a good indicator of market value.

BOARD OF SELECTMEN: Date: 6/22/2020

Abatement Approved: _____ Abatement Denied: _____
 Gary Daniels

Abatement Approved: _____ Abatement Denied: _____
 Paul Dargie

Abatement Approved: _____ Abatement Denied: _____
 Laura Dudziak

Abatement Approved: _____ Abatement Denied: _____
 Chris Labonte

Abatement Approved: _____ Abatement Denied: _____
 David Freel

TAX COLLECTOR: Original Tax Due: _____

Date Abatement Executed: ___/___/___ Abated Amount: \$1,366.02

Date Corrected Tax Bill Sent: ___/___/___ Interest/Costs, If any: _____

Date Corrected Tax Bill Due: ___/___/___ Total Tax Now Due: _____

If tax has been paid and a refund is due. Amount: _____

Interest, If any: _____

Refund Date: _____ Total Refund: _____

**ABATEMENT RECORD
TY 2019**

Date: 22-Jun-20

Record #: 1903

Account #:

Current
Assessment

Revised
Assessment

Owner: Scarpato, Michael
Djmaria, Lindsay
Address: 539 Nashua St #6
Milford, NH 03055

Land:
Building: \$69,400 \$69,400
Total: \$69,400 \$69,400

Map/Lot: M 43 L 59-M-6

Credit Exemption
 Other

Property Location: 539 Nashua St #6

Tax Rate: 25.97
Abatement Amount: \$0.00

REASON FOR ABATEMENT: The property appears to be appropriately assessed

BOARD OF SELECTMEN:

Date: 6/22/2020

Abatement Approved: _____

Abatement Denied: _____
Gary Daniels

Abatement Approved: _____

Abatement Denied: _____
Paul Dargie

Abatement Approved: _____

Abatement Denied: _____
Laura Dudziak

Abatement Approved: _____

Abatement Denied: _____
Chris Labonte

Abatement Approved: _____

Abatement Denied: _____
David Freel

TAX COLLECTOR:

Original Tax Due: _____

Date Abatement Executed: ____/____/____

Abated Amount: \$0.00

Date Corrected Tax Bill Sent: ____/____/____

Interest/Costs, If any: _____

Date Corrected Tax Bill Due: ____/____/____

Total Tax Now Due: _____

If tax has been paid and a refund is due.

Amount: _____

Interest, If any: _____

Refund Date: _____

Total Refund: _____

**ABATEMENT RECORD
TY 2019**

Date: 22-Jun-20 Record #: 1911

Account #: Current Assessment Revised Assessment

Owner: Hesseltine Family Trust Land: \$71,100 \$71,100
Hesseltine, Robert Trustee

Address: O'Sullivan, Kathleen Trustee Building: \$336,600 \$336,600
303 Mason Rd
Milford, NH 03055 Total: \$407,700 \$407,700

Map/Lot: M 41 L 53 Credit Exemption
 Other

Property Location: 303 Mason Rd Tax Rate: 25.97
Abatement Amount: \$0.00

REASON FOR ABATEMENT: The property appears to be appropriately assessed

BOARD OF SELECTMEN: Date: 6/22/2020

Abatement Approved: _____ Abatement Denied: _____
Gary Daniels

Abatement Approved: _____ Abatement Denied: _____
Paul Dargie

Abatement Approved: _____ Abatement Denied: _____
Laura Dudziak

Abatement Approved: _____ Abatement Denied: _____
Chris Labonte

Abatement Approved: _____ Abatement Denied: _____
David Freel

TAX COLLECTOR: Original Tax Due: _____

Date Abatement Executed: ___/___/___ Abated Amount: \$0.00

Date Corrected Tax Bill Sent: ___/___/___ Interest/Costs, If any: _____

Date Corrected Tax Bill Due: ___/___/___ Total Tax Now Due: _____

If tax has been paid and a refund is due. Amount: _____

Interest, If any: _____

Refund Date: _____ Total Refund: _____

**ABATEMENT RECORD
TY 2019**

Date:	22-Jun-20	Record #:	1912
Account #:		Current Assessment	Revised Assessment
Owner:	Marchand, Melissa & Jeffrey	Land:	\$68,500
Address:	682 Mason Rd Milford, NH 03055	Building:	\$182,700
Map/Lot:	M 40 L 96	Total:	\$251,200
Property Location:	682 Mason Rd	<input type="checkbox"/> Credit	<input type="checkbox"/> Exemption
		<input checked="" type="checkbox"/> Other	
		Tax Rate:	25.97
		Abatement Amount:	\$0.00

REASON FOR ABATEMENT: The property owner filed for a hardship abatement, yet refused to work with welfare, and would not provide any documentation to the assessing office to support this request.

BOARD OF SELECTMEN:

Date: 6/22/2020

Abatement Approved: _____	Abatement Denied: _____	Gary Daniels
Abatement Approved: _____	Abatement Denied: _____	Paul Dargie
Abatement Approved: _____	Abatement Denied: _____	Laura Dudziak
Abatement Approved: _____	Abatement Denied: _____	Chris Labonte
Abatement Approved: _____	Abatement Denied: _____	David Freel

TAX COLLECTOR:

Date Abatement Executed: ____/____/____	Original Tax Due: _____
Date Corrected Tax Bill Sent: ____/____/____	Abated Amount: \$0.00
Date Corrected Tax Bill Due: ____/____/____	Interest/Costs, If any: _____
	Total Tax Now Due: _____

If tax has been paid and a refund is due.

Amount: _____

Interest, If any: _____

Refund Date: _____

Total Refund: _____

**ABATEMENT RECORD
TY 2019**

Date: 22-Jun-20

Record #: 1914

Account #:

Current
Assessment

Revised
Assessment

Owner: Soucy Family Revocable Trust
Soucy, Kurt & Diane Trustees
Address: 23 Dearborn St
Milford, NH 03055

Land: \$67,400
Building: \$247,800
Total: \$315,200

Map/Lot: M 22 L 35

Credit Exemption
 Other

Property Location: 23 Dearborn St

Tax Rate: 25.97
Abatement Amount: \$0.00

REASON FOR ABATEMENT: The property appears to be appropriately assessed

BOARD OF SELECTMEN:

Date: 6/22/2020

Abatement Approved: _____

Abatement Denied: _____
Gary Daniels

Abatement Approved: _____

Abatement Denied: _____
Paul Dargie

Abatement Approved: _____

Abatement Denied: _____
Laura Dudziak

Abatement Approved: _____

Abatement Denied: _____
Chris Labonte

Abatement Approved: _____

Abatement Denied: _____
David Freel

TAX COLLECTOR:

Original Tax Due: _____

Date Abatement Executed: / /

Abated Amount: **\$0.00**

Date Corrected Tax Bill Sent: / /

Interest/Costs, If any: _____

Date Corrected Tax Bill Due: / /

Total Tax Now Due: _____

If tax has been paid and a refund is due. Amount: _____

Interest, If any: _____

Refund Date: _____

Total Refund: _____

**ABATEMENT RECORD
TY 2019**

Date: 22-Jun-20 Record #: 1915

Account #: Current Assessment Revised Assessment

Owner: Taylor, Nelson & Lori Land: \$77,400 \$77,400

Address: 484 NH Rte 13 S Building: \$147,700 \$147,700
Milford, NH 03055

Total: \$225,100 \$225,100

Map/Lot: M 48 L 12 Credit Exemption
 Other

Property Location: 484 NH Rte 13 S Tax Rate: 25.97
Abatement Amount: \$0.00

REASON FOR ABATEMENT: The property appears to be appropriately assessed

BOARD OF SELECTMEN: Date: 6/22/2020

Abatement Approved: _____ Abatement Denied: _____
Gary Daniels

Abatement Approved: _____ Abatement Denied: _____
Paul Dargie

Abatement Approved: _____ Abatement Denied: _____
Laura Dudziak

Abatement Approved: _____ Abatement Denied: _____
Chris Labonte

Abatement Approved: _____ Abatement Denied: _____
David Freel

TAX COLLECTOR: Original Tax Due: _____

Date Abatement Executed: ___/___/___ Abated Amount: \$0.00

Date Corrected Tax Bill Sent: ___/___/___ Interest/Costs, If any: _____

Date Corrected Tax Bill Due: ___/___/___ Total Tax New Due: _____

If tax has been paid and a refund is due. Amount: _____

Interest, If any: _____

Refund Date: _____ Total Refund: _____

**ABATEMENT RECORD
TY 2019**

Date:	22-Jun-20	Record #:	1916
Account #:		Current Assessment	Revised Assessment
Owner:	Abaid, Rose A & Frederick P Trustees	Land:	\$106,700
Address:	Abaid, Rose A Revocable Trust c/o John Hayes Allobar Strategies 4 Park St, Suite 405 Concord, NH 03301	Building:	\$1,886,500
Map/Lot:	M 22 L 59	Total:	\$1,993,200
Property Location:	15 North St	<input type="checkbox"/> Credit <input type="checkbox"/> Exemption	
		<input checked="" type="checkbox"/> Other	
		Tax Rate:	25.97
		Abatement Amount:	\$0.00

REASON FOR ABATEMENT: The property is appropriately assessed based on recent sales data.

BOARD OF SELECTMEN:	Date:	6/22/2020
Abatement Approved: _____	Abatement Denied:	_____
Abatement Approved: _____	Abatement Denied:	Gary Daniels
Abatement Approved: _____	Abatement Denied:	Paul Dargie
Abatement Approved: _____	Abatement Denied:	Laura Dudziak
Abatement Approved: _____	Abatement Denied:	Chris Labonte
Abatement Approved: _____	Abatement Denied:	David Freel

TAX COLLECTOR:	Original Tax Due:	_____
Date Abatement Executed: ____/____/____	Abated Amount:	\$0.00
Date Corrected Tax Bill Sent: ____/____/____	Interest/Costs, If any:	_____
Date Corrected Tax Bill Due: ____/____/____	Total Tax Now Due:	_____

If tax has been paid and a refund is due.	Amount:	_____
	Interest, If any:	_____
Refund Date: _____	Total Refund:	_____

**ABATEMENT RECORD
TY 2019**

Date: 22-Jun-20

Record #: 1917

Account #:

Current
Assessment

Revised
Assessment

Owner: Krook, Andrew P Trustee
Krook, Steven E Irrevocable Trust
Address: c/o Dan Keenan
Marvin F Poer & Co
31 State St 0th Flr
Boston, MA 02109

Land: \$245,200
Building: \$5,513,800
Total: \$5,759,000

Map/Lot: M 38 L 1

Credit Exemption
 Other

Property Location: 128 Savage Rd

Tax Rate: 25.97
Abatement Amount: \$0.00

REASON FOR ABATEMENT: The proeprty is appropriately assessed based on recent sales data.

BOARD OF SELECTMEN:

Date: 6/22/2020

Abatement Approved: _____

Abatement Denied: _____
Gary Daniels

Abatement Approved: _____

Abatement Denied: _____
Paul Dargie

Abatement Approved: _____

Abatement Denied: _____
Laura Dudziak

Abatement Approved: _____

Abatement Denied: _____
Chris Labonte

Abatement Approved: _____

Abatement Denied: _____
David Freel

TAX COLLECTOR:

Original Tax Due: _____

Date Abatement Executed: ___/___/___

Abated Amount: \$0.00

Date Corrected Tax Bill Sent: ___/___/___

Interest/Costs, If any: _____

Date Corrected Tax Bill Due: ___/___/___

Total Tax Now Due: _____

If tax has been paid and a refund is due. Amount: _____

Interest, If any: _____

Refund Date: _____

Total Refund: _____

**ABATEMENT RECORD
TY 2019**

Date: 22-Jun-20

Record #: 1918 to 1921

Account #:		Current Assessment	Revised Assessment
------------	--	--------------------	--------------------

Owner: DeeVee Properties c/o CPTM	Land:		
Address: 345 Cillely Rd Suite 1 Manchester, NH 03103	Building:	\$651,500	\$651,500
	Total:	\$651,500	\$651,500

Map/Lot: M 8/52-1C-14 through 17

Credit Exemption
 Other

Property Location: 3 Abby Ln, Units 1,2,5, & 6	Tax Rate:	25.97
	Abatement Amount:	\$0.00

REASON FOR ABATEMENT: A non-arms-length transaction was offered to support market value. This abatement request includes 4 condo units owned by the same entity. The assessment amount noted is the total of the four units. Individual unit assessment is as follows: Unit 1 is assessed at \$160,600; Unit 2 is \$151,500; Units 5 & 6 are \$169,700 each.

BOARD OF SELECTMEN: _____ Date: 6/22/2020

Abatement Approved: _____	Abatement Denied: _____	Gary Daniels
Abatement Approved: _____	Abatement Denied: _____	Paul Dargie
Abatement Approved: _____	Abatement Denied: _____	Laura Dudziak
Abatement Approved: _____	Abatement Denied: _____	Chris Labonte
Abatement Approved: _____	Abatement Denied: _____	David Freel

TAX COLLECTOR: _____	Original Tax Due: _____
Date Abatement Executed: ____/____/____	Abated Amount: \$0.00
Date Corrected Tax Bill Sent: ____/____/____	Interest/Costs, If any: _____
Date Corrected Tax Bill Due: ____/____/____	Total Tax Now Due: _____

If tax has been paid and a refund is due.	Amount: _____
	Interest, If any: _____
Refund Date: _____	Total Refund: _____

**ABATEMENT RECORD
TY 2019**

Date: 22-Jun-20

Record #: 1922 to 1925

Account #:

Current
Assessment

Revised
Assessment

Owner: Pendleton Properties, LLC
c/o CPTM
Address: 345 Cilley Rd. Suite 1
Manchester, NH 03103

Land:

Building:

\$659,400

\$659,400

Total:

\$659,400

\$659,400

Map/Lot: M 8/52-1C-18 through 21

Credit Exemption

Other

Property Location: 3 Abby Ln, Units 3,4,7, &8

Tax Rate:

25.97

Abatement Amount:

\$0.00

REASON FOR ABATEMENT: A non-arms-length transaction was offered to support market value. This abatement request includes 4 condo units owned by the same entity. The assessment amount noted is the total of the four units. Individual unit assessment is as follows: Unit s 3 & 4 are assessed at \$160,600; Units 7 & 8 are at \$169,700 each.

BOARD OF SELECTMEN:

Date:

6/22/2020

Abatement Approved: _____

Abatement Denied: _____

Gary Daniels

Abatement Approved: _____

Abatement Denied: _____

Paul Dargie

Abatement Approved: _____

Abatement Denied: _____

Laura Dudziak

Abatement Approved: _____

Abatement Denied: _____

Chris Labonte

Abatement Approved: _____

Abatement Denied: _____

David Freel

TAX COLLECTOR:

Original Tax Due: _____

Date Abatement Executed: ____/____/____

Abated Amount: _____

\$0.00

Date Corrected Tax Bill Sent: ____/____/____

Interest/Costs, if any: _____

Date Corrected Tax Bill Due: ____/____/____

Total Tax Now Due: _____

If tax has been paid and a refund is due.

Amount: _____

Interest, If any: _____

Refund Date: _____

Total Refund: _____

**ABATEMENT RECORD
TY 2019**

Date: 22-Jun-20 Record #: 1926

Account #: Current Assessment Revised Assessment

Owner: Callahan, John & Kathleen Land:
c/o CPTM

Address: 345 Cilley Rd Suite 1 Building: \$126,500 \$126,500
Manchester, NH 03103 Total: \$126,500 \$126,500

Map/Lot: M 43 L 43-C-55 Credit Exemption
 Other

Property Location: 28 James St #55 Tax Rate: 25.97
Abatement Amount: \$0.00

REASON FOR ABATEMENT: The estimated value and supporting documentation provided by the property owner support of the assessed value.

BOARD OF SELECTMEN: Date: 6/22/2020

Abatement Approved: _____ Abatement Denied: _____
Gary Daniels

Abatement Approved: _____ Abatement Denied: _____
Paul Dargie

Abatement Approved: _____ Abatement Denied: _____
Laura Dudziak

Abatement Approved: _____ Abatement Denied: _____
Chris Labonte

Abatement Approved: _____ Abatement Denied: _____
David Freel

TAX COLLECTOR: Original Tax Due: _____

Date Abatement Executed: ___/___/___ Abated Amount: \$0.00

Date Corrected Tax Bill Sent: ___/___/___ Interest/Costs, If any: _____

Date Corrected Tax Bill Due: ___/___/___ Total Tax Now Due: _____

If tax has been paid and a refund is due. Amount: _____

Interest, If any: _____

Refund Date: _____ Total Refund: _____

**ABATEMENT RECORD
TY 2019**

Date: 22-Jun-20

Record #: 1929

Account #:

Current
Assessment

Revised
Assessment:

Owner: Grey Fox Realty LLC
c/o CPTM, LLC
Address: 345 Cilley Rd
Manchester, NH 03103

Land: \$59,000
Building: \$193,700
Total: \$252,700

Map/Lot: M.29 L.117

Credit Exemption
 Other

Property Location: 50 Oak St

Tax Rate: 25.97
Abatement Amount: \$0.00

REASON FOR ABATEMENT: The property is appropriately assessed based on recent sales data.

