

BOS PACKAGE
MAY 28, 2024

APPOINTMENTS



Town of Milford

POLICE DEPARTMENT

19 Garden Street
Milford, NH 03055
603-249-0630

Michael J. Viola
Chief of Police



To: Lincoln Daley, Town Administrator, Board of Selectmen
From: Chief Michael J. Viola
Date: May 22, 2024
Ref: 2024 Department Update

Area of Responsibility: The Milford Police Department is responsible for the overall protection of life and property through the enforcement of laws and regulations. Our Officers are responsible for maintaining public order and safety, enforcing laws and preventing, detecting and investigating criminal activity. Daily responsibilities include:

- Officers proactively patrolling areas within the Town of Milford.
- Officers responding to calls for service.
- Officers conducting preliminary and follow up criminal and traffic investigations.
- Assisting the Fire Department and Ambulance Service on calls for service.

Our department is also committed to building a good working relationship with the businesses, residents and visitors of the Town of Milford.

Financial Status:

As of May 7th, 34.8% of the year has been completed and the Police Department, as of May 7th, has spent approximately 31% of the 2024 approved budget.

The following are budget line items that are being monitored due to current expenditures:

- 12002-514000 Overtime – As of May 7th, year to date expenditures are \$1,409.15, which is 40.3% of the approved budget of \$3,500.00. This line item captures the overtime expenditures for our full-time administrative assistants.
- 12002-574200 Communications Equipment – As of May 7th, year to date expenditures are \$20,369.28, which is slightly over the \$20,172.00, approved budget. This account is for the Crown Castle Lease agreement.
- 12002.O-543200 Contractual-Vehicles – As of May 7th, year to date expenditures are \$12,917.63, which is 48.4% of the approved budget of \$26,700.00. This line item captures the expenditures associated with the maintenance of our vehicles.
- 12002.S-561004 Pol Support Training Supplies – As of May 7th, year to date expenditures are \$6,787.37, which is \$787.37 over the approved 2024 budget for this line item. This is due to the purchase of ammunition and Taser supplies that were purchased with 2023 surplus funds (Encumbered).

Police Department Update - Chief Viola

Employee Update:

The Milford Police Department has 27 Sworn Police Officer positions and 11 non-sworn positions. Currently the department is down 2 sworn officer positions.

- The department has two people that were given conditional offers of employment, and they are in the background process. If they make it through the background process, our goal is to have them in the July Police Academy.
- The department currently has one person in the academy now. The officer is scheduled to graduate on May 31st. After graduation, the Officer will then start the Field Training process, which takes approximately 3 months.

Vehicular Update:

- The department is waiting on one marked vehicle, which was ordered after the town vote.
- The department currently has 18 vehicles in the fleet.
 - 10 marked vehicles
 - 4 Admin unmarked vehicles
 - 1 K-9 vehicle
 - 1 unmarked vehicle for prosecution and detectives
 - 1 crime scene van
 - 1 motorcycle

Major Projects in the next three Months:

- The department should be taking on full responsibility of Millie, the facility therapy dog.
- Upcoming events – National Night Out, Labor Day Parade, Election.

How can Residents Report issues that require the attention of the department?

For emergency purposes a person should call 911. If it is not an emergency, a person who is reporting activity that needs police related resources can contact MACC Base by telephone or the Milford Police Department by telephone or in person. They can also contact the police department via social media and email. Social media and email are not always checked on a daily basis so I would advise people that need assistance to contact the Police Department by phone or in person.

The Milford Police Department also has a Crime Tip Line for a person to report information that can be followed up on. This line should be used for informational purposes and not for the use of reporting an issue that needs immediate assistance.

If a person has a complaint against a person employed by the Milford Police Department, they can file their complaint in person, by telephone or through the Town of Milford Police Department page. There is a form that they can access on the site.

Police Department update - Chief Viola

Are there vacancies on any commissions, committees, or subcommittees with which your department is associated? N/A

Is there anything Prohibiting the Department from meeting its annual goals?

I do not feel that there is anything that is preventing us from reaching our annual goals.