BOARD OF SELECTMEN:

Date: 6/22/2020

Abatement Approved: _____

Abatement Denied: _____
Gary Daniels

Abatement Approved: _____

Abatement Denied: _____
Paul Dargie

Abatement Approved: _____

Abatement Denied: _____
Laura Dudziak

Abatement Approved: _____

Abatement Denied: _____
Chris Labonte

Abatement Approved: _____

Abatement Denied: _____
David Freel

TAX COLLECTOR:

Original Tax Due: _____

Date Abatement Executed: ____/____/____

Abated Amount: **\$0.00**

Date Corrected Tax Bill Sent: ____/____/____

Interest/Costs, If any: _____

Date Corrected Tax Bill Due: ____/____/____

Total Tax Now Due: _____

If tax has been paid and a refund is due, Amount: _____

Interest, If any: _____

Refund Date: _____

Total Refund: _____

**ABATEMENT RECORD
TY 2019**

Date: 22-Jun-20 Record #: 1930

Account #: _____ Current Assessment Revised Assessment

Owner: Timothy Thibault Land: _____

Address: 26 Melendy Rd #41 Building: \$81,800 \$81,800
Milford, NH 03055

Map/Lot: M 42 L 73-M-41 Total: \$81,800 \$81,800

Property Location: 26 Melendy Rd #41 Credit Exemption
 Other

Tax Rate: 25.97
Abatement Amount: \$0.00

REASON FOR ABATEMENT: The property appears to be appropriately assessed

BOARD OF SELECTMEN: _____ Date: 6/22/2020

Abatement Approved: _____	Abatement Denied: _____	Gary Daniels
Abatement Approved: _____	Abatement Denied: _____	Paul Dargie
Abatement Approved: _____	Abatement Denied: _____	Laura Dudziak
Abatement Approved: _____	Abatement Denied: _____	Chris Labonte
Abatement Approved: _____	Abatement Denied: _____	David Freel

TAX COLLECTOR: _____ Original Tax Due: _____

Date Abatement Executed: ___/___/___ Abated Amount: \$0.00

Date Corrected Tax Bill Sent: ___/___/___ Interest/Costs, If any: _____

Date Corrected Tax Bill Due: ___/___/___ Total Tax Now Due: _____

If tax has been paid and a refund is due. Amount: _____

Interest, If any: _____

Refund Date: _____ Total Refund: _____

MEMORANDUM

DATE: June 22, 2020

TO: Board of Selectmen

CC: John Shannon

FROM: Marti Noel, Assessor

RE: **Land Use Change Tax (LUCT) for 1 parcels: 56-52-1**

Parcel 56-52-1 is a building site recently sold and so no longer qualifies for Current Use due to size with no contiguous parcels under identical ownership.

Because it was not an existing lot as of April 1, 2020, the Land Use Change Tax Warrant indicates a portion of the parent lot (Map 56 Lot 52) is removed from Current Use and that area is being assessed the Land Use Change Tax as a building lot (highest and best use as of the date of removal).

The property owner has been notified of the action being taken tonight regarding the property.

The Land Use Change Tax is based on 10% of estimated market value at the time of removal from current use.

Thank You

FORM

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION

A-5

LAND USE CHANGE TAX

STEP 1 PROPERTY OWNER(S) AND RESPONSIBLE PARTY (if applicable)

PLEASE TYPE OR PRINT	LAST NAME FARWELL	FIRST NAME TIMOTHY J	INITIAL
	LAST NAME	FIRST NAME	INITIAL
	RESPONSIBLE PARTY, IF OTHER THAN PROPERTY OWNER [RSA 79-A:7, 1(e)]		
	STREET ADDRESS PO BOX 368		
	ADDRESS (continued)		
	TOWN/CITY HOLLIS	STATE NH	ZIP CODE+4 03049

STEP 2 PROPERTY LOCATION

PLEASE TYPE OR PRINT	STREET 0 FEDERAL HILL RD					
	TOWN/CITY Milford			COUNTY Hillsborough		
	NUMBER OF ACRES 4.01	CHECK ONE: PARTIAL RELEASE <input checked="" type="checkbox"/> FULL RELEASE <input type="checkbox"/>		BOOK # 9306	PAGE # 1196	
	MAP # 56	LOT # 52	MAP #	LOT #	MAP #	LOT #

STEP 3 LOCAL IDENTIFICATION OF LAND BEING DISQUALIFIED

(a) Owners Name of Record When Land Was First Classified SAYTANIDES, VIRGINIA	BOOK # 5126	PAGE # 0174
(b) Number of Acres Originally Classified	32	
(c) Number of Acres Previously Disqualified	0	
(d) Acres Disqualified per this Assessment	4.01	
(e) Number of Acres Remaining in Current Use [3(b) minus 3(c) and 3(d)]	27.99	

STEP 4 ASSESSMENT OF LAND USE CHANGE TAX

(a) Narrative description of the disqualification: Part of 56-52 known as 56-52-1 on plan 40539 recorded 4/6/2020. This parcel was sold on 6/12/2020; lot size is too small to remain in CU.	
(b) Actual Date of Change in Use (MM/DD/YYYY)	6/12/2020
(c) Full and True Value at Time of Change in Use	\$ 110,000
(d) Land Use Change Tax [Step 4(c) x 10%]	\$ 11,000

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
LAND USE CHANGE TAX

STEP 5 SIGNATURES OF A MAJORITY OF SELECTMEN/ASSESSORS

TYPE OR PRINT NAME (in black ink) GARY DANIELS, CHAIR	SIGNATURE (in black ink)	DATE 6/22/2020
TYPE OR PRINT NAME (in black ink) PAUL DARGIE	SIGNATURE (in black ink)	DATE 6/22/2020
TYPE OR PRINT NAME (in black ink) LAURA DUDZIAK	SIGNATURE (in black ink)	DATE 6/22/2020
TYPE OR PRINT NAME (in black ink) CHRIS LABONTE	SIGNATURE (in black ink)	DATE 6/22/2020
TYPE OR PRINT NAME (in black ink) DAVID FREEL	SIGNATURE (in black ink)	DATE 6/22/2020

STEP 6 LAND USE CHANGE TAX NOTICE (TO BE COMPLETED BY LOCAL ASSESSING OFFICIALS)

PLEASE TYPE OR PRINT	LAST NAME FARWELL	FIRST NAME TIMOTHY J	
	ADDRESS 472 FEDERAL HILL RD		
	ADDRESS (continued)		
	TOWN/CITY HOLLIS	STATE NH	ZIP CODE*4 03049
(a) Date of Release (MM/DD/YYYY)		6/12/2020	
(b) Date of Bill (MM/DD/YYYY)		6/22/2020	
(c) Full and True Value at Time of Change in Use		\$	110,000
(d) Total Tax Due		\$	11,000

STEP 7 CHECKS PAYABLE TO AND MAILED TO (TO BE COMPLETED BY TAX COLLECTOR)

(a) Make Check Payable to:		TOWN OF MILFORD	
(b) Mail To:	NAME	TOWN OF MILFORD - TAX COLLECTOR	
	ADDRESS	1 UNION SQ	
	TOWN/CITY	STATE	ZIP CODE*4
	MILFORD	NH	06055
(c) Tax Collector's Office Location: 1 UNION SQ MILFORD, NH			
(d) Tax Collector's Office Hours: 8-4 M-F			
(e) Include a separate check in the amount of \$ 16.50 Payable to HILLSBOROUGH for recording fee at County Register of Deeds.			
(f) Payment of this tax is due no later than 30 days after mailing of this bill. Interest, at the rate of 18% per annum, shall be due if this tax is not paid on or before _____			

STEP 8 ACKNOWLEDGMENT OF PAYMENT

SIGNATURE (in black ink) OF TAX COLLECTOR	DATE PAID

LAND USE CHANGE TAX INSTRUCTIONS

GENERAL INSTRUCTIONS

WHO MUST FILE

Local assessing officials shall complete Form A-5, Land Use Change Tax, to assess the use change tax on current use land where property previously classified as open space land and assessed at current use values on or after April 1, 1974 is changed to a use which does not qualify for current use assessment.

WHAT TO FILE

The Form A-5 shall be prepared by the local assessing officials and an original and two copies shall be submitted to the tax collector for collection of land use change tax. In accordance with Pub 309.03 Form A-5W shall serve as a warrant with which the tax collector shall collect the tax. The tax collector shall ensure that a copy of these instructions are provided to the land owner advising them of their appeal rights.

WHEN TO FILE

Pursuant to RSA 79-A:7, II(d), payment of Land Use Change Tax, together with the recording fees due the Register of Deeds, is due within 30 days after mailing of the tax bill. Interest at a rate of 18% will accrue on any unpaid tax after 30 days.

WHERE TO FILE

Once completed and signed in black ink, this form and attachments shall be filed as follows:

Original:	Register of Deeds
Copy:	Local Assessing Officials
Copy:	Land Owner
Copy:	Local Tax Collector

APEALS

Within 2 months of the notice of the tax date, and not afterwards, a land owner may apply in writing to the Selectmen or Assessors for an abatement of the Land Use Change Tax. If the Selectmen or Assessors neglect or refuse to abate the Land Use Change Tax, any person aggrieved may either apply in writing to the Board of Tax and Land Appeals or petition the County Superior Court within 6 months of the notice of the tax in accordance with RSA 79-A:10 or RSA 79-A:11. Forms for appealing to the Board of Tax and Land Appeals may be obtained from the NH Board of Tax and Land Appeals, 107 Pleasant Street, Concord, NH 03301 or by calling (603) 271-2578 or by visiting their web site at www.nh.gov/blta. Be sure to specify that you are appealing the Land Use Change tax.

ADA

Individuals who need auxiliary aids for effective communication in programs and services of the department are invited to make their needs and preferences known to the NH Department of Revenue Administration.

NEED HELP?

Contact your local municipality or the Property Appraisal Division at (603) 230-5950.

LINE-BY-LINE INSTRUCTIONS

STEP 1

Enter the complete name(s), address, municipality, state and zip code of the present owner(s) and/or responsible party (if other than owner pursuant to RSA 79-A:7, II(e)), being assessed the Land Use Change Tax in accordance with RSA 79-A:7. If there is more than two owners, submit a supplemental list of all owners names of record.

STEP 2

Enter the property location information of the land being disqualified in the spaces provided. Check whether this is a partial release or a full release.

STEP 3

- (a) Enter name and address of the owners of record when the land was first classified under Current Use, including the Book and Page where it was recorded.
- (b) Enter the number of acres originally classified under RSA 75:1.
- (c) Enter the number of acres previously disqualified from RSA 75:1.
- (d) Enter the number of acres disqualified per this Assessment.
- (e) Enter the number of acres remaining in Land Use Assessment. [Steps 3(b) minus 3(c) and 3(d)].

STEP 4

- (a) Provide a brief narrative description of the property subject to disqualification. (i.e. forest land converted to house lots.)
- (b) Enter the actual date of change in use in the following format: MM/DD/YYYY.
- (c) Enter the full and true value of the disqualified property at the time of the change in use.
- (d) Calculate the Land Use Change Tax by multiplying Step 4(c) by 10%. Enter the result on Step 4(d).

STEP 5

Signatures, in black ink, of a majority of the local selectmen/assessors in the spaces provided indicates approval.

STEP 6

- Enter the name and mailing address of the present owners or responsible party responsible for payment of tax:
- (a) Enter the actual date of the change in use. [Same as Step 4(b)].
 - (b) Enter the date of the Land Use Change tax notice.
 - (c) Enter the Full and True Value of the land subject to Land Use Change as provided in RSA 75:1. [Same as Step 4(d)].
 - (d) Enter the Land Use Change Tax Due as calculated on page 1. Step 4(d).

STEP 7

- (a) Enter the municipality to which checks are to be made payable. This should be the municipality in which the disqualified property is located.
- (b) Enter the name of the tax collector and the applicable mailing address to which payments should be remitted.
- (c) Enter the tax collector's office location.
- (d) Enter the hours of operation for the local tax collector.
- (e) Enter the applicable lien release recording fee to be remitted to the County Registry of Deeds and the proper county to which the fee is due.
- (f) Enter the final date the taxpayer has to pay the bill to avoid penalties.

STEP 8

The tax collector must sign and date in black ink to indicate when the tax is paid and then shall remit the original Form A-5 with the recording fee to the County Registry of Deeds.

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
CURRENT USE LAND USE CHANGE TAX COLLECTOR'S WARRANT

TAX COLLECTOR'S WARRANT FOR TOWN/CITY

TOWN/CITY OF MILFORD		
STREET ADDRESS 1 UNION SQ		
ADDRESS (continued)		
TOWN/CITY MILFORD	STATE NH	ZIP CODE+4 03055-4230

COLLECTION OF LAND USE CHANGE TAX

State of New Hampshire, County of HILLSBOROUGH	
To KATHY DOHERTY	Collector of Taxes
for the Town/City of MILFORD	in said County:
In the name of said State you are directed to collect the LAND USE CHANGE TAX in the list herewith committed to you, amounting in all of the sum of: Interest at 18% will be assessed after 30 days.	\$ 11,000.00.
Given under our hands at	MILFORD
This day of	6/22/2020
OWNER NAME FARWELL, TIMOTHY J	
OWNER ADDRESS PO BOX 368, HOLLIS, NH 03049	
MAP P/O MAP 50	LOT LOT 56 (AKA 56-52-1 ON PLAN 40539)

SIGNATURES OF A MAJORITY OF SELECTMEN/ASSESSORS

TYPE OR PRINT NAME (in black ink): GARY DANIELS	SIGNATURE (in black ink)	DATE 06/22/2020
TYPE OR PRINT NAME (in black ink): PAUL DARGIE	SIGNATURE (in black ink)	DATE 06/22/2020
TYPE OR PRINT NAME (in black ink): LAURA DUDZIAK	SIGNATURE (in black ink)	DATE 06/22/2020
TYPE OR PRINT NAME (in black ink): CHRIS LABONTE	SIGNATURE (in black ink)	DATE 06/22/2020
TYPE OR PRINT NAME (in black ink): DAVID FREEL	SIGNATURE (in black ink)	DATE 06/22/2020

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
CURRENT USE LAND USE CHANGE TAX COLLECTOR'S WARRANT
 INSTRUCTIONS

GENERAL INSTRUCTIONS

WHO MUST FILE

Assessing Officials shall complete Form A-5W, Tax Collectors Warrant, to assess the Current Use Land Use Change Tax, as approved by the board, to serve as a warrant with which the tax collector shall collect the tax from the property owner.

WHAT TO FILE

The Form A-5W, Current Use Land Use Change Tax Collector's Warrant. Assessing officials shall submit Form A-5W, Current Use Land Use Change Tax Collectors Warrant, as approved by the board, to the Tax collector to serve as a warrant with which the tax collector shall collect the tax.

WHERE TO FILE

Once completed and signed in black ink, this form and attachments shall be filed as follows:

Original and 2 copies: Local Tax Collector

TAX COLLECTORS PROCEDURES

Upon receipt of the land use change tax warrant and the prescribed forms, the tax collector shall mail the duplicate copy of the tax bill to the owner responsible for the tax as the notice thereof. Such bill shall be mailed, at the latest, within 18 months of the date upon which the local assessing officials receive written notice of the change of use from the landowner or his agent, or within 18 months of the date the local assessing officials actually discover that the land use change tax is due and payable. Upon receipt of payment, but except for proceedings under RSA 79-A:7, II(e), the collector shall forward the original tax bill to the register of deeds of the county in which the land is located for the purpose of releasing recorded contingent liens required under RSA 79-A:5, VI. The tax bill shall state clearly whether all, or only a portion, of the land affected by the notice of contingent lien is subject to release. The recording fee charged by the register of deeds shall be paid by the owner of the land in accordance with the fees to which the register of deeds is entitled under RSA 478:17; 478:17-f or 478:17-g, I as applicable.

WHEN DUE

Payment of the land use change tax, together with the recording fees due the register of deeds, shall be due not later than 30 days after mailing of the tax bills for such tax, and interest at the rate of 18 percent per annum shall be due thereafter on any taxes not paid within the 30-day period.

COLLECTION OF UNPAID TAX

All land use change tax assessments levied under this section shall, on the date of the change in use, create a lien upon the land on account of which they are made and against the owner of record of such land or against the responsible party pursuant to RSA 79-A:7, II(e). Furthermore, such liens shall continue for a period of 24 months following the date upon which the local assessing officials receive written notice of the change of use from the landowner or his agent, or the date the local assessing officials actually discover that the land use change tax is due and payable, and such assessment shall be subject to statutory collection proceedings against real estate as prescribed by RSA 80.

ADA

Individuals who need auxiliary aids for effective communication in programs and services of the department are invited to make their needs and preferences known to the NH Department of Revenue Administration.

NEED HELP?

Contact the Property Appraisal Division at (603) 230-5950.

MEMORANDUM

DATE: June 22, 2020

TO: Board of Selectmen

CC: John Shannon

FROM: Marti Noel, Assessor

RE: **PILOT AGREEMENT DRAFT**

I would like to discuss a DRAFT of a renewal of a PILOT agreement which extends the agreement we have had in place with Southern New Hampshire Medical Center since 2012. The original PILOT agreement has expired and needs to be extended. Mr. John Shannon and I have reviewed the document, and a copy has been submitted to Atty. Drescher for review. The agreement is being discussed tonight as the statutory deadline for the municipality to reply to exemption requests is July 1. A non-reply is considered similar to a denial where the aggrieved party may then take action to file appeal with either the Board of Tax and Land Appeal or the NH Superior Court. The deadline to file appeal is September 1.

As a refresher, a PILOT is a *payment in lieu of taxes*.

RSA 72:23-n provides the governing body authority to enter a PILOT agreement with otherwise fully or partially exempt properties. This PILOT with Southern New Hampshire Medical Center located at 10 Jones Road was initially the negotiated result of an appeal settlement in NH Superior Court where both parties have agreed to this compromise. The terms of the PILOT remain essentially the same except for an increase in the PILOT payment from 30% of the tax bill to 35% of the tax bill. This amount essentially covers all but the school portion of the taxes.

As stated, this is a DRAFT copy. Should the Board agree to extend the terms as described above, I will forward this DRAFT document to the authorized parties to sign for Southern NH Medical Center for review and signature.

Dartmouth Hitchcock owns a similar facility in Milford and has also request a full exemption, but has agreed verbally to similar terms. Should the Board agree to this PILOT, I will revise the document and submit a copy for review to the authorized parties at Dartmouth Hitchcock.

Attached to this document are the applicable RSA's for your review.

Thank You

72:23-l Definition of "Charitable". — The term "charitable" as used to describe a corporation, society or other organization within the scope of this chapter, including RSA 72:23 and 72:23-k, shall mean a corporation, society or organization established and administered for the purpose of performing, and obligated, by its charter or otherwise, to perform some service of public good or welfare advancing the spiritual, physical, intellectual, social or economic well-being of the general public or a substantial and indefinite segment of the general public that includes residents of the state of New Hampshire, with no pecuniary profit or benefit to its officers or members, or any restrictions which confine its benefits or services to such officers or members, or those of any related organization. The fact that an organization's activities are not conducted for profit shall not in itself be sufficient to render the organization "charitable" for purposes of this chapter, nor shall the organization's treatment under the United States Internal Revenue Code of 1986, as amended. This section is not intended to abrogate the meaning of "charitable" under the common law of New Hampshire.

Source. 1991, 111:4, 1994, 378:3, eff. April 1, 1994.

Section 72:23-m

72:23-m Applicability of Exemptions. — The exemptions afforded by RSA 72:23 or 72:23-a through 72:23-k, as well as exemptions granted by other provisions of law, shall be construed to confer exemption only upon property which meets requirements of the statute under which the exemption is claimed. The burden of demonstrating the applicability of any exemption shall be upon the claimant.

Source. 1994, 378:4, eff. April 1, 1994.

Section 72:23-n

72:23-n Voluntary Payments in Lieu of Taxes. — The governing body of any municipality may enter into negotiations for a voluntary payment in lieu of taxes from otherwise fully or partially tax exempt properties, and may accept from such properties a voluntary payment in lieu of taxes.

Source. 1996, 208:1, eff. June 10, 1996.

PILOT AGREEMENT

Agreement is made on the day this agreement is fully executed below in July 2020 by and between the **Town of Milford** (the "Town") a municipal corporation located in the County of Hillsborough, New Hampshire and **Southern New Hampshire Medical Center / Foundation Medical Partners**, (SNHMC/FMP) each an organization under the laws of New Hampshire with their principal offices in Nashua, New Hampshire.

WHEREAS, SNHMC/FMP own the property in Milford known as Map 13, Lot 10-2, a .9 acre parcel located at 10 Jones Rd and containing an 8,048 SF building and parking (the Subject Parcel).

WHEREAS, the Town and SNHMC/FMP have concluded that it is in their respective best interests to extend the terms of their previous PILOT agreement effective from 2010 through 2019 with slight modification, both parties in agreement that it is fair, reasonable and will provide certainty with respect to annual tax payments to be made by SNHMC/FMP to the town.

NOW, THEREFORE, the Town and SNHMC/FMP, for good and sufficient consideration, the receipt of which is hereby acknowledged, agree:

1. Terms of this agreement and extension. This agreement will be in effect for tax years 2020 through 2024. So long as Parties comply with the terms of this agreement, The Town and SNHMC/FMP agree in 2024 that SNHMC/FMP and the Town may extend this agreement for an additional five-year term, for the tax years 2025 through 2029, by executing an agreement no later than May 30, 2024 that extends the terms herein. Notwithstanding the foregoing, either party may terminate this agreement pursuant to the terms of Paragraph 6 below.
2. SNHMC/FMP will provide annual information to the Town. At all times during the terms, and extended term if any, of this agreement, SNHMC/FMP will remain incorporated as non-profit corporations under New Hampshire law, will continue to use the Milford medical facility to provide health care to the general public and will not permit for-profit companies to operate at, or use and occupy the Subject parcel. Each year, SNHMC/FMP will additionally timely file a list of property for which a charitable tax exemption is claimed as required by RSA 72:23-c on BTLA form A-9 (or its successor form) and shall timely file statements of their financial conditions for the preceding fiscal year on BTLA form A-12 (or its successor form), and such other information as may be requested by the Town under RSA 72:23-c or 23, VI, and include a statement of charitable services provided to the Milford population specifically.
3. The Town will grant SNHMC/FMP applications for a charitable tax exemption. As long as SNHMC/FMP comply with the terms of this agreement. The Town, beginning in the 2020 tax year and as authorized by RSA 72:23-n, will grant SNHMC/FMP applications for charitable tax exemption and provide SNHMC/FMP written notice thereof within a reasonable time of receiving the application. The granting of applications is subject to and limited by the terms of this agreement.

4. Payment of Taxes. No later than the due date set forth in the tax bills received from the Town each tax year, SNHMC/FMP will make the payments of the PILOT to the Town as authorized by RSA 72:23-n, which payments will be calculated pursuant to paragraph 5 hereof.

5. Calculation of the PILOT. The Town each year in accordance with the same methodology it uses to assess comparable real estate subject to its taxing authority shall assess the Subject parcel and impose a tax thereon calculated at thirty-five percent (35%) of the Town's tax rate multiplied by the assessed value. SNHMC/FMP will make the annual PILOT payments as provided by paragraph 4 hereof.

Notwithstanding the foregoing, SNHMC/FMP shall have the right to challenge the assessed value the Town assign to the Subject parcel, which challenge, if made, shall be governed and decided by the laws that apply to tax abatement actions RSA 76:16 *et seq* and RSA 76:17 *et seq*.

6. Parties' right to terminate this agreement. In the event there is a change in New Hampshire or federal law that adversely affects SNHMC/FMP qualification for a tax exemption, SNHMC/FMP or the Town would have the right to terminate this agreement upon giving written notice to the other party. In addition, SNHMC/FMP would have the right to terminate this agreement in the event there is a change in the law that has, or will have, a material effect on their financial condition upon giving written notice to the Town. A termination under this paragraph would take effect as of April 1 of the tax year in which notice is given, but only if such notice is received by the Town no later than June 1 for the applicable tax year. In the event the agreement is terminated as provided for hereunder, including any decision by either party not to extend this agreement as set forth in Paragraph 1, neither party shall be prejudiced by this agreement. SNHMC/FMP may apply for charitable tax exemptions and the Town reserves all rights in its review and actions on any such application.

7. Remedies. In the event of a breach of this agreement, the non-breaching party shall be entitled to all remedies available as law and/or in equity, including the right of specific enforcement of this agreement.

8. Authority to enter into this agreement. The Town and SNHMC/FMP represent and warrant that each of them has authority to enter into this agreement and that all applicable laws, ordinances, rules and procedures have been met in the approval and execution of the agreement.

9. Notices. Any written notice required by this agreement shall be given in writing or by electronic means, with proof or acknowledgement of receipt required. Notice to the Town shall be sent to: Assessor, Town of Milford, 1 Union Sq., Milford, NH 03055. Notice to SNHMC/FMP shall be sent to: Scott Cote, Vice President of Facilities, Southern New Hampshire Medical Center, 8 Prospect St, Nashua, NH 03060.

10. Successors and assigns. SNHMC/FMP, upon written notice to the Town that sets forth the reason for exercising their rights under this paragraph, shall have the right to assign this agreement to another non-profit organization upon approval of the Town, which approval shall not be unreasonable withheld.
11. Entire agreement. This agreement contains the entire agreement between the parties with respect to SNHMC/FMP entitlement to a charitable tax exemption for the tax years addressed herein, and it supersedes any prior understandings, agreement or representations by or between the parties, written or oral, that might have related to the subject matter of the agreement in any way.
12. Governing law. This agreement shall be governed and interpreted under New Hampshire law.
13. Good faith compromise and limitation on effect of this agreement. This agreement is entered into by the parties in good faith. Accordingly, this agreement does not constitute or represent an admission by either party as to the property tax status of SNHMC/FMP's real estate under New Hampshire law. In the event the agreement is not enforceable for any reason, they shall have *no res judicata* or collateral estoppel effect.

Date: July, 2020

TOWN OF MILFORD, BOARD OF SELECTMEN

By: _____

Gary Daniels, Chairman
Duly Authorized

Date: July, 2020

SOUTHERN NEW HAMPSHIRE MEDICAL CENTER

By: _____

Paul L. Trainor, chief financial Officer
Duly Authorized

Date: July, 2020

FOUNDATION MEDICAL PARTNERS, INC

By: _____

Paul L. Trainor, chief financial Officer
Duly Authorized

MEMORANDUM

DATE June 22, 2020

TO: Board of Selectmen

CC: John Shannon

FROM: Marti Noel, Assessor

RE: Revaluation RFP Update

As you are aware, RSA 75:8-a requires that municipalities conduct a Revaluation of all properties at least once every 5 years. The Department of Revenue will not allow exception to postpone this statutory requirement for a revaluation.

Milford is scheduled for a revaluation in 2021. To that end I had posted an RFP for Assessing Services on both the NHMA and the Town of Milford websites. In the past 3 out of 4 years since the past revaluation, the Town has voted to put \$15,000 (per year) aside toward the cost of a revaluation. At this point in time we have \$45,000 set aside to defray the total cost of this effort.

The RFP closed June 10, 2020 with 2 submitted proposals for full statistical revaluation and 1 proposal for utility property revaluation only.

The proposals are as follows:

KRT Appraisal Services	\$80,000
Vision Government Solutions.....	\$89,800 with Bond
	\$87,100 without Bond

The bond was considered optional where invoicing is submitted monthly and the Town has previously held a 10% retainage until the entire project is completed.

Both proposals are similar in Scope and Timeframe for completion. I am familiar with both Contractors and would be comfortable working with either party.

KRT has won and fulfilled Revaluation and Update contracts since 2011. Vision provides the CAMA software that the Assessing department uses, and last completed a full Revaluation in Milford in 2006.

George E. Sansoucy proposed an hourly rate for Valuation of Utility properties.

I am presenting this information to get input from the Board, to answer questions, and to know in advance of preparing the 2021 Assessing Budget what the financial commitment will be.

BROX Complaint (Verbal)

4.a) Timber Tax Cut

JUN 10 2020

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
NOTICE OF INTENT TO CUT WOOD OR TIMBER

FORM
PA-7

(Assigned by Municipality)

YR TOWN OP#
 [] - [] - [] - T

For Tax Year April 1, 2020 to March 31, 2021

RECEIVED

PLEASE TYPE OR PRINT (If filling in form on-line; use TAB Key to move through fields)

- Town/City of: Milford
- Tax Map/Block/Lot or USFS Sale Name & Unit No.: 56-52-1
- Intent Type: Original Supplemental (Original Intent Number)
- Name of Access Road: Federal Hill Rd
- 5a. Acreage of Lot: 4 Acreage of Cut: 1/2-1
- 5b. Anticipated Start Date: 6-13-2020
- Type of ownership (check only one):
 - a. Owner of Land and Stumpage (Sole Owner)
 - b. Owner of Land and Stumpage (Joint Tenants)
 - c. Owner of Land and Stumpage (Tenants in Common)
 - d. Previous owner retaining deeded timber rights
 - e. Owner/Purchaser of stumpage & timber rights on public lands (Fed., State, municipal, etc.) or Utility Easements

REPORT OF CUT / CERTIFICATE TO BE SENT TO:
 OWNER OR LOGGER / FORESTER
 BY MAIL OR E-MAIL

7. I/We hereby accept responsibility for reporting all timber cut within 60 days after the completion of the operation or by May 15, whichever comes first. I/We also assume responsibility for any yield tax which may be assessed. (If a corporation, an officer must sign.)

Attach a signature page for additional owners.

Tim Farwell 6-8-2020

SIGNATURE (in ink) OF OWNER(S) OR CORPORATE OFFICER(S) DATE SIGNED

Tim Farwell

PRINT CLEARLY OR TYPE NAME OF OWNER(S) OR CORPORATE OFFICER(S)

SIGNATURE (in ink) OF OWNER(S) OR CORPORATE OFFICER(S) DATE SIGNED

Tim Farwell

PRINT CLEARLY OR TYPE NAME OF OWNER(S) OR CORPORATE OFFICER(S)

PO Box 368

MAILING ADDRESS

Hollis

NH 03049
 STATE ZIPCODE

CITY OR TOWN

tim368@gmail.com

E-MAIL ADDRESS

759-4265

HOME PHONE (Enter number without dashes)

CELL PHONE (Enter number without dashes)

FOR MUNICIPAL ASSESSING OFFICIALS ONLY

- The Selectmen/Municipal Assessing Officials hereby certify that:
- All owners of record have signed the Intent;
 - The land is not under the Current Use Unproductive category;
 - The form is complete and accurate; and

- Any timber tax bond required has been received.
 \$ _____ Date: _____
- The tax collector will be notified within 30 days of receipt pursuant to RSA 79:10.
- This form to be forwarded to DRA within 30 days.

8. Description of Wood or Timber To Be Cut

Species	Estimated Amount To Be Cut	
White Pine	<u>3000</u>	MBF
Hemlock		MBF
Red Pine		MBF
Spruce & Fir		MBF
Hard Maple	<u>500</u>	MBF
White Birch		MBF
Yellow Birch		MBF
Oak	<u>5000</u>	MBF
Ash		MBF
Soft Maple		MBF
Beech/Pallet/Tie & Mat Logs/ Pine Box		MBF
Other (Specify)		MBF
Pulpwood	Tons	
Spruce & Fir		
Hardwood & Aspen		
Pine		
Hemlock		
Biomass Chips		
Miscellaneous		
High Grade Spruce/Fir		Tons
Cordwood & Fuelwood	<u>10</u>	Cords

9. Species and Amount of Wood or Timber For Personal Use or Exempt. See exemptions on back of form.

Species	Amount:
---------	---------

10. By signing below, the Logger/Forester or person responsible for cutting hereby accepts responsibility for verifying the volumes of wood and timber to be reported by the owner, and certifies that they are familiar with RSA 227-J, the timber harvest laws.

SIGNATURE (in ink) OF PERSON RESPONSIBLE FOR CUT DATE

SAME/SELF

PRINT CLEARLY OR TYPE NAME OF PERSON RESPONSIBLE FOR CUT

MAILING ADDRESS

CITY OR TOWN STATE ZIPCODE

PHONE NUMBER E-MAIL ADDRESS

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL	DATE	SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL	DATE	SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL	DATE
SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL	DATE	SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL	DATE		

FORM

PA-7

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
NOTICE OF INTENT TO CUT WOOD OR TIMBER

JUN 13 2020

(Assigned by Municipality)

For Tax Year April 1, 20 to March 31, 21
RECEIVED

YR TOWN OP#

- - - T

PLEASE TYPE OR PRINT (If filling in form on-line; use TAB Key to move through fields)

- Town/City of: Milford
- Tax Map/Block/Lot or USFS Sale Name & Unit No.
41 - 40 - 2C
- Intent Type: Original Supplemental (Original Intent Number)
- Name of Access Road: Great Brook Road
- Acreage of Lot: 72 Acreage of Cut: _____
- Anticipated Start Date: 6/30/2020
- Type of ownership (check only one):
 - Owner of Land and Stumpage (Sole Owner)
 - Owner of Land and Stumpage (Joint Tenants)
 - Owner of Land and Stumpage (Tenants in Common)
 - Previous owner retaining deeded timber rights
 - Owner/Purchaser of stumpage & timber rights on public lands (Fed., State, municipal, etc.) or Utility Easements

REPORT OF CUT / CERTIFICATE TO BE SENT TO:

OWNER OR LOGGER / FORESTER

BY MAIL OR E-MAIL

7. I/We hereby accept responsibility for reporting all timber cut within 60 days after the completion of the operation or by May 15, whichever comes first. I/We also assume responsibility for any yield tax which may be assessed. (If a corporation, an officer must sign.)

Attach a signature page for additional owners.

Michael P. Paquin 6/5/2020
SIGNATURE (in ink) OF OWNER(S) OR CORPORATE OFFICER(S) DATE SIGNED

MICHAEL PAQUIN HOA President
PRINT CLEARLY OR TYPE NAME OF OWNER(S) OR CORPORATE OFFICER(S)

SIGNATURE (in ink) OF OWNER(S) OR CORPORATE OFFICER(S) DATE SIGNED

Great Brook Cords Assoc. Resolution Property Mgmt
PRINT CLEARLY OR TYPE NAME OF OWNER(S) OR CORPORATE OFFICER(S)

360 Route 101 #3A
MAILING ADDRESS

Milford NH 03110
CITY OR TOWN STATE ZIPCODE

brian@resolutionnh.com
E-MAIL ADDRESS

603-471-3319 _____
HOME PHONE (Enter number without dashes) CELL PHONE (Enter number without dashes)

FOR MUNICIPAL ASSESSING OFFICIALS ONLY

The Selectmen/Municipal Assessing Officials hereby certify that:

- All owners of record have signed the Intent;
- The land is not under the Current Use Unproductive category;
- The form is complete and accurate; and

- Any timber tax bond required has been received.
\$ _____ Date: _____
- The tax collector will be notified within 30 days of receipt pursuant to RSA 79:10.
- This form to be forwarded to DRA within 30 days.

8. Description of Wood or Timber To Be Cut

Species	Estimated Amount To Be Cut	
White Pine	<u>120</u>	MBF
Hemlock	<u>15</u>	MBF
Red Pine		MBF
Spruce & Fir		MBF
Hard Maple		MBF
White Birch		MBF
Yellow Birch		MBF
Oak	<u>20</u>	MBF
Ash		MBF
Soft Maple	<u>15</u>	MBF
Beech/Pallet/Tie & Mat Logs/ Pine Box	<u>40</u>	MBF
Other (Specify)		MBF
Pulpwood	Tons	
Spruce & Fir		
Hardwood & Aspen		
Pine		
Hemlock		
Biomass Chips	<u>800</u>	
Miscellaneous		
High Grade Spruce/Fir		Tons
Cordwood & Fuelwood	<u>120</u>	Cords

9. Species and Amount of Wood or Timber For Personal Use or Exempt. See exemptions on back of form.

Species	Amount:

10. By signing below, the Logger/Forester or person responsible for cutting hereby accepts responsibility for verifying the volumes of wood and timber to be reported by the owner, and certifies that they are familiar with RSA 227-J, the timber harvest laws.