Is there anything the BOS can do to assist the department in meeting its goals?

I am looking forward to working with the Town Administration and the Board of Selectmen to ensure that our department is maintaining or exceeding the level of service that our community expects and deserves.

TOWN OF MILFORD

TOWN ADMINISTRATION



Date: May 24, 2024
To: Milford Select Board
From: Lincoln Daley, Town Administrator
RE: Nashua Street Booster Pump Station – NH Municipal
Bond Execution of Loan Agreement and Certificate of Vote

The purpose of this agenda item is for the Select Board to finalize the steps involving \$1,427,500 bond for the Nashua Street Booster Pump Station project that was approved earlier this year by voters. The Select Board will need to take a vote to authorize the Issuer to enter into the Loan Agreement with and to sell its bond to the Bond Bank. The Certificate includes a proposed resolution to this effect and, when signed by the Town Clerk, will furnish the Bond Bank and Counsel with evidence that the necessary vote has been taken. For your review, attached, please find (1) the Loan Agreement by and between the Issuer and the Bond Bank and (2) the certificate regarding the adoption of a vote by the Issuer's Governing Body authorizing the Issuer to enter into the Loan Agreement with and sell its bond to the Bond Bank.

Jim Pouliot, Director of Water Utilities will be present to respond to any questions.

Loan Agreement - Jim Pouliot

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L O A N A G R E E M E N T

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AGREEMENT, dated the 10th day of July, 2024 between the New Hampshire Municipal Bond Bank, a public body corporate and politic constituted as an instrumentality of the State of New Hampshire exercising public and essential governmental functions (hereinafter referred to as the "Bank"), created pursuant to the provisions of Chapter 35-A of the New Hampshire Revised Statutes Annotated, as amended (hereinafter referred to as the "Act"), having its principal place of business in Concord, New Hampshire, and **Town of Milford** (hereinafter referred to as the "Governmental Unit"):

W I T N E S S E T H :

WHEREAS, pursuant to the Act, the Bank is authorized to loan money (hereinafter referred to as the "Loans") to the Governmental Unit and the Governmental Unit is authorized to contract with the Bank with respect to such Loans to be evidenced by its municipal bonds (as defined in the Act) to be purchased by the Bank; and

WHEREAS, the Governmental Unit has requested a loan from the Bank in the amount of **\$1,427,500** (hereinafter referred to as the "Loan") and, to evidence the indebtedness to be incurred thereby, has duly authorized the issuance of its bonds in at least that principal amount (the "Municipal Bonds"), which Municipal Bonds are to be purchased by the Bank in accordance with this Loan Agreement; and

WHEREAS, the Bank has adopted or will adopt a General Bond Resolution (hereinafter referred to as the "Bond Resolution") authorizing the issuance of its bonds from time to time, a portion of the proceeds of which will be expended for the purpose of making the Loan, and will adopt a resolution authorizing the making of the Loan to the Governmental Unit by the purchase of the Municipal Bonds,

NOW, THEREFORE, the parties agree:

1. The following words or terms used herein shall have the following meanings:

(a) "Fees and Charges" shall mean all fees and charges authorized to be charged by the Bank for the use of its services or facilities pursuant to paragraph VIII of Section 6 of the Act.

(b) "Governmental Unit's Allocable Proportion" shall mean the proportionate amount of the total requirement in respect of which the term is used, determined by the ratio that the Loan then outstanding bears to the total of all Loans which are then outstanding, as certified by the Bank.

(c) "Loan Obligation" shall mean that amount of bonds issued by the Bank which is equal to the principal amount of the Municipal Bonds outstanding.

Loan Agreement - Jim Pouliot

(d) "Maximum Interest Cost Rate" shall mean an interest cost rate 4.00% per centum per annum.

(e) "Municipal Bonds Interest Payments" shall mean the amount to be paid by the Governmental Unit pursuant to this Loan Agreement representing interest due or to become due on its Municipal Bonds.

(f) "Municipal Bonds Principal Payments" shall mean the amount to be paid by the Governmental Unit pursuant to this Loan Agreement representing principal due or to become due on its Municipal Bonds.