Carl Chappell 5/21/20
SIGNATURE (in ink) OF PERSON RESPONSIBLE FOR CUT DATE

Carl Chappell
PRINT CLEARLY OR TYPE NAME OF PERSON RESPONSIBLE FOR CUT

116 Osborn Rd
MAILING ADDRESS

Milford NH 03055
CITY OR TOWN STATE ZIPCODE

603-533-8973 _____
PHONE NUMBER E-MAIL ADDRESS

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL	DATE	SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL	DATE	SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL	DATE

4.b) Selectmen's Rules of Procedure

1 **TOWN OF MILFORD, NEW HAMPSHIRE**
2
3 **BOARD OF SELECTMEN**
4
5
6
7



8
9
10
11 **RULES OF PROCEDURE**
12
13
14

15 **Adopted January 22, 2018**
16
17
18
19
20

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66 **Section I**
67 **General Provisions**

68
69 **BOARD OF SELECTMEN MEETING – LOCATION**

70
71 **Rule 1. Board of Selectmen Meeting – Location and Posting**

72
73 All meetings of the Town of Milford Board of Selectmen shall be held at the Milford Town Hall,
74 1 Union Square unless the Board of Selectmen adjourns to another location or the meeting is
75 scheduled for another location and is properly noticed. In general, meetings of the Board
76 must have at least 24-hour notice (not counting Saturdays and Holidays) prior to the meeting
77 (RSA 91-A:2) Notice must be either published in a newspaper or posted in two prominent
78 public places. Other statutes may require longer periods for and/or different types of notice,
79 such as public hearings, depending on the action being considered.
80

81 **Rule 2. Board of Selectmen Meeting – Day/Time**

82 Meetings of the Town of Milford Board of Selectmen shall begin at 5:30 p.m. on the 2nd and
83 4th Monday of each month, unless otherwise noticed, or continued to a specific time and date.
84 Occasionally, meetings will be held at other times of the day as may be required. All
85 Selectmen meetings are broadcasted except for 5th Monday Forums which are taped. 5th
86 Monday forums are meetings held on months with a 5th Monday, starting at 7:00 p.m., and
87 are open to anyone who wishes to attend. Selectmen meetings must be noticed in
88 compliance with RSA 91-A:2 II which states in part: Except in an emergency, a notice of the
89 time and place of each such meeting, including a nonpublic session, shall be posted in 2
90 appropriate places one of which may be the public body's Internet website, if such exists, or
91 shall be printed in a newspaper of general circulation in the city or town at least 24 hours,
92 excluding Sundays and legal holidays, prior to such meetings. An emergency shall mean a
93 situation where immediate undelayed action is deemed to be imperative by the chairman or
94 presiding officer of the public body, who shall post a notice of the time and place of such
95 meeting as soon as practicable, and shall employ whatever further means are reasonably
96 available to inform the public that a meeting is to be held.
97

98 **Rule 3. Board of Selectmen Meetings – Open to the Public**

99
100 All meetings of the Town of Milford Board of Selectmen and Committees shall be open to the
101 public, except as provided for by RSA 91-A, and/or for discussions with Town Counsel.
102

103 **Rule 4. Responsibilities of Members of the Board**

- 104
105 (a) All members shall make every effort to attend each scheduled meeting of the Board.
106 (b) Members of the Board have authority only when acting as a Board legally in session.
107 The Board shall not be bound by any action or statement of any individual Board
108 member, except when such statement or action is pursuant to a decision of the Board.
109
110
111
112

113 **Rule 5. Election of Officers**

114
115 Procedures for electing officers are as follows:

- 116
117 (a) Annually, at the first meeting of the new Board of Selectmen, the members thereof
118 shall choose, from among their number, a Chair and a Vice Chair. In addition to the
119 powers conferred upon the Chair and Vice Chair, he/she shall continue to have all the
120 rights, privileges, and immunities of a member of the Board of Selectmen.
121 (b) The above election shall be by a majority vote of the Board of Selectmen present at
122 the first meeting after the Town Election.

123
124 **Rule 6. Presiding Officer**

- 125
126 (a) The Chair of the Board of Selectmen shall preside at all meetings of the Board of
127 Selectmen, and be recognized as the head of the Town for all ceremonial purposes.
128 The Chair of the Board of Selectmen has no regular administrative or executive duties.
129 In case of the Chair's absence or temporary disability, the Vice Chair shall act as Chair
130 during the continuance of the absence. In case of the absence or temporary disability
131 of both the Chair and the Vice Chair, an acting Vice Chair of the Board of Selectmen
132 selected by members of the Board of Selectmen shall act as the Chair during the
133 continuance of the absences or disabilities. The Chair of the Board of Selectmen or
134 the Vice Chair are referred to as "Presiding Officer" from time to time in these Rules of
135 Procedure.
136
137 (b) The Presiding Officer shall preserve order and decorum, may participate in the
138 discussion of any issue before the Board of Selectmen, may submit reports and
139 legislation to the Board of Selectmen for its consideration, which shall require both
140 motion and second by other members of the Board of Selectmen, may speak to points
141 of order in preference to other members of the Board of Selectmen, and shall decide
142 all questions of order or procedure, subject to appeal to the full Board of Selectmen.
143 The Presiding Officer is allowed to vote on any matter before the Board with the
144 exception of a vote concerning the Officer's ethical conduct. No Selectmen shall be
145 interrupted while speaking except for a point of order or correction of a mistake of fact.

146
147 **Rule 7. Quorum**

148
149 Three Selectmen shall constitute a quorum for the conduct of town business.

150
151 In accordance with RSA 91-A:2, III, Selectmen may participate in all aspects of a meeting of
152 the Board of Selectmen, including voting, by telephone conference call, provided that a
153 quorum of Selectmen is present at the location of the meeting, and that any Selectmen
154 participating by conference call can hear all other selectmen and can be heard by persons
155 attending the meeting. The person calling in must identify other persons also present at
156 his/her location and state why attendance at the meeting is not reasonably practical. The
157 reason must be recorded in the minutes of the meeting. All votes taken with a telephonic
158 participant must be a roll call vote.

159
160 Any exception to the quorum "present at the location of the meeting" requirement is permitted
161 under the emergency conditions specified by RSA 91-A:2, III, (b).

162
163 Minutes must be kept for any meeting with a Board of Selectmen quorum and must be made
164 available to the public.

165
166 **Rule 8. Board of Selectmen's Meeting Agenda**

167
168 Any Selectmen, the Town Administrator or the Executive Assistant may place a matter upon
169 the agenda. The Town Administrator shall arrange a list of such matters according to the
170 order of business and prepare an agenda for review by the Chair of the Board of Selectmen.
171 Upon approval, a copy of the agenda and supporting materials shall be prepared for the
172 Selectmen. These materials shall be available at the Selectmen's Office on the Friday
173 preceding a scheduled meeting of the Board of Selectmen.

174
175 Matters submitted by members of the public or any Town department head or official
176 requesting an appointment with the Selectmen by the agenda deadline shall be included on
177 the agenda and must be received at the Selectmen's office by 4:30 pm on the Wednesday
178 prior to a scheduled meeting in order to be considered for placement on the agenda. Due to
179 scheduling and time constraints, an item submitted by the public is not guaranteed to be
180 placed on the next meeting's agenda.

181
182 **Rule 9. Order of Business**

183
184 The business of all meetings of the Board of Selectmen shall be transacted as follows;
185 provided, however that the Presiding Officer may during a Board of Selectmen's meeting,
186 rearrange items on the agenda to conduct the business before the Board of Selectmen more
187 expeditiously.

- 188
189 **1. Call to order, Board of Selectmen Introductions & Public speaking Instructions**
190 **2. Appointments to Meet with the Board**
191 a. Public Hearings if needed
192 b. Citizens – Concerns, Complaints or Comments
193 c. Staff – Departmental Updates and/or any other items pertaining to each
194 department.
195 **3. Public Comments (regarding items that are not on the agenda)**
196 a. Any member of the public may request time to address the Board of Selectmen
197 after first stating their name, address, and the subject of their comments. The
198 Presiding Officer may then allow the comments subject to such time limitations
199 as the Presiding Officers deems necessary, **generally five (5) minutes**.
200 Following such comments the Presiding officer may place the matter on the
201 current agenda or future agenda, or refer the matter to the Town Administrator
202 or other official for investigation, report or to take such actions as may be
203 appropriate.
204 b. Subjects on the current agenda. Any member of the public who wishes to
205 address the Board of Selectmen on an item on the current agenda shall make
206 such requests to the Presiding Officer at the time when comments from the
207 public are requested. The Presiding officer shall rule on the appropriateness of
208 public comments as the agenda item is reached. The Presiding Officer may
209 change the order of speakers so that testimony is heard in the most logical

groupings, e.g. proponents, opponents, adjacent land owner's, vested interests, etc.

- c. Any ruling by the Presiding Officer relative to the proceeding two subsections may be overruled by a vote of a majority of members present.

4. Decisions

- a. **Consent Calendar** - The Town Administrator shall place matters on the Consent Calendar which have been: (a) previously discussed by the Board of Selectmen, or (b) are based on the information previously delivered to the Selectmen that can be reviewed by a Selectman without further explanation, or (c) are so routine or technical in nature that passage is likely, or (d) as directed by the Town Board of Selectmen or Committee thereof. The motion on the Consent Calendar is as follows: "I move for adoption of the Consent Calendar". This motion shall be non-debatable and will have the effect of moving to adopt the recommendation of all items on the Consent Calendar. Since adoption of any item on the Consent calendar implies unanimous consent, any Selectman shall have the right to remove any item from the Consent calendar. Therefore, prior to the vote on the motion to adopt the Consent Calendar, the Presiding Officer shall inquire if any Selectman wishes an item to be withdrawn from the Consent Calendar. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda for the current or a future meeting.
- b. **Other Decisions** - The Selectmen may include the final vote of an item discussed at a previous meeting. Some public hearing require two meetings prior to a decision being made.

5. Town Status Report

- a. Town Administrator updates the Board of Selectmen with ongoing projects.

6. Discussions

- a. Board of Selectmen use this time to talk about **requests** that they have received, ie: ordinances, traffic safety concerns, town budgets, warrants, schedules, etc.

7. Public Comments

8. Selectmen's Reports/Discussions

- a. From Projects, Specials Boards, Commissions & Committees
- b. Other items (that are not on the agenda)

9. Approval of Final Minutes - Selectmen approve Final minutes for previous meetings.

10. Information Items Requiring No Decisions

- a. Treasurer's Report and/or other updates from Finance

11. Notices - Future Board of Selectmen meetings, Town Wide Notices and/or Closings

12. Non-Public Session - Approval of non-public minutes and/or non-public sessions.

13. Adjournment

Rule 10. Town Administrator

The Town Administrator, as the chief executive officer, shall attend all meetings of the Board of Selectmen, unless excused by the Presiding Officer of the Board of Selectmen. The Town Administrator may take part in all Board of Selectmen's discussions on all matters on the agenda, and otherwise concerning the welfare of the Town. In the event that the Town Administrator is unable to attend a Board of Selectmen's meeting, the Town Administrator

258 may appoint another qualified staff member to attend the meeting on behalf of the Town
259 Administrator.

260
261 **Rule 11. Clerk of the Board of Selectmen**

262
263 The Town Administrator shall be the Clerk of the Board of Selectmen and shall keep the
264 minutes and perform such other and further duties in the meeting as may be required. The
265 Town Administrator may delegate any of these functions to a member of his/her staff.

266
267 **Rule 12. Meetings of the Board of Selectmen**

- 268
269 (a) Organizational Meeting – An organizational meeting to elect officers shall be held in
270 accordance with Rule 5. The Board shall elect a Chair and Vice Chair for the ensuing
271 year at this meeting, and shall designate the Selectmen ex-officio board and
272 committee members. The Board may adopt the previous Board's policies and
273 procedures, subject to amendment as provided in these Rules of Procedure. The
274 Board shall establish a schedule of meetings for the upcoming year at its
275 Organizational Meeting.
- 276 (b) Regular Meeting – A more formal meeting of the Board generally conducted in
277 accordance with the order of the "Agenda" contained in Rule 8.
- 278 (c) Workshop Meetings – A less formalized meeting of the Board generally conducted for
279 the purpose of providing Board members a more detailed understanding of a limited
280 number of issues or to permit discussions of issues that require significant depth of
281 discussion.
- 282 (d) Non-Public Sessions – A meeting of the Board held in accordance with the provisions
283 of NH RSA 91-A:3. A Non-Public Session would exclude the public from attendance
284 at that specific session. The Board may also have in attendance for all or part of the
285 non-public session, those individuals the Board deems necessary to fulfill the purpose
286 of the non-public session. This may include, but is not limited to: the Board's Secretary
287 or Assistant, the Town Administrator, Town Counsel, and/or an employee whose
288 actions are the subject of the non-public session, or for whom a personnel decision is
289 before the Board. The decision to include or exclude an individual from a non-public
290 session is entirely within the discretion of the Board. Minutes of non-public must
291 include attendees and decisions.
- 292 (e) Emergency Meetings – May be called by the Chair in accordance with NH RSA 91-A:
293 2, II; upon demand of two (2) members of the Board; or at the request of the Town
294 Administrator. The Town Administrator, or his/her designee, shall ensure Emergency
295 Meetings are properly noticed in accordance with RSA 91-A: 2, II.
- 296 (f) Site Walk – May be held by the Board if a walk or inspection of a specific property or
297 properties is required in order for the Board to have a full and complete understanding
298 of a pending issue in order to render a decision. A site walk is considered to be a
299 meeting of the Board, which shall be noticed in accordance with RSA 91-A: 2, II and a
300 record or minutes of the site walk will be maintained. The Board will not engage in any
301 deliberation or decision making as part of a site walk. Such a session is for
302 information gathering purposes only. Any deliberations or decision will be made at a
303 Regular or Emergency Meeting of the Board.
- 304 (g) 5th Monday Forum – Meetings occur in a month that has 5 Mondays. The informal
305 meeting allows the public to come in to speak to the Board of Selectmen without an
306 appointment.

307 **Rule 13. Appointment to Boards and Commissions**

- 308
- 309 (a) In making the appointment of Selectmen Representatives to various town Boards as
- 310 noted in Rule 12, the terms of these ex-officio members of the Board on all Boards,
- 311 Committees and Commissions shall be for one (1) year, or until the next
- 312 Organizational Meeting of the Board following a Town Election, or until the appointed
- 313 Board Member's term expires or the Member resigns.
- 314 (b) As soon after the Board's Organizational Meeting as possible, the Board will consider
- 315 the appointment or re-appointment of individuals to the various Town boards,
- 316 committees and commissions whose terms of office are expiring. All appointments of
- 317 these positions shall be for three year terms of offices, unless a vacancy exists due to
- 318 a resignation or other such means. In those situations, the Board may make an
- 319 appointment to fill the remaining time on the original term of office of the person who
- 320 left the position.

321

322 **Rule 14. Procedure for Nominating and Appointing citizens to Town Boards,**

323 **Commissions and Committees.**

- 324
- 325 (a) Single nomination. Whenever only one person is nominated to a particular position,
- 326 the nomination shall be made by a Selectman, and then seconded. Once seconded, a
- 327 vote is taken. Should the person so nominated receive the majority of votes from those
- 328 Selectmen present and voting, the nomination is confirmed. If the majority of those
- 329 Selectmen present and voting do not approve the nomination, the nomination shall be
- 330 considered rejected and the name removed from further consideration at this meeting.
- 331 (b) Multiple nominations. Whenever there are multiple nominations for one position, each
- 332 name will be placed in nomination with no requirements for a second, although a
- 333 nomination may receive a second if a Board member wishes to do so. When all
- 334 nominations are closed, each Selectman shall have an opportunity to speak regarding
- 335 the qualifications of nominees, and then each Selectman shall cast a vote for no more
- 336 than one name. The name receiving a majority of those Selectman present and voting
- 337 shall be deemed confirmed. If the majority of those Selectmen present do not vote to
- 338 approve a nomination, the nomination shall be considered rejected and the name(s)
- 339 removed from further consideration at this meeting.

340

341 **Rule 15. Placement of Selectmen Recommendations on Warrant**

342

343 The Board shall place a "Recommended" or a "not Recommended" notation on each warrant

344 article submitted directly to the Board or submitted through petition to any Town Meeting as

345 may be required by RSA 32:5 V(a) or RSA 40:13, V-a. The Board may choose to place such

346 notation on any warrant article, regardless of whether such actions action is required, unless

347 the Town has voted to prohibit such voluntary notations. The Board shall place their

348 recommendations regarding each warrant articles on the ballot for all articles that were

349 placed on the ballot by the Board or by petition. Their position regarding each article shall be

350 placed on the ballot substantially in this format: The Board of Selectmen recommends this

351 article (x-x) (yes-no), or The Board of Selectmen does not recommend this article (x-x) (yes-

352 no).

353

354 **SECTION II**

DUTIES AND PRIVILEGES OF MEMBERS

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Rule 16. Forms of Address

The Chair of the Board of Selectmen shall be addressed as "Mr./Madame Chair or as "Chairman (surname)." The Vice Chair of the Board of Selectmen, when acting for the Chair, shall be addressed in the same manner. Members of the Board of Selectmen shall be addressed as "Selectman (surname)." This is an optional Rule that may be adopted at the annual organizational meeting.

Rule 17. Conflict of Interest/Ethics Policy and Its Application

- (a) Prior to any vote, each Board of Selectmen member should give consideration whether a conflict of interest or a potential violation of the Town Ethics Policy exists (See Appendix A). If the Board of Selectmen member believes a potential violation may exist, no matter how remote, the Board of Selectmen member should disclose such facts to the Presiding Officer. Example: If the Board of Selectmen is voting on a specific item that a Board Member may be personally involved in outside of Selectmen responsibilities, the Board Member should speak up and refrain from voting on said matter.
- (b) Whenever a Board of Selectmen member discloses there is a potential violation of the Ethics Policy, the Presiding Officer shall review the facts and rule whether the Board of Selectmen member shall vote in this instance. The Presiding Officer's ruling shall be binding unless overruled by a vote of the majority of the Board of Selectmen.
- (c) Any member of the Board of Selectmen seeking to disqualify a Board of Selectmen member from participating in a decision on the basis of a potential violation of the Ethics Policy must raise the challenge as soon as the basis for disqualification is made known or reasonably should have been made known prior to the issuance of the decision; upon failure to do so, the Ethics Policy may not be relied upon to invalidate the decision. The party seeking to disqualify the Board of Selectmen member shall state, with specificity, the basis for disqualification. Should such challenge be made prior to the hearing or vote, the Presiding Officer shall review the facts and rule whether the Board of Selectmen member shall participate and/or vote in this instance. The Presiding Officer's ruling shall be binding unless overruled by a vote of the majority of the board of Selectmen.
- (d) The Presiding Officer shall have sole authority to postpone any matter or vote if and when a potential for a violation of the Ethics Policy exists in order for the Town Attorney to review the matter and render an opinion to the Board of Selectmen whether the Board of Selectmen member's participation would/would not violate the Town's Ethics Policy.
- (e) After receiving the Town Attorney's opinion that a violation of the Ethics Policy exists, the Presiding Officer shall rule that the Selectman shall not participate and/or vote in the matter subject to the opinion. The Board of Selectmen, by a two-thirds vote, may override the Presiding Officer's ruling and the Selectman shall be permitted to participate and vote in the matter before the Board of Selectmen.

404 **Rule 18. Rules of Order**

405
406 The Presiding Officer shall resolve all issues of procedure for the Board of Selectmen
407 meetings. By a majority vote, the Selectmen may overrule any procedural decision of the
408 Presiding Officer.

409
410 **Rule 19. Motions**

411
412 In making decisions or determining a course of action, the Board shall generally operate
413 under a process of one Board member making a motion and another Selectman offering a
414 second, followed by a vote.

415
416 The Presiding Officer shall not allow more than one main motion and second, and one
417 amending motion and second on the floor at a time.

418
419 **Rule 20. Suspension of Rules**

420
421 A motion to suspend these rules shall be in order at any time during a meeting of the Board
422 of Selectman or a public hearing, except during discussion of a pending motion. A motion to
423 suspend shall require a two-thirds vote of those present and voting.

424
425 **Rule 21. Dissents and Protests**

426
427 Any Selectman shall have the right to express dissent from or protest against any ordinance,
428 resolution or action of the Board of Selectmen and have the reason therefore recorded in the
429 minutes.

430
431 **Rule 22. Procedures for a Public Hearing**

- 432
433 (a) Presiding Officer opens the public hearing at set time.
434 (b) At the outset of each public hearing the Presiding Officer will announce the purpose of
435 the public hearing and ask the parties wanting to speak to limit their presentations to
436 information within the scope of the matter before the Board of Selectmen.
437 (c) If the meeting includes a 31:95(b) for appropriations over \$10,000, the said hearing
438 must be published in two locations, one of which may be the town web site.
439 (d) The Presiding Officer may call upon the Town Administrator or other appropriate
440 person to describe the matter under consideration.
441 (e) Each speaker, for or against the matter before the Board of Selectmen for public
442 hearing, shall identify himself or herself by name and address. Each speaker shall be
443 limited to **five (5) minutes**. When everyone wanting to speak has had one opportunity
444 to speak, the Presiding Officer shall call for anyone wanting to speak for a second
445 time. Second time speakers shall be limited to the time allowed by the Presiding
446 Officer, or as established by a majority vote of the Selectmen. Once all Town residents
447 wanting to speak for a second time have spoken, the Presiding Officers shall call for
448 any non-residents wanting to speak. These speakers shall be limited to the time
449 allowed by the Presiding Officer, or as established by a majority vote of the Selectmen.
450 (f) During the hearing any Selectman shall be permitted to ask the speaker questions
451 provided all questions are relevant to the matter before the Board of Selectmen for

452 Public Hearing. The Presiding Officer shall retain the right to determine the relevancy
453 of any question.

454 (g) The Presiding Officer closes the public hearing.

455 (h) The Presiding Officer shall then inquire if there is a motion by any of the Selectman. ~~If~~
456 ~~a motion is made, it shall be in the form of an affirmative motion.~~ Following the motion
457 and its second, discussion occurs among Selectman. The Presiding Officer may call
458 on an individual Selectman in the discussion.

459 Rule 23. Voting

460
461 The votes during all meetings of the Board of Selectmen shall be transacted as follows:

- 462 (a) The Presiding Officer may require any questions to be submitted in writing before the
463 vote, and shall state each question before the vote.
464 (b) Unless otherwise provided for by statute, ordinance, or resolution, such as RSA 91-A2,
465 III, all votes shall be taken by voice, except that at the request of any Selectman, a roll
466 call vote shall be taken by the Clerk. In addition, the Presiding Officer may, at his/her
467 sole discretion, require a show of hands to insure the proper resolution of the vote.
468 Secret ballot votes by Boards, Committees, and Commissions are illegal in New
469 Hampshire.
470 (c) Every Selectman who is in the Board of Selectmen chambers, including telephonically,
471 when the question is called shall vote on the question before the Board of Selectmen.
472 Selectmen may, for good cause, recuse from a vote should they feel that to vote would
473 constitute a conflict of interest or other similar disqualifying circumstances. Such
474 Selectman shall at the beginning of the debate on any such motion announce the
475 intention to recuse himself/herself and shall take no part in the debate and the vote of
476 the issue.
477

478 Rule 24. Committees

479
480 The Board of Selectmen may establish committees of the Board with responsibility to review
481 specific matters and report to the Board as a whole. All appointments to these committees
482 shall be by majority vote of the Board of Selectmen.
483

- 484 (a) Special Ad Hoc Advisory or Study Committees may be created by the Board of
485 Selectmen for a particular purpose, or when the issue is so complex and time
486 consuming that it cannot be reasonably handled at a Board of Selectmen meeting.
487 Board of Selectmen study committees may consist of a specific number of individuals
488 and no more than two Selectmen, if any Selectman is to be included on the
489 Committee. Special Board of Selectmen committees shall disband at the end of their
490 mission, but no later than the end of each calendar year unless specifically continued
491 by the Board of Selectmen thereafter for a specified time period.
492 (b) Special Ad Hoc Advisory or Study Committees shall:
493 1) Be established by a written document stating the specific purpose, mission, and
494 goals/objectives that the committee is to achieve or attain, and declaring that
495 the committee is dissolved when these have been attained or by a date certain.
496 2) Make recommendations on proposed programs, services, ordinances, and
497 resolutions within their area of responsibility before action is taken by the Board
498 of Selectmen. The committee chair may present the recommendations of the
499

500 committee during the discussion of the item of business during a meeting of the
501 Board of Selectmen.

- 502 3) Town employees shall staff the various committees as directed by the Town
503 Administrator, but no staff person shall serve as a member of a Special Ad Hoc
504 Advisory or Study Committee unless specifically designated to do so by the
505 Board of Selectmen.
- 506 4) Meetings of Special Ad Hoc Advisory or Study Committees shall be open to the
507 public. Minutes of Special Ad Hoc Advisory or Study Committee meetings shall
508 be recorded in accordance with RSA 91-A, (the NH Right to Know Law).

509
510 **Rule 25. Enacted Ordinances/Rules, Resolutions and Motions – Defined**

- 511
- 512 (a) An enacted ordinance/rule is a legislative act prescribing general, uniform, and
513 permanent rules of conduct relating to the corporate affairs of the municipality. Board
514 of Selectmen action shall be taken by ordinance when required or permitted by law to
515 prescribe permanent rules of conduct which continue in force until repealed.
- 516
- 517 (b) An enacted resolution is an internal legislative action that is a formal statement of
518 policy concerning matters of a special or temporary character. Board of Selectmen
519 action shall be taken by resolution when required by law and in those instances where
520 an expression of policy more formal than a motion is desired.
- 521
- 522 (c) An enacted motion is a form of action taken by the Board of Selectmen to direct that a
523 specific action be taken on behalf of the municipality. A motion, once approved and
524 entered into the record, is the equivalent of a resolution in those instances where a
525 resolution is not required by law.

526
527 **Rule 26. Resolutions and Policies**

528

529 Each resolution and policy may be voted and approved on the same day on which it was
530 introduced. The title of each resolution shall in all cases be read prior to its passage;
531 provided, should a majority of the Selectmen present request that the entire resolution or
532 certain of its sections be read, such requests shall be granted.

533
534 **Rule 27. Procedures for Ordinances**

- 535
- 536 (a) An ordinance shall be discussed, considered and approved at a public hearing, but
537 shall not be voted and approved on the same day on which it was introduced. The title
538 of each ordinance shall in all cases be read prior to its passage; provided, should a
539 majority of the Selectmen present request that the entire ordinance or certain of its
540 sections be read, such requests shall be granted.
- 541 (b) Emergency Ordinances. The Town Board of Selectmen may, without notice or
542 hearing, adopt an emergency ordinance authorizing expenditures for a public
543 emergency as defined and prescribed in RSA 41:14-b, and the Town of Milford
544 Purchasing Policy.
- 545 (c) A Selectman may, in open session, request of the Presiding Officer that the Board of
546 Selectmen study the wisdom of enacting a particular ordinance. By affirmative motion,
547 the Board of Selectmen may assign the proposed ordinance to a specific department
548 head or official, committee or the committee of the whole for the study and

549 consideration. The department head, official or committee shall report its findings to
550 the Board of Selectmen.

551 (d) Action on all ordinances and resolutions shall be governed by the following rules:

- 552 1) The Selectmen shall have the authority to establish, and amend town
553 ordinances and codes after they hold 2 public hearings at least 10 but not more
554 than 25 days apart on the establishment or amendment of the ordinance or
555 code.
- 556 2) Prior to introducing any ordinance or resolution, the proponent of the ordinance
557 or resolution may seek a motion to introduce the ordinance or resolution by title
558 only and to waive a reading of the entire ordinance or resolution. If there is a
559 second, and after discussion, the Presiding Officer shall call for the question
560 and the Board of Selectmen shall vote whether to read the ordinance or
561 resolution by title only. Lacking such a motion or should this motion fail, the
562 ordinance or resolution shall be read in its entirety.
- 563 3) If an ordinance or resolution is referred to committee, the committee shall report
564 the item to the Board of Selectmen in due course and the item shall then be in
565 order for further action. The reporting of an ordinance or resolution shall not
566 require a motion or other Board of Selectmen action. The Board of Selectmen
567 may, upon a motion made and seconded, call the ordinance or resolution out of
568 committee. The item shall then be in order for further action before the Board of
569 Selectmen.
- 570 4) At such time as further action is in order, any Selectmen may move that the
571 ordinance or resolution be scheduled first for 2 public hearings at least 10 but
572 not more than 25 days apart.
- 573 5) The selectmen's vote shall take place no sooner than 10 days nor later than 25
574 days after the second public hearing is held. The provisions of this section shall
575 not apply to the establishment and amendment of a zoning ordinance, historic
576 district ordinance, or building code under the provisions of RSA 675.

577
578 **Rule 28. Public Complaints and Suggestions to Board of Selectmen**

579 When citizen complaints or suggestions are brought before the Board of Selectmen, other
580 than for items already on an agenda, the Presiding Officer shall first determine whether
581 the issue is legislative or administrative in nature and then:

- 582 (a) If legislative in nature and complaint pertains to legislative acts or suggestions for
583 changes to such acts, and if the Board of Selectmen finds such complaint or
584 suggestion warrants a change to an ordinance or resolution of the town, then the
585 Board of Selectmen may refer the matter to a committee or to a Town
586 Administrator for study and recommendation.
- 587 (b) If administrative in nature, and it is a complaint regarding administrative staff
588 performance, administrative execution, or interpretation of legislative policy, or
589 administrative policy within the authority of the Town Administrator, then the
590 Presiding Officer should refer the complaint directly to the Town Administrator for
591 review and response to the citizen. The Board of Selectmen may direct that the
592 Town Administrator brief or report to the Board of Selectmen when his/her
593 response is made.
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595
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597

598 **Rule 29. Conduct with other Board of Selectmen Members and Staff**

599
600 The Board of Selectmen shall treat others with respect and respect the rights and opinions of
601 the community despite differences of opinion. The Board of Selectmen expects to be treated
602 the same.

- 603 (a) The Board of Selectmen, when dealing with the Town Administrator and Town Staff,
604 shall:
- 605 1) Recognize the administrative chain of command and refuse to act on
 - 606 complaints as an individual outside the administration.
 - 607 2) Treat all staff and other elected officials as professionals and respect the
 - 608 abilities and integrity of each individual.
 - 609 3) Never as individuals publicly criticize an employee. Concerns of employee
 - 610 performance shall be handled with the Town Administrator under RSA 91-A or
 - 611 at the Board level, usually in non-public session.
 - 612 4) Not give orders to any such officers or employees either publicly or privately
 - 613 except as a Board at a meeting.
- 614 (b) The individual members of the Board of Selectmen in their relations with fellow
615 members shall:
- 616 1) Recognize that no member by their actions alone can bind the Board of
 - 617 Selectmen or the Town.
 - 618 2) No member, including the chairperson or vice-chairperson, shall act on behalf
 - 619 of the Board outside a regular scheduled meeting without the prior knowledge
 - 620 and approval of the Board at a meeting.
 - 621 3) Pursuant to RSA 91-A uphold the intent of non-public session and not release
 - 622 or discuss items raised in non-public session.
 - 623 4) Refrain from communicating the position of the town or the Board of Selectmen
 - 624 with other entities (i.e. state and federal officials) unless the full board has
 - 625 previously agreed on both the position and the language of the statement.
 - 626 5) Treat with respect the rights of all members of the Board despite differences of
 - 627 opinion.
- 628 (c) As required by State law, all business of the town shall be handled in public session,
629 with the exception of matters listed under RSA 91-A.
- 630 (d) All actions taken under RSA 91-A are to be, if appropriate, disclosed before the close
631 of the regular session in a brief statement of the facts. Any discussion held within the
632 closed session shall be considered closed to the public. Any person who reveals
633 details of the closed session to the public, is to be censured for their actions, and held
634 in contempt of RSA 91-A.
- 635 (e) Punishment for any violation of this code of conduct shall include but not be limited to,
636 removal from committee assignments or chairmanships. Other punishments shall be
637 handled by state law (RSA 42:1-a).

638
639 **Rule 30. Amendment Procedure**

640
641 An amendment to these Rules of Procedure may be moved and voted at a regularly
642 scheduled Board meeting. A copy of any amendment shall be submitted at one meeting and
643 discussed by the Board. The amendment shall not be voted upon until the next Board
644 meeting, to ensure adequate time for the Board members to consider the proposal.

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646

647 **Rule 31. Effective Date**

648
649 These Rules of Procedure shall take effect immediately following a majority rule of the Board
650 of Selectmen at a regularly scheduled Selectmen's meeting.

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APPENDIX A POLICY: ETHICAL CONDUCT

The ethical Town official and employee accept the responsibility that his or her mission is that of servant and steward to the public.

Accordingly, it shall be the policy of the Town of Milford that public officials shall:

- ✓ Properly administer the affairs of Town government.
- ✓ Promote decisions that only benefit the public interest.
- ✓ Actively promote public confidence in government.
- ✓ Keep safe all funds and other properties of the Town
- ✓ Conduct and perform the duties of the office diligently and promptly dispose of the business of the town.
- ✓ Maintain a positive image to pass constant public scrutiny.
- ✓ Evaluate all decisions so that the best service or product is obtained at a minimal cost without sacrificing quality and fiscal responsibility.
- ✓ Inject the prestige of the office into everyday dealings with the public employees and associates.
- ✓ Maintain a respectful attitude toward employees, other public officials, colleagues and associates.
- ✓ Effectively and efficiently work with governmental agencies, political subdivisions and other organizations in order to further the interest of the Town.
- ✓ Faithfully comply with all laws and regulations applicable to the Town and impartially apply them to everyone.

Officials shall not:

- ✓ Engage in outside interests that are not compatible with the impartial and objective performance of his or her duties.
- ✓ Improperly influence or attempt to influence other officials to act in his or her own benefit.
- ✓ Accept anything of value from any source that is offered to influence his or her action as a public official.

Town of Milford
New Hampshire

Board of Selectmen Rules of Procedure

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The above Rules of Procedure were adopted by a majority vote of the Milford New Hampshire Board of Selectmen on _____.

Chairman

Vice-Chairman

Selectman

Selectman

Selectman

Received and recorded this _____ day of _____, 2020.

Tina M. Philbrick, Executive Assistant Town Administration and Board of Selectmen

5. Town Status Reports

Town Status Report – June 22, 2020

Large Scale Events – At the request of the BOS, we are tracking the Town's large events for 2020. Due to the current environment, we do not currently know what events will and won't take place. The table below includes the events we are currently tracking.

Event	Next Decision Point	STATUS
Labor Day	7/27/2020	
Veterans' Day	9/4/2020	

Decisions concerning events will be made with the event organizers and in accordance with the Governor's Emergency Orders. Any questions or concerns about them can be directed to the Town Administrator's Office.

Osgood Pond Dredging Project Phase II – Phase II of the Osgood Pond Dredging Project, as voted on by the citizens of Milford, is continuing on schedule. While other steps are being completed, the actual dredging will begin in late June and is scheduled to last from six to eight weeks. The Town met with both DES and NH F&G since the last BOS Meeting concerning this effort. We will continue to work with the appropriate partners to ensure the work is done in accordance with all appropriate state regulations and best practices. Any questions or concerns about the project can be directed to the Town Administrator's Office.

Town Pool Opening – The Milford Recreation Department is pleased to announce the Keyes Memorial Pool will be opening for the summer of 2020. We do have a tentative opening date of July 1st as the contractor for the new filter and pump needs to be scheduled for the initial startup. Please understand that if issues arise this opening date may need to be delayed. Registration for Pool Passes will open June 22, 2020. Any questions or concerns about the pool can be directed to the Recreation Office.

Savage Road Parking – Responding to a citizen's concern with regard to parking on Savage Road at the Tucker Brook Trail, the Milford Police Department increased patrols in order to correct any unsafe parking issues. MPD continues to monitor the situation and has not discovered any problems to public safety at this time. Any questions or concerns can be directed to the Town Administrator's Office.