2. The Bank hereby agrees to make the Loan and the Governmental Unit hereby agrees to accept the Loan and to sell to the Bank the Municipal Bonds in the principal amount of the Loan. The Municipal Bonds shall bear interest from the date of their delivery to the Bank at such rate or rates per annum as will result in an interest cost rate to the Governmental Unit of the Maximum Interest Cost Rate (as calculated by the "Interest Cost Per Annum" method) or at rates per annum as will result in a lesser interest cost rate to the Governmental Unit as determined by the Bank. The interest cost rate for purposes of this Loan Agreement will be computed as if the Municipal Bonds bore interest from the delivery date of the Bank's bonds, and without regard to Sections 4 and 5 hereof which require that Governmental Unit make funds available to the Bank for the payment of principal and interest at least thirty (30) calendar days (inclusive of Saturdays, Sundays and holidays) prior to each respective principal and interest payment date. Subject to any applicable legal limitations, the rate or rates of interest borne by the Municipal Bonds shall be not less than the rate or rates of interest borne by the bonds issued by the Bank (for corresponding maturities) the proceeds of sale of which were used to make the Loan and to purchase the Municipal Bonds. Notwithstanding the above, the obligation of the Bank to make the Loan shall be conditioned upon receipt by the Bank of the proceeds of bonds issued by the Bank both for the purposes set forth herein and to create the reserves required by the Bond Resolution.

3. The Governmental Unit has duly adopted or will adopt all necessary votes and resolutions and has taken or will take all proceedings required by law to enable it to enter into this Loan Agreement and issue its Municipal Bonds for purchase by the Bank.

4. The Municipal Bonds Interest Payments shall be not less than the total amount of interest the Bank is required to pay on the Loan Obligation and shall be scheduled by the Bank in such manner and at such times as to provide funds sufficient to pay interest as the same becomes due on the Loan Obligation and the Governmental Unit shall make such funds available to the Bank at least thirty (30) calendar days (inclusive of Saturdays, Sundays and holidays) prior to each interest payment date.

5. The Municipal Bonds Principal Payments shall be scheduled by the Bank in such manner and at such times as to provide funds sufficient to pay the principal of the Loan Obligation as the same matures (based upon the maturity schedule provided by and for the Governmental Unit and appended hereto as Exhibit A) and the Governmental Unit shall make such funds available to the Bank at least thirty (30) calendar days (inclusive of Saturdays, Sundays and holidays) prior to each principal payment date.

Loan Agreement - Jim Pouliot

6. The Governmental Unit agrees to be obligated to pay Fees and Charges to the Bank. Such Fees and Charges, if any, collected from the Governmental Unit shall be in an amount sufficient, together with the Governmental Unit's Allocable Proportion of other monies available therefore, including any grants made by the United States of America or any agency or instrumentality thereof or by the State or any agency or instrumentality thereof, to pay on a semi-annual basis:

(a) as the same becomes due, the Governmental Unit's Allocable Proportion of the administrative expenses of the Bank; and

(b) as the same becomes due, the Governmental Unit's Allocable Proportion of the fees and expenses of the trustee and paying agents for the bonds of the Bank.

7. The Governmental Unit agrees to be obligated to make the Municipal Bonds Principal Payments scheduled by the Bank on an annual basis and agrees to be obligated to make the Municipal Bonds Interest Payments scheduled by the Bank and to pay any Fees and Charges imposed by the Bank on a semi-annual basis. All Municipal Bonds Principal Payments, Municipal Bonds Interest Payments and Fees and Charges shall be payable only by means of wire transfer or automated clearinghouse funds (ACH).

8. The Governmental Unit agrees that any loan agreements previously entered into between the Bank and the Governmental Unit with respect loan obligations previously undertaken and presently outstanding between the Bank and the Governmental Unit, are hereby amended as follows:

Payments on account of any municipal bonds interest payments and any municipal bonds principal payments shall be made to the Bank at least thirty (30) calendar days (inclusive of Saturdays, Sundays and holidays) prior to each municipal bond interest or principal payment date pertaining thereto. All such payments shall be made only by wire transfer or automated clearinghouse funds(ACH).