6. Discussions – Oval Reservation Form

Rules Governing the Use of the Oval

1. Reservation of the Oval is available for Milford residents only.
2. The Oval may be used only for the function for which it is reserved.
3. Depending on the nature of the event, the Town may require a certificate of insurance, naming the Town as an additionally insured, please contact the Board of Selectmen Office at 673-2257 for further details.
4. Arrangements for parking must be made in advance of the date of the function.
5. Arrangements for police coverage, to avoid traffic congestion, must be made in advance of the function (please call the Milford Police Chief at 249-0630 to arrange coverage).
6. The function must be set up in a manner that it does not impede pedestrian or vehicular traffic in any way.
7. Due to the presence of underground utilities, stakes of any kind (e.g., tent, poles, etc.) are not allowed on the Oval.
8. The set up or use of "Bounce House" or "Moonwalk" type devices is not allowed in on the Oval.
9. Alcohol consumption is not allowed on the Oval.
10. Candles are allowed for limited use, provided appropriate precautions are taken to prevent ignition of combustible material, or damage to participants, and structures (including bricks & granite). All candles shall be in secure devices or holders constructed to prevent the spillage of wax. No open flame devices other than candles are allowed. Any party using the Oval is physically and financially responsible for clean up and or damages incurred during use of the afore-mentioned.
11. Once the function is completed, you are responsible for any clean up necessary.
12. Any trash generated is to be removed - not left for the Department of Public Works to remove. The party requesting the use of the Oval will be responsible for any costs incurred by the Town for clean-up of the Oval as a result of the function.
13. We encourage use of the Oval by a diverse assemblage of Milford residents. The function should be held in good taste, free of distracting, disturbing, or profane content.
14. The granting of the use of the Oval by the Town of Milford for the function specified above indicates neither endorsement nor support by the municipality and its Board of Selectmen of the views or activities of the applicant or applicants.

We hope you enjoy the beauty of the Milford Oval

The granting of the use of the Oval by the Town of Milford for the function specified above indicates neither endorsement nor support by the municipality and its Board of Selectmen of the views or activities of the applicant or applicants.

Oval Reservation Form

Date of function: _____ Hours of function: _____

Name of organization using the Oval: _____

Name of contact person: _____

Address of contact person: _____

Daytime telephone: _____ Evening telephone: _____

Approximate Number of People Expected: _____

Police Detail required: _____ (Police Contact number 249-0630)

Please provide a brief description of the activity on the Oval:

Signature

Date

The granting of the use of the Oval by the Town of Milford for the function specified above indicates neither endorsement nor support by the municipality and its Board of Selectmen of the views or activities of the applicant or applicants.

9. Approval of Final Minutes

DRAFT

MINUTES OF THE MILFORD BOARD OF SELECTMEN WORK SESSION

June 3, 2020

This meeting was conducted pursuant to State of New Hampshire Emergency Order #12 pursuant to Executive Order 2020-04, temporary modification of public access to meetings under RSA 91-A. As such, the meeting was conducted online using these connection instructions that were listed on the posted meeting agenda: "The Public is encouraged to participate remotely, call in on your phone @ 1-646-558-8656 and enter the meeting ID# 899 7377 2124 or join the Zoom Meeting @ <https://zoom.us/j/89973772124>. Please try to log in 5 minutes before the meeting's scheduled start time in case you run into any technical difficulties".

PRESENT: Gary Daniels, Chairman
Paul Dargie, Vice Chairman
Laura Dudziak, Member
Chris Labonte, Member
Dave Freel, Member
John Shannon, Town Administrator

Chairman Daniels declared that an emergency exists and he was invoking the provisions of RSA 91-A: 2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to the community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, he also finds that this meeting is imperative to the continued operation of Town government and services, which are vital to public safety and confidence during this emergency. As such, this meeting will be conducted without a quorum of this body physically present in the same location. Information for accessing this meeting can be found on the Town web site in the red banner.

Chairman Daniels welcomed members of the public accessing this meeting remotely. Even though this meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct and decorum apply. Public comments will be limited to three minutes per person. Any person found to be disrupting this meeting will be asked to cease the disruption. If the disruptive behavior continues thereafter, that person will be removed from the meeting.

All votes that are taken during this meeting must be done by Roll Call vote. **Roll call attendance: Paul Dargie, no one present. Selectman Dudziak, no one present. Selectman Labonte, no one present. Selectman Freel, no one present and Chairman Daniels, no one present. Selectman Dudziak entered into the meeting at 7:05 and had no one present.**

1. CALL TO ORDER: Chairman Daniels called the work session to order at 6:00 p.m. Chairman Daniels said this is a work session and it will be recorded and minutes will be taken. This meeting is open to the public. The purpose of this work session is to discuss current 2013 Dispatch Inter-Municipal Agreement, (IMA).

IMA - The Board discussed possible changes and an extension to the current 2013 IMA contract.

Selectman Labonte made a motion to only change the duration of the 2013 IMA and not make changes to the existing 2013 IMA. Seconded by Selectman Dargie. 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 failed 2/3.

Chairman Daniels believes that Appendix A needs to be updated. Captain Frye suggests that the lease agreement be in a separate document, not in the IMA.

APPROVED MINUTES OF BOARD OF SELECTMEN WORK SESSION -
05/18/20

53 Page 10, Section 9 E. WITHDRAWAL AND NON-RENEWAL required a lengthy discussion which ended
54 with **Selectman Labonte making a motion on his amendment to strike out the words; shall not re-**
55 **ceive any rebate, payback, or other refund or credit against charges and amounts paid by it pursuant to**
56 **this Agreement, and from Section 9 E. Seconded by Selectman Freel. A roll call vote was taken with**
57 **Selectman Dargie no, Selectman Dudziak no, Selectman Labonte yes, Selectman Freel yes, and**
58 **Chairman Daniels yes. The motion passed 3/2.**

59
60 **Section 9 e will now read:** It is clearly agreed and understood by all parties hereto that any town with-
61 drawing from participation in this Agreement ~~shall not receive any rebate, payback, or other refund or~~
62 ~~credit against charges and amounts paid by it pursuant to this Agreement, and shall in fact forfeit any~~
63 rights to any of the assets or income acquired by the member own in the course of the operation of this
64 Agreement, except as otherwise provided with respect to the designated member towns.

65
66 **Selectman Dargie made a motion to ask for an update on Appendix A as part of the request to the**
67 **Board of Governors for the extension so that the Appendix conforms to the By-Laws. Seconded by**
68 **Selectman Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes,**
69 **Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The**
70 **motion passed 5/0.**

71
72 **Selectman Labonte made a motion to ask for a three year extension on the current 2013 IMA.**
73 **There was no seconded and the motion failed.**

74
75 **Selectman Dargie made a motion to ask for a 2 year extension on the current 2013 IMA. Seconded**
76 **by Selectman Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak**
77 **yes, Selectman Labonte no, Selectman Freel no, and Chairman Daniels no. The motion failed 2/3.**

78
79 After additional discussion:

80
81 **Selectman Labonte made a motion to ask for a three year extension on the current 2013 IMA. Se-**
82 **conded by Selectman Freel. A roll call vote was taken with Selectman Dargie no, Selectman Dudzi-**
83 **ak no, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. The motion passed**
84 **3/2.**

85
86 Proposed changes will be given to Captain Frye, Milford's Board of Governors Representative, to bring
87 before the MACC Base Board of Governors.

88
89 Chairman Daniels will reach out to the Chairs of the other Boards and set up a meeting to discuss the
90 amendments and the contract. Chairman Daniels will share Milford's suggestions and changes with the
91 other towns when he contacts them. Captain Frye said the next Board of Governors meeting is Thursday,
92 June 11th at 9:30.

93
94 **3. ADJOURNMENT:** There being no further business to come before this Meeting, Selectman Labonte
95 moved to adjourn at 7:25. Seconded by Selectman Dargie. All were in favor. A roll call vote was taken
96 with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and
97 Chairman Daniels yes. All were in favor. The motion passed 5/0. All were in favor. The motion passed
98 5/0.

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APPROVED MINUTES OF BOARD OF SELECTMEN WORK SESSION -
05/18/20

105 _____
106 Gary Daniels, Chairman

Paul Dargie, Vice Chairman

107
108
109 _____
110 Laura Dudziak, Member

Chris Labonte, Member

111
112
113
114 _____
115 Dave Freel, Member

116
117

DRAFT
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

June 8, 2020

This meeting was conducted pursuant to State of New Hampshire Emergency Order #12 pursuant to Executive Order 2020-04, temporary modification of public access to meetings under RSA 91-A. As such, the meeting was conducted online using these connection instructions that were listed on the posted meeting agenda: "The Public is encouraged to participate remotely, call in on your phone @ 1-646-558-8656 and enter the meeting ID# 864 1081 9230 and the password is 130199, or join the Zoom Meeting @ [https://zoom.us/j/864 1081 9230](https://zoom.us/j/86410819230). Please try to log in 5 minutes before the meeting's scheduled start time in case you run into any technical difficulties".

PRESENT:	Gary Daniels, Chairman	John Shannon, Town Administrator
	Paul Dargie, Vice Chairman	Tina Philbrick, Recording Secretary
	Laura Dudziak, Member - absent	
	Chris Labonte, Member	
	David Freel, Member	

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

Chairman Daniels declared that an emergency exists and he was invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to the community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, he also finds that this meeting is imperative to the continued operation of Town government and services, which are vital to public safety and confidence during this emergency. As such, this meeting will be conducted without a quorum of this body physically present in the same location. Information for accessing this meeting can be found on the Town web site in the red banner.

Chairman Daniels welcomed members of the public accessing this meeting remotely. Even though this meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct and decorum apply. Public comments will be limited to five minutes per person. Any person found to be disrupting this meeting will be asked to cease the disruption. If the disruptive behavior continues, that person will be removed from the meeting.

All votes that are taken during this meeting must be done by Roll Call vote. He started the meeting by taking roll call attendance. He asked each member to state their name and state whether there was anyone in the room with them during this meeting, which is required under the Right-to-Know law.

Roll call attendance: Paul Dargie, no one present. Selectman Labonte, no one present. Selectman Freel, no one present. Chairman Daniels, present was Andrew Kouropoulos, videographer.

2. APPOINTMENTS: (Approximate times)

5:30 p.m. – Pumpkin Festival – Granite Town Festivities Committee Wade Campbell and Zoe Lantaff
Wade Scott Campbell gave a brief overview on how they would like to do the Pumpkin Festival this year due to the COVID-19 pandemic. The Granite Town Festivities Committee (GTFC) is excited to announce the 31st Annual Milford Pumpkin Festival will happen but take on a different look. Due to current restrictions on public gatherings and in the interest of our community's health and safety, GTFC is working on honoring this tradition virtually. They are working towards a smaller scale, virtual with maybe town participation. The Lions Club and Rotary Club are 100% behind this decision. Some of the vendors have already gone under and some have cancelled.

It takes a lot of planning. It needs a lot of volunteers and they don't know what's going to happen in the next few months so they backed off. We are all disappointed. They are in the process of contacting all the vendors to return deposits.

Selectman Freel asked if they would need to use any of the money for expenses incurred to date, from the warrant article approved in March. Wade said no. The \$8,000 was going to be used for DPW, Fire, Police and Ambulance and it won't be needed now. We were hoping to be self-funded next year but we won't know until October.

Selectman Dargie asked what could be done in person. Wade there isn't anything solid at this point. Details are still being worked out and they will meet with the Board again when they have more information.

Ammy Rice, Milford resident, said she sits on a large festival association board and after cancelling their functions, they rolled their vendors into the following year. Milford might be able to do the same. Wade said they haven't spoken to all the vendors yet, but it's an option. They just have to be sure about taxes if they hold onto the money.

Selectman Labonte clarified that the warrant article for \$8,000 doesn't carry over; it expires at the end of this year. Wade said yes.

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64 **5:50 p.m. - 2020 Ambulance Lease Purchase - Eric Schelberg**

65 Eric provided a brief overview: Warrant Article 12 - Ambulance and Equipment Lease-Purchase, was passed at the 2020
66 Town Meeting in the amount of \$45,180 by a 64% margin (1830-1039). The original language included a Fiscal Funding
67 Clause (Escape Clause) which required a 3/5 majority. The morning of the Deliberative Session, Town Council was ap-
68 proached about changing the language to remove the Fiscal Funding Clause (Escape Clause) which then would only require
69 a simple majority to pass. Town Council stated that the change wouldn't affect our ability to withdraw monies from the
70 Ambulance Capital Reserve. Our NHDRA auditor had advised against that change before publicly posting the Warrant.

71
72 After Board approval on March 9th, to move forward with the purchase, the NHDRA auditor representative, Michelle Clark
73 informed us the revised language negated our legal opportunity to withdraw from our Capital Reserve Funds for use toward
74 a down payment on the ambulance and further, the revised language only provided funding for the 2020 1st year purchase.
75 Ms. Clark did note the requested and approved use of the Capital Reserves funds can be used to purchase durable equip-
76 ment for equipping the ambulance as noted in the warrant.

77
78 **Options moving forward are:**

79 1. Budget the annual lease payment in the town operating budget for the next four years for the life of the lease. The annual
80 lease payment would not be eligible for inclusion as debt service, therefore if the approved budget fails and the 'default'
81 budget is adopted, lease payment funds will need to be identified from elsewhere in the budget, otherwise if not, then the
82 fiscal funding clause would apply and the ambulance would be repossessed.

83
84 2. Put forward another Warrant Article before the voters at the 2021 Town Meeting, to guarantee funding the final 4 years
85 of the Ambulance Lease-Purchase. Our recommendation is to move forward with Option 2. Capital Reserve Withdrawal as
86 noted above and in my memorandum of March 5th, the Capital Reserve funds will be used to purchase a cardiac monitor,
87 stretcher, stair chair, mobile radios and video laryngoscope and blades. In order for the Board of Selectmen to expend the
88 \$75,000 from the Capital Reserve account, the Board will need to post a warrant at a public hearing requesting to be the
89 'agent', vote on said motion, then close the hearing.

90
91 Chairman Daniels said it seems that town council was ok with this language at the Deliberative session but DRA was not.
92 Paul Calabria, Finance Director said yes the warrant article originally included language that was allowable by the DRA.
93 Town Council felt that the article as revised was enough to cover us and the DRA does not agree. Chairman Daniels asked
94 if they let Town Council know about this. Paul said that would be the next step.

95
96 Selectman Labonte clarified that it was \$75,000 coming out of capital reserve and have we taken it out yet. Eric said yes
97 and the Board needs to hold a public hearing to expend the money from the Ambulance Capital Reserve. They need to be-
98 come the agent to expend the capital reserve fund.

99
100 Selectman Dargie clarified that the payment for the list isn't part of the default budget because it's considered a one-time
101 expense. Paul said the warrant article included an escape clause. The article only covers our first year lease payment. We
102 need another warrant article that states "this is for years two through five" based on direction that we've received from the
103 DRA. Selectman Dargie asked them to ask Town Council if this would be part of the default budget.

104
105 Chairman Daniels asked if we needed more than one public hearing. Paul said it would be like the Deliberative session,
106 people can speak there and then at a second meeting the Town's people would vote. Chairman Daniels said it would be like
107 secret ballot voting. Paul said yes.

108
109 Selectman Dargie suggested doing this in conjunction with the primary voting. You would need a Deliberative session then
110 a voting session. People are coming to vote and they could just get another ballot. Chairman Daniels said you would need
111 permission from the court to have a special meeting and they are closed. Paul said because it's a non-monetary issue, it
112 would be easier to do once the courts are back open.

113
114 Selectman Labonte is still confused, he read the warrant article and he is missing something. Paul said they were told by the
115 DRA that because they were using it as a down payment in conjunction with an escape clause, there would be the possibil-
116 ity that if the lease was not funded in subsequent years, we would lose the money that we put down as a down payment. If
117 it were \$50K a year and we funded it the first year, and the town decided not to fund it and we didn't use any capital reserve
118 dollars, and we turned the ambulance back in, in year two then we haven't given anything away in regards to capital re-
119 serve. We got our one year use and we paid \$50K for it. Mixing in a withdrawal for a capital reserve fund changes every-
120 thing.

121

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122 Selectman Labonte said the capital reserve funds would go for equipment so you would be able to keep the equipment.
123 Paul said yes and that was the alternative that DRA gave to them. You can still withdraw the \$75,000; you just can't put it
124 towards the ambulance.

125
126 Selectman Dargie would like to come up with the \$75,000 another way, like trading it off from the paving budget. Having
127 a special meeting will be expensive. Selectman Freel said he wouldn't want it pulled from paving. Selectman Labonte
128 agreed and asked if we could wait until next March to get the equipment. Eric said the stretcher is the biggest issue. Due to
129 changes in requirements, what we have in house will not work in the new ambulance. The new ambulance will arrive in
130 November and it would be down for five months due to no stretcher. Selectman Labonte asked if it could be adapted. Eric
131 said no, what we have is grandfathered and can't be adapted. Selectman Freel asked what a new stretcher would cost. Eric
132 said \$18,930. Selectman Freel clarified that the \$75K from capital reserve is only for equipment. Eric said yes, there are
133 five items needed and the cardiac monitor is around \$40K. Selectman Free asked if they could use a cardiac monitor from
134 another ambulance. Eric said yes but the one we are using in our third ambulance is still in service but no longer servicea-
135 ble.

136
137 Selectman Dargie confirmed that the \$75,000 coming out of the capital reserve is causing the problem, he repeated that we
138 should try to find another way to come up with the money the rest of the warrant article is valid and can go through. Paul
139 said yes. Selectman Labonte agrees and feels that we should check with Town Council to find out what happened and get
140 their opinion.

141
142 Selectman Freel asked for clarification of the amount of the warrant article. Eric said \$45,180 is the amount for the first
143 year's payment. The total amount of the ambulance is \$294,400. Selectman Labonte read the warrant article language.

144
145 **WARRANT ARTICLE 12 - AMBULANCE AND EQUIPMENT LEASE-PURCHASE - \$45,180 (Annual Lease**
146 **Payment \$45,180: \$75,000 Paid From Capital Reserves; Total Purchase Price \$296,400)**

147
148 Shall the Town vote to authorize the Board of Selectmen to enter into a 5-year lease/purchase agreement, subject to a fiscal
149 funding clause, which will protect the Town in the event of non-appropriation, for the purpose of lease-purchasing one am-
150 bulance with the appropriate equipment for Ambulance Department operation to replace the current 2001 LifeLine ambu-
151 lance and to raise and appropriate the sum of **\$45,180** for the first year's payment for this purpose. The Total price of this
152 vehicle is \$296,400. Approval of this warrant article will further authorize the expenditure of \$75,000 from the Ambulance
153 Capital Reserve Fund to arrive at the net/lease/purchase amount of **\$221,400**. This is a Special Warrant Article in accord-
154 ance with RSA 32. **The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports**
155 **this Article (9-0). This Article has an estimated tax impact of \$2.79 on an assessed valuation of \$100,000.**

156
157 Selectman Free said he still doesn't understand. Paul said on January 27th they had language given to them by the DRA
158 that would support both the five year lease (and what? states "support both" but only one thing listed). On February 1st,
159 Town Council was given an amended language that was passed. He repeated that because we are mixing an escape clause
160 with capital reserve for the down payment we can't do that. There was proposed legislation to go through to change this
161 because many towns have tried to do this but it hasn't been voted on yet.