9. The Bank shall not sell and the Governmental Unit shall not redeem prior to maturity any of the Municipal Bonds with respect to which the Loan is made by the Bank prior to the date on which all outstanding bonds issued by the Bank with respect to such Loan are redeemable, and in the event of any sale or redemption prior to maturity of such Municipal Bonds thereafter, the same shall be in an amount equal to the aggregate of (i) the principal amount of the Loan Obligation so to be redeemed, (ii) the interest to accrue on the Loan Obligation so to be redeemed to the next redemption date thereof not previously paid, (iii) the applicable premium, if any, payable on the Loan Obligation so to be redeemed, (iv) the costs and expenses of the Bank in effecting the redemption of the Loan Obligation, and (v) at the direction of the Bank, an amount equal to the proportionate amount of bonds so to be redeemed which were issued by the Bank with respect to the Loan Obligation and necessary to fund a portion of the reserve fund authorized by Section 11 of the Act, less the amount of monies or investments available for withdrawal from such reserve fund and for application to the redemption of such bonds issued by the Bank in accordance with the terms and provisions of the Bond Resolution, as determined by the Bank; provided, however, that, in the event the Loan Obligation has been refunded and the refunding bonds issued by the Bank were issued in a principal amount in excess of or less than the Loan Obligation remaining unpaid at the date of issuance of such refunding bonds, the amount which the Governmental

Loan Agreement - Jim Pouliot

Unit shall be obligated to pay under item (i) hereof shall be the amount set forth in the resolution of the Bank. In the event the Loan Obligation has been refunded and the interest the Bank is required to pay on the refunding bonds is less than the interest the Bank was required to pay on such Loan Obligation, the amount which the Governmental Unit shall be obligated to pay under item (ii) above shall be the amount of interest set forth in the resolution of the Bank. In no event shall any such sale or redemption of Municipal Bonds be affected without the prior written agreement and consent of both parties hereto.

10. Simultaneously with the delivery to the Bank of the Municipal Bonds, which Municipal Bonds shall be in a form acceptable to the Bank, the Governmental Unit shall furnish to the Bank an opinion of bond counsel satisfactory to the Bank which shall set forth among other things, the unqualified approval of said Municipal Bonds then being delivered to the Bank and that said Municipal Bonds will constitute valid general obligations of the Governmental Unit as required by the Act. The Governmental Unit shall bear the cost of such opinion.

11. The Governmental Unit shall be obligated to notify the Bank and the corporate trust office of the trustee for the bonds of the Bank in writing at least 30 days prior to each interest payment date of the name of the official of the Governmental Unit to whom invoices for the payment of interest and principal should be addressed.

12. The Governmental Unit and the Bank agree that the Municipal Bonds Principal Payments, the Municipal Bonds Interest Payments and the Municipal Bonds or a portion thereof may be pledged or assigned by the Bank under and pursuant to the Bond Resolution.

13. The Governmental Unit agrees upon surrender to it of the Municipal Bonds by the Bank it will, at the option of the Bank, cause there to be delivered to the Bank either registered or coupon Municipal Bonds as the case may be.

14. Prior to payment of the amount of the Loan, or any portion thereof, and the delivery of the Governmental Unit's Municipal Bonds to the Bank or its designee, the Bank shall have the right to cancel all or any part of its obligations hereunder if:

(a) any representation made by the Governmental Unit to the Bank in connection with application for Bank assistance shall be incorrect or incomplete in any material respect; or

(b) the Governmental Unit has violated commitments made by it in its application and supporting document or has violated any of the terms of this Loan Agreement.

15. (a). The Governmental Unit agrees to furnish to the Bank annually as long as any of the Municipal Bonds remain outstanding such financial reports, audit reports and other financial information as the Bank may reasonably require.