162
163 Administrator Shannon said we can reach out to Attorney Drescher to get his opinion and get it back out to the Board for
164 more discussion. Paul said the \$75K was worded properly on January 27th. The DRA said you can still take the \$75K out
165 of capital reserve but the Selectmen are not authorized to expend it.

166
167 Selectman Dargie said about seven years ago they had a situation on the School Board that was a fact finders report and
168 required a special meeting. They set it up to do at the primary. Selectman Labonte asked if they would withdraw the \$75K
169 from the capital reserve, bought the equipment outright and divided the \$220,000 into five payments would it change the
170 amount. Eric said it would be the same. Selectman Dargie said the ambulance capital reserve isn't managed by the Se-
171 lectman, you can't just take the money out. Selectman Freel said the town voted to take it out.

172
173 Administrator Shannon will contact Town Council for a clear direction.

174
175 **3. PUBLIC COMMENTS –**

176 Suzanne Fournier, Milford resident, doesn't feel that the town is following the 2016 Gravel Pit Reclamation/Restoration &
177 Sales or Other Disposition of Resources warrant article that authorize the Board of Selectmen to reclaim/restore/revegetate
178 a majority of the existing fully excavated gravel pit area and ..."

179
180 She believes the three acres that was put aside for DPW isn't being used properly. North East Sand and Gravel did their
181 part of reclamations. She said the town is planning to cover up that area by dumping another 24,000 cubic yards of spoils

DRAFT MINUTES OF BOARD OF SELECTMEN MEETING - 06/08/2020

182 from the dredging from Osgood Pond. She wrote to NH Environmental Services to complain about what she considers
183 misuse of the already reclaimed area.

184
185 She also doesn't feel that DPW should have built a new gravel road to the reclaimed area in the pit. They are also deposit-
186 ing asphalt and other road materials at the pit which is preventing vegetation from growing. She feels that the new road
187 should have been authorized by the voters if they wanted to expand their area beyond three acres and the dumping of spoils
188 from Osgood Pond. She feels that the town only followed the part of the warrant article that brought in \$200K. The Town
189 also failed to revegetate the area after four years. She wants a discussion to be held by the Board of Selectmen on these is-
190 sues.

191
192 Chairman Daniels said this would be visited at the next Board of Selectmen's meeting on June 22, 2020.

193
194 **4. DECISIONS -**

195
196 **a) CONSENT CALENDAR.**

197
198 **Selectman Freel made a motion to approve the consent calendar. Seconded by Selectman Labonte. A roll call vote**
199 **was taken with Selectman Dargie yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All**
200 **were in favor. The motion passed 4/0.**

201 1) Request for Acceptance and Appropriation of Unanticipated Revenues Under \$10,000 (31:95(b))

202 • Donation of a Dunkin's Gift Card to the Milford Police Department from the State of NH Dept. of Health & Services
203 (DCYF) Southern District Office - \$50

204 • Donation of a Chipotle Gift Card to the Milford Police Department from the State of NH Dept. of Health & Services
205 (DCYF) Southern District Office - \$10

206 • Donation of a Dunkin's Gift Card to the Milford Police Department from the town of Chelmsford Fire Department - \$25

207 • Donation of 500 Hanes Reusable Cotton Face Masks to the Milford Water Utilities Department from the NH Dept. of
208 Environmental Services on behalf of FEMA - \$1,245 value.

209
210 **b) OTHER DECISIONS.**

211 **1. Reconsideration for the LGBTQ Pride Display requested for June 27th and June 28th (correction of date).**

212 The date was incorrect on the agenda last time, it said June 27th and June 29th even though the background material stated
213 June 27th and June 28th.

214
215 **Selectman Dargie moved to reconsider their vote from May 26, 2020. Seconded by Selectman Labonte. A roll call**
216 **vote was taken on the motion to reconsider with Selectman Dargie yes, Selectman Labonte yes, Selectman Freel yes,**
217 **and Chairman Daniels yes. All were in favor. The motion passed 4/0.**

218
219 **Selectman Dargie made a motion to accept the 27th and 28th as printed in the June 8th agenda. Seconded by Select-**
220 **man Free. A roll call vote was taken with Selectman Dargie yes, Selectman Labonte yes, Selectman Freel yes, and**
221 **Chairman Daniels yes. All were in favor. The motion passed 4/0.**

222
223 **5. TOWN STATUS REPORT - John Shannon**

224 **a. Milford 2020 Paving Projects -** Paving will begin again starting on Monday, June 15, 2020. The roads that will be
225 worked on as are follows:

226 **Roads to pave:**
227 Ponemah Hill - Emerson to Amherst town line
228 Union St - Oval to Lincoln
229 Garden St - Union to Cottage

Roads to Reclaim, Pave:
Ball Hill Rd - Annand to Young
Cottage St - Elm to Garden

230
231 **Roads to Mill and Pave:**
232 Elm St - In front of Bales School
233 Lincoln St - South to Union

234
235 Everything is on the Town's web site. Real time alerts will go out through social media and NIXLE.

236
237 Selectman Labonte asked if anything was scheduled for preventative maintenance on the existing roads. Rick Riendeau,
238 DPW Director said preventative maintenance has already started.

239
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241

DRAFT MINUTES OF BOARD OF SELECTMEN MEETING - 06/08/2020

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b. Large Scale Events - At the request of the BOS, we are tracking the Town's large events for 2020. Due to the current environment, we do not currently know what events will and won't take place. The table below includes the events we are currently tracking.

Event	Next Decision Point	STATUS
Memorial Day Parade	4/28/20	
Rotary Swim Meet	6/15/20	
State Swim Meet	7/10/20	
Pumpkin Festival	6/8/20	TBD
Independence Day activities	6/8/20	TBD
Labor Day	7/27/20	
Veterans' Day	9/4/20	

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Decisions concerning events will be made with the event organizers and in accordance with the Governor's Emergency Orders. Any questions or concerns about them can be directed to the Town Administrator's Office.

Selectman Labonte asked if a decision has been made about opening the pool. Administrator Shannon said there was some discussion today and we are still looking at options. Our goal is to have it open.

Selectman Freel asked if the pool doesn't open what would happen to the money put aside for its use. Administrator Shannon said there still is some maintenance costs, you won't have to hire staff but you lose out on the fees that are paid to use the pool. Rick said some of the money that is budgeted for the pool and maintenance is electrical. If we don't run the pool we will save money in the electric. We will also save money not filling the pool with water and with not using the chemicals which is about \$8K to \$9K a year. Right now we have a new pool system that isn't put together and we are waiting for the go to get the contractor in to approve the installation that is up to date at this point to get our warrantee on all the machinery. He doesn't want to lose \$100K because we pushed it to get started. Administrator Shannon said we will get more information and bring it back to the Board.

Selectman Freel asked if the money for the pool goes back into the general fund or tax payers. Rick said it's in his budget and if it doesn't get used it stays in the remainder part of the budget until the end of the year. Selectman Freel asked if the budget would be smaller next year. Rick said this year it would be smaller because you may not run the pool but it would have to be in next year's budget. Chairman Daniels said it would stay in the general fund and the budget could be lessened next year if we decide to use those monies towards that, but it's up to the Board.

Selectman Labonte said that money could still be spent in any other part of the Town's budget. Paul said the Recreation revolving fund is also involved. If they had any money that they don't put towards the Recreation expense, those monies stay in the revolving fund which rolls over year to year. Any unspent money in the operating budget would be addressed around October - November and if we are in surplus by the end of the year, or if we are on target or if we have to tighten the belt. If there is any unspent money it could go back to the tax payers. If there are some unspent funds in the Recreation budget, and the Board decided to encumber some of that surplus for known items, like equipment purchase, we could this year because there was a surplus, and then that would decrease next year's budget request.

Selectman Dargie said there are revenues and expenses that flow through the revolving fund and that is a totally separate thing. A lot of the monies that aren't going to be spent match up with the revenues that come in but it isn't on the town budget, it's separate. Rick said they are two different things; there is the DPW budget and the revolving fund which are not tied together.

c. Osgood Pond Dredging Project Phase II - Phase II of the Osgood Pond Dredging Project, as voted on by the citizens of Milford, has continued with the drawdown of the pond. While other steps are being completed, the actual dredging will begin in mid-June and is scheduled to last from six to eight weeks. The Town met with both DES and NH F&G this week concerning this effort and will continue to work with the appropriate state partners to ensure the work is done in accordance with all appropriate state regulations and best practices. Any questions or concerns about the project can be directed to the Town Administrator's Office.

Selectman Labonte asked if we've looked into other money as far as saving money with the trucking of the materials. Administrator Shannon talked to DES and others about putting the spoils in another area. Rick said the trucking will be the shortest distance because they can use Heron Pond Road which they couldn't do before because school was in session.

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292 Selectman Labonte said he was referring to other contractors trucking out the materials. Administrator Shannon said there
293 was interest but there were also concerns on their part about other issues that could come up.
294

295 **6. DISCUSSIONS:**

296
297 **Citizens Complaint - Savage Road parking next to Tucker Brook Trail** - The Town received a complaint from David
298 Pinet, Milford resident, about cars parking on the side of Savage road, because the parking area for the Tucker Brook Trail
299 was filled to capacity.

300
301 Chairman Daniels said we expected that this would become an issue when Lyndeborough closed the entrance to Purgatory
302 Falls. Chief Viola said he went there today and there were three vehicles parked in the parking area. There are logs on the
303 west side and stuff on the east side. No cars can be parked on those roads with the logs being there. Officers went out over
304 the weekend and there were no complaints. We usually don't have any complaints in that area. He thinks we should just
305 wait and see how it goes. We should see a decline once things start opening up.

306
307 Selectman Labonte asked if DPW put the logs on the side of the road. Chief Viola said it was the land owner. The logs are
308 about four feet off the road and the easement is about six feet. Selectman Labonte said if we decided to, we could put cars
309 on the side of the road. Chief Viola said with the logs there, it isn't safe to park cars there because they would be part way
310 in the road. Selectman Labonte said if we decided to park cars there, we could roll the logs back utilizing the easement if
311 necessary. Chief Viola will continue to monitor the area. When people are working like landscaping businesses, you usu-
312 ally have to go around their vehicles, it's the same thing.

313
314 Selectman Dargie said the writer of the complaint requested that no parking signs be put up. He would like the Police De-
315 partment to check the area to see where they could be placed and does it make sense to do so. Chief Viola said if you put
316 them there you will start getting request for a lot of other places. He doesn't think there is a necessity for them in that area.
317 Rick agreed and wouldn't be able to put signs up unless ordered by the Board.

318
319 Wade Scott Campbell, Milford resident, said he's gone through there and he can see why the land owner put the logs in
320 place. Coming from the other direction he witnessed a person step out into traffic when they were changing their shoes. A
321 car coming from the opposite direction swerved into his lane. Something has to be done with that area.

322
323 Administrator Shannon asked if this has been an issue in the past or is it unique to this year. Chairman Daniels said just
324 this year since Purgatory Falls was closed. Administrator Shannon said do you really need to put up signs because at some
325 point Purgatory Falls is going to open back up and that problem will go away. Chief Viola will take pictures and monitor
326 that area this weekend.

327
328 Selectman Freel asked about temporary signs. Chairman Daniels said the signs are about \$200 each and whether they are
329 temporary or permanent, you still have to buy them and put them up. There is also a cost to put the signs up. Administrator
330 Shannon said the Town has put up a lot of temporary signs and they have a habit of disappearing. Chairman Daniels said
331 Savage Road is not built for parking along the road. You can put up no parking signs and just beyond the sign, someone
332 could park, so how many signs are you going to be putting up.

333
334 Selectman Freel said he understands and asked if the cars could be ticketed or towed? Chief Viola said yes if it becomes a
335 hazard. He will reach out to the complainant and have him call the Police directly if there is an issue. He repeated that he
336 will monitor that area this weekend.

337
338 Selectman Labonte said there are two options; if it logs are on the town easement we could have them removed or move
339 them back a couple of feet or you could put up paper signs on graded stakes which would cost less. Chief Viola said those
340 are options. If we want to look at no parking in the future it has to be approved and voted on. Selectman Labonte isn't in
341 favor of making that area no parking permanently.

342
343 **b. Selectmen's Rules of Procedure Changes** - The Board reviewed suggested changes from Chairman Daniels and Se-
344 lectman Dargie. Selectman Dargie said he sent an e-mail out just before the meeting to include a couple more changes.
345 The Board reviewed the changes that were suggested.

346
347 **Rule 15. Placement of Selectmen Recommendations on Warrant**

348
349 The Board shall place a "Recommended" or a "not Recommended" notation on each warrant article submitted directly to
350 the Board or submitted through petition to any Town Meeting as may be required by RSA 32:5 V(a) or RSA 40:13, V-a.
351 The Board may choose to place such notation on any warrant article, regardless of whether such actions action is required,

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352 unless the Town has voted to prohibit such voluntary notations. The Board shall place their recommendations regarding
353 each warrant articles on the ballot for all articles that were placed on the ballot by the Board or by petition. Their position
354 regarding each article shall be placed on the ballot substantially in this format: The Board of Selectmen recommends this
355 article (x-x) (yes-no), or The Board of Selectmen does not recommend this article (x-x) (yes-no).
356 Natalie Watson, Milford resident, said from a language perspective it would be jarring, if you say "we do not recommend"
357 and start with the yeas. As a reader she's expecting to see what number didn't recommend.

358
359 Kevin Federico, Milford resident, wonders why you are trying to change this, welcome to voting in New Hampshire and
360 small towns. The first time you read it you think it doesn't make sense the way normal people read, and it doesn't. Get
361 yourself educated on how to read a ballot. It isn't like you only put half the information in there in both the voters' guide
362 and the recommendations. The information is laid out in less than 100 characters. Stick with the consistency that's been
363 done for years.

364
365 This suggestion required a lengthy discussion and it was decided that this section of the Rules of Procedures be placed on
366 the next Board agenda.

367
368 **Rule 22. Procedures for a Public Hearing**

369
370 (i) The Presiding Officer shall then inquire if there is a motion by any of the Selectman. ~~If a motion is made, it shall be in~~
371 ~~the form of an affirmative motion.~~ Following the motion and its second, discussion occurs among Selectman. The Presid-
372 ing Officer may call on an individual Selectman in the discussion.

373
374 This suggestion required a lengthy discussion and it was decided that this section of the Rules of Procedures be placed on
375 the next Board agenda.

376
377 **c. Fireworks** - Administrator Shannon listed places that have cancelled their fireworks activities: Merrimack cancelled
378 their 4th of July parade; Amherst, Manchester, Concord, Brookline and Nashua have cancelled their fireworks. The Gover-
379 nors rule of 10 is still in place. And it was recommended to the Governor that if places are having fireworks, citizens would
380 need to stay in their vehicles.

381
382 Natalie Watson, Milford resident, put a poll on Facebook to find out if her efforts were what Milford wanted. There were
383 162 residents that said yes and 27 that said no. Fireworks are an outdoors activity and people can view from a safe distance
384 and from their cars. She is asking for consideration to keep the fireworks going. Administrator Shannon asked Natalie if
385 her poll included people having to stay in their car if there were fireworks. Natalie said she put out a couple polls and she
386 would have to get back to him.

387
388 Chairman Daniels wasn't aware of the stay in your car part. Administrator Shannon said it has been suggested to the Gov-
389 ernor but he hasn't implemented it yet.

390
391 Ammy Rice, Milford resident, asked how we would be able to enforce people staying in their cars to maintain social dis-
392 tancing. How would limit surrounding towns from coming in, in addition to the thousands of towns people from Milford.
393 Administrator Shannon said you can't prevent other towns from coming into Milford. If it was limited to people staying in
394 their vehicles, more officers would have to be on duty.

395
396 Natalie returned saying her poll stated, "would you want the Independence Day fireworks if you could watch in a socially
397 distancing manner, i.e.: staying in your vehicle".

398
399 Selectman Labonte asked what the difference would be in watching fireworks versus Saturday's group effort on the Oval.
400 Chairman Daniels said the group on the Oval fell under the first amendment right in the Constitution versus the fireworks
401 being a town event. Administrator Shannon said the Governor is able to exempt things from his emergency orders which is
402 what he did for the protest on Saturday. Selectman Labonte asked when is the current emergency order set to expire. Ad-
403 ministrator Shannon said sunset on June 15th but it needs more clarification, the 10 person rule does not expire yet.

404
405 Chairman Daniels said the stay at home order is what they are talking about sun setting on the 15th. The state of emergency
406 would continue and that is the vehicle upon which all the Governors executive orders are based. He asked, "how long does
407 it take to prepare fireworks." Administrator Shannon said two weeks.

408
409 Selectman Dargie would not vote in favor of reinstating the fireworks this year. Selectman Labonte and Selectman Freel
410 are also not in favor of reinstating the fireworks this year. Chairman Daniels said he is not in favor of our Police Officers

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411 going around telling people that they have to get back in their cars. The Board held their decision to not hold the fireworks
412 this year. Selectman Freel thanked Natalie for all the time she put into trying to pass the fireworks.

413
414 **d. Dispatch IMA Work Session Update** - The Board met on June 3, 2020 at a workshop to discuss some changes to the
415 current 2013 IMA.

416 Section 9 e) on page 10 was changed to read: It is clearly agreed and understood by all parties hereto that any town with-
417 drawing from participation in this Agreement shall not receive any rebate, payback, or other refund or credit against charg-
418 es and amounts paid by it pursuant to this Agreement, and shall in fact forfeit any rights to any of the assets or income ac-
419 quired by the member own in the course of the operation of this Agreement, except as otherwise provided with respect to
420 the designated member towns.