(b). So long as the Governmental Unit shall constitute an obligated person within the meaning of S.E.C. Rule 15c2-12 (the "Rule") as in effect from time to time, the Governmental Unit agrees to furnish to the Bank (1) such financial information and operating data with respect to the Governmental Unit at such times and in such forms as the Bank shall

Loan Agreement - Jim Pouliot

reasonably request in order to comply with the provisions of the Rule, (2) when and if available, the Governmental Unit agrees promptly to provide the Bank with its audited financial statements for each fiscal year and (3) the Governmental Unit agrees to provide to the Bank in a timely manner, notice of any of the following events with respect to the Municipal Bonds, if material:

- (a) Principal and interest payment delinquencies.
- (b) Non-payment related defaults, if material.
- (c) Unscheduled draws on debt service reserves reflecting financial difficulties.
- (d) Unscheduled draws on credit enhancements reflecting financial difficulties.
- (e) Substitution of credit or liquidity providers, or their failure to perform.
- (f) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Municipal Bonds, or other material events affecting the tax-exempt status of the Municipal Bonds.
- (g) Modifications to rights of the beneficial owners of the Municipal Bonds, if material.
- (h) Bond calls, if material, and tender offers.
- (i) Defeasance of the Municipal Bonds or any portion thereof.
- (j) Release, substitution or sale of property securing repayment of the Municipal Bonds, if material.
- (k) Rating changes.
- (l) Bankruptcy, insolvency, receivership or similar event of the Government Unit.
- (m) The consummation of a merger, consolidation, or acquisition involving the Government Unit or the sale of all or substantially all of the assets of the Government Unit, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material.
- (n) Appointment of a successor or additional trustee or the change of name of a trustee, if material.
- (o) Incurrence of a financial obligation of the Obligated Person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the Obligated Person, any of which affect Owners of the Notes, if material; and
- (p) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the Obligated Person, any of which reflect financial difficulties.

The Governmental Unit agrees that from time to time it will also provide notice to the Bank of the occurrence of other events, in addition to those listed above, if such other event is material with respect to the Municipal Bonds.

The Governmental Unit will provide, in a timely manner, to the Bank, notice of a failure to satisfy the requirements of this Section.

Loan Agreement - Jim Pouliot

The intent of the Governmental Unit's undertaking pursuant to this Section is to facilitate the Bank's ability to comply with the requirements of the Rule. Accordingly, the Governmental Unit agrees to provide the Bank with any additional information the Bank may reasonably require in order to comply with the requirements of the Rule, as in effect from time to time.

To the extent the Rule no longer requires issuers of municipal securities to provide all or any portion of the information the Governmental Unit has agreed to provide pursuant to this Section, the obligation of the Governmental Unit to provide such information pursuant to this Section also shall cease immediately.

The sole remedy available to the Bank or to any other person for the failure of the Governmental Unit to comply with any provision of this Section shall be an action for specific performance of the Governmental Unit's obligations under this Section.

16. The Governmental Unit shall not take, or permit to be taken, any action or actions that would cause any Municipal Bond to be an "arbitrage bond" within the meaning of Section 148 of the Internal Revenue Code of 1986, as from time to time in effect (the "Code") or a "private activity bond" within the meaning of Section 141(a) of the Code or that would cause any Municipal Bond to be "federally guaranteed" within the meaning of Section 149(b) of the Code, or that would otherwise cause interest on the Municipal Bonds to become included in gross income of the recipient thereof for the purpose of federal income taxation.

The Governmental Unit shall at all times do and perform all acts and things permitted by law and necessary or desirable in order to assure that interest paid by the Governmental Unit on the Municipal Bonds shall be excluded from gross income of the recipient thereof for the purpose of federal income taxation under any valid provision of law and to assure that the Municipal Bonds shall not be "private activity bonds" within the meaning of Section 141(a) of the Code, including the preparation and filing of any statements required to be filed by the Governmental Unit in order to maintain such exclusion.

17. If any provision of this Loan Agreement shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such provision shall not affect any of the remaining provisions of this Loan Agreement and this Loan Agreement shall be construed and enforced as if such invalid or unenforceable provision had not been contained herein.