421
422 **At that work session Selectman Labonte made a motion to strike out some language in Section 9 e). Seconded by**
423 **Selectman Freel. A roll call vote was taken with Selectman Dargie no, Selectman Dudziak no, Selectman Labonte**
424 **yes, Selectman Freel yes, and Chairman Daniels yes. The motion passed 3/2.**

425
426 **At that work session Selectman Dargie made a motion to ask for an update on Appendix A as part of the request to**
427 **the Board of Governors for the extension so that the Appendix conforms to the By-Laws. Seconded by Selectman**
428 **Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Se-**
429 **lectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.**

430
431 **At that work session Selectman Labonte made a motion to ask for a three year extension on the current 2013 IMA.**
432 **It was seconded by Selectman Freel. A roll call vote was taken with Selectman Dargie no, Selectman Dudziak no,**
433 **Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. The motion passed 3/2.**

434
435 Proposed changes were given to Captain Frye, Milford's Board of Governors Representative, to bring before the MACC
436 Base Board of Governors.

437
438 Selectman Labonte asked about the rent for MACC Base and has the Fire Marshall responded to questions regarding NPFA
439 1221 regarding MACC Base. Chairman Daniels said they haven't heard anything as far as 1221. They had someone look
440 around MACC Base to determine what things might be needed for upgrades and they are waiting for that report. Selectman
441 Labonte asked who came in. Administrator Shannon said CTA recommended Tony DiLuzio from Colliers International in
442 Massachusetts. His company does a lot of work with public safety space. Administrator Shannon said he wasn't hired, we
443 don't have a contract with him; he came in to get a feel for what was needed. Chairman Daniels said he came because CTA
444 asked him to. Administrator Shannon said the Board asked us to get this information and we asked CTA for a recommen-
445 dation.

446
447 Selectman Freel said he thought the questions we asked were for the State Fire Marshall and Chief Flaherty said the State
448 of New Hampshire would not comment on the existing building. Did we ask CTA to do this? Administrator Shannon said
449 it isn't CTA that did this, we asked for a name from CTA at one of our meetings and they recommended this outside con-
450 tractor. This was the first step in answering the questions that the Board asked.

451
452 Selectman Labonte said he was the one who directly asked for the information and he would have like to have met with this
453 person when they came in. He asked who met with Tony. Administrator Shannon said he met with him as well as Chief
454 Flaherty, Captain Frye, Jason Johnson, Rick Riendeau, Captain Smedick and Chairman Daniels.

455
456 Selectman Freel said it would be nice to have all the Selectman come together and walk around MACC Base. Administra-
457 tor Shannon said they can't all come together because then with the five of you there, it constitutes a public meeting. It
458 would have to be noticed as a public meeting and opened to everyone in the public. After the report is submitted we can
459 invite him to a meeting and everyone can ask their questions.

460
461 Chairman Daniels told Selectman Freel that if he wanted a tour of MACC Base he could call Jason Johnson and he would
462 arrange it. Selectman Labonte thought with anything going forward with CTA, the Board was going to be kept in the loop.
463 Administrator Shannon repeated that this wasn't a meeting with CTA. CTA recommended Tony to review the space at
464 MACC Base to answer your questions. Selectman Labonte repeated that he would have like to have known they were com-
465 ing so he could have asked questions. Administrator Shannon said he would be happy to pass on Tony's contact infor-
466 mation to the Board.

467
468 **7. PUBLIC COMMENTS:** There were no public comments at this time.

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8. SELECTMEN'S REPORTS/DISCUSSIONS.

Selectman Labonte attended the last five minutes of the Granite Town Media meeting this past week. He gave a shout out to Chris Gentry and his team for everything they've been doing during the COVID-19 pandemic.

Administrator Shannon said the rally on Saturday went well and he would like to thank Chief Viola and Chief Flaherty and all their officers that helped. The young lady did a great job organizing it.

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 the May 18, 2020 work session as presented. Seconded by Selectman Freel. A roll call vote was taken with Selectman Dargie yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 4/0. Selectman Dargie moved to approve the minutes of the May 26, 2020 as amended. Seconded by Selectman Labonte. A roll call vote was taken with Selectman Dargie yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 4/0. Selectman Labonte asked for copies of the amendments in the future.

10. INFORMATION ITEMS REQUIRING NO DECISIONS.

a. Treasurer's Report -

11. NOTICES. Notices were read.

12. NON-PUBLIC SESSION. N/A

13. ADJOURNMENT: Selectman Dargie moved to adjourn at 7:41 p.m. Seconded by Selectman Freel. A roll call vote was taken with Selectman Dargie yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 4/0.

Gary Daniels, Chairman

Chris Labonte, Member

Paul Dargie, Vice Chairman

David Freel, Member

ABSENT
Laura Dudziak, Member

10. Information items

TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2006-04.08

TO: ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, AND COMMITTEES

FROM: GUY SCAIFE, TOWN ADMINISTRATOR

SUBJ: POLICY AND PROCEDURE ON TOWN OFFICIALS AND TOWN EMPLOYEE ETHICS

DATE: ENACTED TUESDAY, DECEMBER 26, 2006 (AMENDED JUNE 25, 2012, MAY 23, 2011, NOVEMBER 2009, JULY 14, 2008, JUNE 23, 2008, MAY 27, 2008 & AUGUST 27, 2007)

At a meeting of the Milford Board of Selectmen held on Tuesday, December 26, 2006, the Board of Selectmen voted to adopt the following Policy regarding Town Officials and Town Employee Ethics (this Policy amended by the Board of Selectmen on June 25, 2012, May 23, 2011, November 2009, July 14, 2008, June 23, 2008, May 27, 2008 & August 27, 2007):

2006.04.010 Definitions

In this policy:

- A. "Town official" means any elected Town official or individual appointed by the Board of Selectmen to serve on a Town board, committee, subcommittee or commission.
- B. "Town employee" means any individual employed by the Town of Milford.
- C. "Gift" or "Contribution" means any money, discount, or thing of value received in excess of \$50 from any single source during any calendar year. "Gift" shall not include contributions as defined in RSA 664; a commercially reasonable loan made in the ordinary course of business; meals and beverages consumed in the course of official business; ceremonial gifts or awards which have insignificant monetary value; unsolicited gifts of nominal value or trivial items of informational value; reasonable expenses for food, travel, and lodging for a meeting at which a Town official or Town employee participates in a panel or a speaking engagement; gifts of tickets or free admission extended to a Town official to attend charitable or political events, if the purpose of such gift or admission is a courtesy customarily extended to the office; gifts that are purely private and personal in nature; or gifts from relatives by blood or marriage, or a member of the same household.

2006.04.020 Principles of Public Service

The following section describes a set of values that should be aspired to by all Town officials and Town employees. These items in and of themselves *do not* form the basis for an ethics complaint.

A. Public Service as a Public Trust -

Town officials and Town employees should treat their positions as a public trust, only using the powers and resources of their positions to advance public interests, and not to attain personal benefits or pursue any other private interest incompatible with the public good.

B. Principle of Independent Objective Judgment -

Town officials and Town employees should employ independent objective judgment in performing their duties, deciding all matters on the merits free from conflicts of interest and both real and apparent improper influences.

C. Principle of Accountability -

Town officials and Town employees should assure that government is conducted openly, equitably and honorably in a manner that permits the citizenry to make informed judgments and hold Town officials and Town employees accountable.

2006.04.030 Grounds for an Ethics Complaint

The following sections describe the items upon which an ethics complaint may be based. Any ethics complaint must specify the section or sections of this paragraph upon which the complaint is based.

A. Impression of Influence

Town officials and Town employees shall conduct their official and personal affairs in such a manner that they cannot be improperly influenced, and so as to avoid any appearance of improper influence, in the performance of their official duties.

B. Conflict of Interest

Town officials and Town employees shall avoid conflicts of interest. "Conflict of interest" means a situation, circumstance, or financial interest, which has the potential to cause a private interest to interfere with the proper exercise of a public duty. Town officials and Town employees shall not participate in any matter in which they, or their spouse or children, have a private interest which may directly or indirectly affect or influence the performance of their duties. In any instance where there is a conflict of interest or there could be the appearance of a conflict of interest, the Town official or Town employee shall disclose the circumstances prior to the time the matter arises for official consideration or decision. Such disclosures by Town officials shall be made to the board, committee, subcommittee or commission on which the official serves, and disclosures by Town employees shall be made to the Town Administrator.

C. Misuse of Position

No Town official or Town employee shall disclose or use confidential or privileged information for personal benefit or for financial gain. Town officials and Town employees shall not use their governmental positions to secure privileges or advantages for themselves, which are not generally available to Town officials or Town employees, or to improperly secure governmental privileges or advantages for others.

D. Acceptance and Giving of Gifts

Any Town official and any Town official's spouse or dependent, and any Town employee and any Town employee's spouse or dependent, who gives, solicits, accepts, or agrees to accept a gift from a person or entity who is subject to any matter or action pending before or contemplated by the Town official, Town employee, or by the governmental body with which that individual is affiliated shall disclose the gift prior to the time the matter or action arises for official consideration or decision. Disclosure by Town officials shall be made to the board, committee, subcommittee or commission on which the official serves, and disclosure by Town employees shall be made to the Town Administrator. Disclosure made by Town officials or Town employees shall be recorded in the official minutes of all meetings at which the matter or action is discussed or considered. Nothing in this section shall be construed to prohibit gifts made to the Town of Milford and accepted in accordance with the law.

2006.04.040 Supplemental Policies

In addition to this Ethics Policy, each Town board, committee, subcommittee and commission, and each Town department, may promulgate a supplemental ethics policy to address issues specific to that organization. In the event of a conflict, the provisions of this Ethics Policy shall supersede any such supplemental policy; provided however, that for those Town of Milford departments or agencies who have established Codes of Conduct or Codes of Ethics with provisions that are more stringent than those contained herein, then those more stringent provisions shall apply.

2006.04.050 Milford Board of Selectmen Procedure for Implementing the Ethics Policy

A. Filing the Complaint

1. Any individual having information that any town official or town employee is or has been engaged in activities, or is or has been subject to a condition that constitutes a violation of the Ethics Policy, may present a complaint to the Ethics Committee. The conduct that is the basis for the complaint must have occurred within one year prior to the date the complaint is filed.
2. The complaint form can be obtained from the Town's Web site or in person from the Board of Selectman's office at Town Hall during normal business hours.

3. A complaint shall be presented in writing and shall be signed under oath before a notary public. The complaint shall allege the specific facts constituting the alleged violation of the Ethics Policy, shall name a specific person or persons who are alleged to have violated the Ethics Policy, and shall specifically state the particular provisions of section 2006.04.030 of this document that are alleged to have been violated.
 4. The complaint shall be submitted to the Board of Selectmen's office at Town Hall during regular business hours in a sealed envelope addressed to the Ethics Committee
- B. Requests for advice relating to compliance with the Ethics Policy can be submitted in writing or by email directed to the Ethics Committee. A request for advice must identify the person requesting the advice.

C. The Ethics Committee

In the event of an alleged ethics violation, the complaint will be addressed according to one of the following three scenarios:

1. If the individual being accused is a town employee (excluding the Town Administrator), the complaint will be turned over to the Town Administrator to be addressed according to established town procedures.
2. If the individual being accused is a member of the Board of Selectmen, a town official who has been appointed by the Board of Selectmen, or if the person being accused is the Town Administrator, the complaint will be heard by the Ethics Committee.
3. If the individual being accused is a member of the Ethics Committee itself, the complaint shall be heard by the Board of Selectmen, according to the procedures described herein.

In any of the above scenarios, if a member of the Ethics Committee, Board of Selectmen, or the Town Administrator feels that he or she would not be able to impartially conduct the business of the Committee/Board, he or she shall bring it to the attention of the Committee/Board chair person for replacement or recusal.

D. Formation of the Ethics Committee

1. The Ethics Committee shall consist of five (5) voting members and two (2) alternates. Members and Alternates shall be private citizens who are residents of the Town of Milford and who do not hold any town official position in the Town.
2. The first Ethics Committee shall be appointed by the Board of Selectmen with preferential consideration being given to members of the ad hoc Ethics Committee that was appointed by the Board of Selectmen in March of 2008. At the Committee's first meeting the appointed members shall determine by lot:
 - a. which member will serve for a one-year term
 - b. which two members will serve for a two-year term

c. which two members will serve for a three-year term

3. The two Alternate members shall be appointed by the Board of Selectmen to serve terms of three (3) years.
4. The Board of Selectmen will appoint members to the Ethics Committee after these initial terms are completed. All newly appointed and reappointed members shall serve terms of three (3) years.
5. Should a vacancy on the Committee arise, the remaining members of the Ethics Committee will nominate to the Board of Selectman a town resident to serve out the remainder of the term.

E. Purpose and Charge

The purpose of the Ethics Committee is to:

1. Educate Town Officials regarding the provisions of the Town of Milford Ethics Policy.
2. Provide advice and counsel to Town Officials regarding ethical issues with which they are confronted.
3. Hear and resolve ethics complaints which are filed against Town Officials.

F. Confidentiality

1. All regular business of the Ethics Committee, including training, working on policies, and deliberations on requests for advice shall be conducted in public sessions, in accordance with RSA 91-A.
2. All reviews of complaints, preliminary hearings, hearings, and deliberations on complaints or hearings shall be conducted in non-public session, in accordance with RSA 91-A:3(c).
3. Any complaint received by the Ethics Committee is a confidential document and is not disclosable under RSA 91-A.
4. If the person against whom the complaint is made requests that the proceedings be conducted in public session, that request will be honored only if permissible by law.

G. Preliminary Review

1. Within two weeks of receiving a complaint, the Ethics Committee shall consider the complaint at a meeting and determine if the complaint has sufficient merit to warrant a hearing or further investigation. The Ethics Committee shall dismiss the complaint if any of the following applies:
 - a. The complaint does not meet the requirements of section 2006.04.050 (A) of this document. If the complaint is dismissed on this basis, the committee shall invite the complainant to resubmit the complaint in proper form.

- b. The complaint alleges facts that, if true, would not constitute a violation of the Ethics Policy or alleges facts that constitute constitutionally protected or legally protected conduct.
 - c. The complaint is frivolous, scurrilous, or retaliatory in nature.
 - d. The complaint alleges facts that may constitute a violation of criminal law. In this case, the Ethics Committee may consult with the Town's Chief of Police, in accordance with all confidentiality provisions of RSA 91-A, and, if necessary, shall refer the complaint to the applicable law enforcement authorities and shall take no further action on the complaint until notified of the conclusion of any criminal investigation or criminal proceeding.
 - e. If the complaint is being investigated by law enforcement, the Ethics Committee shall notify the complainant that the matter has been transferred to law enforcement.
 - f. If the complaint is investigated by law enforcement and there is a determination that no criminal activity occurred, the complaint shall be returned to the Ethics Committee and it shall follow its standard process for reviewing a complaint.
2. Regardless of whether the Ethics Committee dismisses the complaint or finds the complaint to have sufficient merit to warrant a hearing or further investigation, the Committee shall promptly notify the complainant and the person against whom the complaint is made. The notification shall be in writing and shall include a copy of the Committee's written finding.
 3. If the complainant fails to move forward to proceed with the complaint, the Ethics Committee may, at its discretion, continue to review the complaint and make a determination if a violation of the Ethics Policy has occurred.

H. The Hearing

1. The hearing shall be held within four weeks of the date the complaint is received by the Ethics Committee.
2. The Ethics Committee shall request that the complainant and the person against whom the complaint is made attend the hearing.
3. The hearing shall provide the opportunity for all parties to be heard and to present evidence. Witnesses shall testify under oath.
4. The Ethics Committee shall determine all cases by a preponderance of the evidence in deciding whether or not there has been a violation of the Ethics Policy.
5. The Ethics Committee shall have all powers at the hearing available under applicable law, including subpoena authority.

6. The Ethics Committee may dismiss the complaint at any stage of the proceedings if the Ethics Committee determines that one or more of the reasons for dismissal, as stated in section 2006.04.050 (F:1) of this document, are applicable.

I. The Findings

1. Within one week of the conclusion of the hearing, the Ethics Committee shall make a determination, in writing, of whether the person against whom the complaint is made has violated the Ethics Policy.
2. The Ethics Committee shall notify the complainant, the person against whom the complaint is made, and the Selectmen, in writing, of the determination of the complaint and the applicable recommendation.
3. Any determination by the Ethics Committee shall become public upon being forwarded to the Board of Selectmen. If it is determined by the Ethics Committee that a violation has occurred, the Ethics Committee shall recommend such sanctions, if any, that it deems appropriate. Such sanctions may include, but are not limited to, any one or more of the following:
 - a. In the case where the person who violated the Ethics Policy is a Selectman or the town administrator, the Ethics Committee may:
 - I. Vote to recommend the removal of the person from office (to the extent authorized by law);
 - II. Vote to recommend that the person resign from his or her office;
 - III. Vote to recommend a public censure of the person;
 - IV. Vote to recommend a private censure of the person;
 - V. Vote to recommend that a letter of counseling be issued to the person regarding the determination.
4. The factual findings and determination of the Ethics Committee shall be final and are not to be overruled or modified by the Board of Selectmen, it being further understood that the Board of Selectmen is not obligated to take action on any recommendations forwarded to it by the Ethics Committee.
5. The Board of Selectmen shall notify the complainant and the person against whom a complaint is made, in writing, of the disposition of the complaint.

J. Other Issues

1. To the extent that these procedures may conflict with the terms of any collective bargaining agreement that is binding on the Town of Milford, the terms of the collective bargaining shall apply.

Severability:

If any provision of this Policy or the application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of this Policy which can be given effect without the invalid provision or application, and to this end the provisions of this Policy are severable.

Effective Date:

This Policy shall become effective upon adoption by the Milford Board of Selectmen and upon its distribution to Town Departments and any other relevant governing bodies/organizations (if applicable).

Gary L. Daniels, Chairman

Tim Finan, Vice Chairman

Katherine Bauer, Member

Mike Putnam, Member

Mark Fougere, Member