18. This Loan Agreement may be executed in one or more counterparts, any of which shall be regarded for all purposes as an original and all of which constitute but one and the same instrument. Each party agrees that it will execute any and all documents or other instruments, and take such other actions as may be necessary to give effect to the terms of this Loan Agreement.

19. No waiver by either party of any term or conditions of this Loan Agreement shall be deemed or construed as a waiver of any other terms or conditions, nor shall a waiver of any breach be deemed to constitute a waiver of any subsequent breach, whether of the same or of a different section, subsection, paragraph, clause, phrase, or other provision of this Loan Agreement.

20. This Loan Agreement merges and supersedes all prior negotiations, representations, and agreements between the parties hereto relating to the subject matter hereof and constitutes the entire agreement between the parties hereto in respect hereof.

Loan Agreement - Jim Pouliot

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first above written.

NEW HAMPSHIRE MUNICIPAL BOND BANK

Attest:

By _____
Secretary, NHMBB

(NHMBB SEAL)

By _____
Chairman, NHMBB Board of Directors

Attest:

By _____
Member, Board of Selectmen

By _____
Town Clerk

By _____
Town Treasurer

(Town SEAL)

Loan Agreement - Jim Pouliot

EXHIBIT A
MATURITY SCHEDULE
Town of Milford
15 year Level Principal
Governmental Unit's Bonds

Due	Principal Amount
8/15/2025	97,500
8/15/2026	95,000
8/15/2027	95,000
8/15/2028	95,000
8/15/2029	95,000
8/15/2030	95,000
8/15/2031	95,000
8/15/2032	95,000
8/15/2033	95,000
8/15/2034	95,000
8/15/2035	95,000
8/15/2036	95,000
8/15/2037	95,000
8/15/2038	95,000
8/15/2039	95,000
Total Proceeds	1,427,500

Loan Agreement - Jim Pouliot

TOWN OF MILFORD, NEW HAMPSHIRE
(the "Issuer")

CERTIFICATE OF VOTE REGARDING AUTHORIZATION
OF BONDS AND APPROVAL OF
LOAN AGREEMENT WITH THE NEW HAMPSHIRE MUNICIPAL BOND BANK

I, the undersigned Clerk of the Issuer, hereby certify that a meeting of the Governing Board of Issuer (the "Board") was held on _____. A quorum of the Board was in attendance and voting throughout.

I further certify that there are no vacancies on the Board, that all of the members of the Board were duly notified of the time, place and purposes of said meeting, including as one of the purposes the authorization of bonds and the approval of a Loan Agreement between the New Hampshire Municipal Bond Bank (the "Bond Bank") and the Issuer.

I further certify that the following is a true copy of resolutions unanimously adopted at said meeting:

RESOLVED: That under and pursuant to the Municipal Finance Act, Chapter 33, N.H.R.S.A., as amended, the New Hampshire Municipal Bond Bank Law, Chapter 35-A, N.H.R.S.A., as amended, and other laws in addition thereto, and to votes of the Issuer duly adopted on March 12, 2024 under Article 3 of the Warrant for such annual meeting of the Issuer there be and hereby is authorized the issuance of a \$1,427,500 Bond of the Issuer (the "Bond") which is being issued by the Issuer for the purpose of financing the construction of the Nashua Street Water Booster Pump Station.

The Bond shall be dated as of its date of issuance, shall be in such numbers and denominations as the purchaser shall request, shall mature in accordance with the schedule set forth in Exhibit A to a certain Loan Agreement hereinafter described (the "Loan Agreement"), shall bear a net interest cost rate (as defined in the Loan Agreement) of four percent (4.00%) per annum or such lesser amount as may be determined by a majority of the Board. The Bond shall be substantially in the form set forth as Exhibit B to the Loan Agreement and otherwise shall be issued in such manner and form as the signatories shall approve by their execution thereof.

RESOLVED: That the Bond shall be sold to the Bond Bank at the par value thereof plus any applicable premium.

Loan Agreement - Jim Pouliot

RESOLVED: That in order to evidence the sale of the Bond, the Treasurer of Issuer and a member of the Board are authorized and directed to execute, attest and deliver, in the name and on behalf of the Issuer, a Loan Agreement in substantially the form submitted to this meeting, which is hereby approved, with such changes therein not inconsistent with this vote and approved by the officers executing the same on behalf of the Issuer. The approval of such changes by said officers shall be conclusively evidenced by the execution of the Loan Agreement by such officers.

RESOLVED: That all things heretofore done and all action heretofore taken by the Issuer and its officers and agents in its authorization of the project to be financed by the Bond are hereby ratified, approved and confirmed.

RESOLVED: That the Clerk and the signers of the Bond are each hereby authorized to take any and all action necessary and convenient to carry out the provisions of this vote, including delivering the Bond against payment therefor.

RESOLVED: That the useful life of the project being financed is in excess of fifteen (15) years.

I further certify that said meeting was open to the public; the aforesaid vote was not taken by secret ballot nor in executive session; that notice of the time and place of said meeting was posted in at least two (2) appropriate public places within the territorial limits of the Issuer, or published in a newspaper of general circulation in said area, at least twenty-four (24) hours, excluding Sundays and legal holidays, before said meeting; that no deliberations or actions with respect to the vote were taken in executive session; and that the minutes of said meeting have been promptly recorded and have been or will be made open to inspection not more than five (5) business days after the meeting, all in accordance with Chapter 91-A, N.H.R.S.A., as amended.

I further certify that the above vote has not been amended or rescinded and remains in full force and effect as of this date.

Loan Agreement - Jim Pouliot

WITNESS my hand and seal of the Issuer this ____ day of _____, 2024.

CLERK OF ISSUER

(SEAL)

Nomination of Michael Conley - Celeste Barr

5:40

Susan Mallett

From: Celeste Barr <cpbmilford@gmail.com>
Sent: Monday, May 20, 2024 8:34 AM
To: Susan Mallett
Subject: Nomination of New Member for Recycling & Solid Waste Committee

May 20, 2024

To the Select Board
Town of Milford NH

Dear Members of the Select Board,

The Recycling and Solid Waste Committee voted to nominate Michael Conley for your approval as a new member to the committee. Michael is a longtime resident of the Town of Milford and is a member of the Sustainability Committee of the Unitarian Universalist church in town. He has helped grow participation in townwide cleanups in town and is interested in helping to educate the public on waste minimization efforts. This is one of the primary goals of the committee which ultimately will save the town money.

Michael is informed that he may be contacted by the Board for consideration.
Thank you .

Celeste Barr, Chair
Milford Recycling & Solid Waste Committee

SURPLUS VEHICLE

Lincoln Daley

From: Ken Flaherty
Sent: Friday, May 24, 2024 11:43 AM
To: Lincoln Daley
Subject: Old car 1 recommendations

As you are aware, we need to determine the best course of action for handling the disposition of Old Car 1. Here are a few options available to us: sending it to the State auction, local sealed bid process, or listing it publicly for sale.

Recommendation

Given the extent and severity of these issues, it is not cost-effective to keep and repair the vehicle. Instead, I recommend the following:

Dispose of Old Car 1: Due to the numerous mechanical problems and associated repair costs, it would be more prudent to dispose of the vehicle.

A few of the known issues: significant rust and corrosion, battery and alternator need replacing, the vehicle has been totaled once, high mileage, and an untold number of engine hours.

State Auction, Sealed Bid or Private Sale:

- **State Auction:** This option may provide higher visibility and a quicker sale. It is an open and transparent process that could attract competitive bidding.
- **Sealed Bid:** This option allows us to set a minimum acceptable price and target interested buyers directly. It may take longer but could result in a higher offer from a focused buyer.
- **Private sale:** This option allows us to set the asking price, target individuals who have an interest in repairing or parting out the car and no auction fees.

Conclusion

Considering the significant mechanical issues and the associated costs of repair, I recommend proceeding with the disposal of Old Car 1. Please review this recommendation and provide your input on the preferred disposal method. Thank you for your attention to this matter

Kenneth Flaherty
Chief of Department
39 School street
Milford, NH 03055
603-249-0680
603-673-0657

DECISIONS

Consent to Cut Wood or Timber

Consent



Assessor's Office • 1 Union Square • Milford, NH 03055
Phone 603.249-0615 • Fax 603.673.2273
www.milford.nh.gov

Memorandum

To: Board of Selectmen
From: Valerie Johnson, Assessing Office Administrator
Date: 05/20/2024
Re: Notice of Intent to Cut Wood or Timber (PA-7) – (1) For Approval

The following property owner, as a matter of public record, has filed a Notice of Intent to Cut Wood or Timber (reference RSA79). I have reviewed the application and am recommending that the selectmen **approve** this application. This will need the PA-7 signed by the Board of Selectmen.

Map/Lot	Property Address	Owner	Date Received
9-2	0 Mont Vernon St	Robert Kokko	05/14/2024

SELECTMEN PRINTED NAME	SELECTMEN SIGNATURES OF APPROVAL	DATE
TIM FINAN		
PAUL DARGIE		
CHRIS LABONTE		
DAVE FREEL		
TINA PHILBRICK		

Intent to Cut Wood or Timber



FORM
PA-7

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

(Assigned by Municipality)

YR 24 - TOWN 303 - OP# 02 - T

For Tax Year April 1, 24 BY: BY to March 31, 25

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.: 9-2
- Intent Type: Original Supplemental (Original Intent Number)
- Name of Access Road: Summer St
- 5a. Acreage of Lot: 11+ Acreage of Cut: 3±
- 5b. Anticipated Start Date: 5-15-24
- 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.

Robert P. Kelly member 5-1-24
 SIGNATURE OF OWNER(S) OR CORPORATE OFFICER(S) DATE SIGNED
Patch Hill Peak LLC
 PRINT CLEARLY OR TYPE NAME OF OWNER(S) OR CORPORATE OFFICER(S)

SIGNATURE OF OWNER(S) OR CORPORATE OFFICER(S) DATE SIGNED
Patch Hill Peak LLC
 PRINT CLEARLY OR TYPE NAME OF OWNER(S) OR CORPORATE OFFICER(S)
Patch Hill Peak LLC
 MAILING ADDRESS
480 NASHUA ST NH 03055
 CITY OR TOWN STATE ZIP CODE
MANAGEMENT @ KOKKOREATHY.COM
 E-MAIL ADDRESS
603 673 2885 603 759-1276
 HOME PHONE (Enter number without dashes) CELL PHONE (Enter number without dashes)

8. Description of Wood or Timber To Be Cut

Species	Estimated Amount To Be Cut	
White Pine	<u>50</u>	MBF
Hemlock		MBF
Red Pine		MBF
Spruce & Fir		MBF
Hard Maple		MBF
White Birch		MBF
Yellow Birch		MBF
Oak	<u>10</u>	MBF
Ash		MBF
Soft Maple		MBF
Beech/Pallet/Tie & Mat Logs/ Pine Box	<u>10</u>	MBF
Other (Specify)		MBF
Pulpwood	Tons	
Spruce & Fir		
Hardwood & Aspen		
Pine		
Hemlock		
Biomass Chips	<u>500</u>	
Miscellaneous		
High Grade Spruce/Fir		Tons
Cordwood & Fuelwood	<u>50</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.

Dean Chappell
 SIGNATURE OF PERSON RESPONSIBLE FOR CUT DATE
Dean Chappell
 PRINT CLEARLY OR TYPE NAME OF PERSON RESPONSIBLE FOR CUT
116 Osgood Rd
 MAILING ADDRESS
Milford NH 03055
 CITY OR TOWN STATE ZIP CODE
603-345-9761 deane.chappell@farmsetc.com
 PHONE NUMBER E-MAIL ADDRESS

FOR MUNICIPAL ASSESSING OFFICIALS ONLY

The Selectmen/Municipal Assessing Officials hereby certify that:
 1. All owners of record have signed the Intent;
 2. The land is not under the Current Use Unproductive category;
 3. 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 immediately after signing.

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

2024 Preliminary Tax Warrant

MEMORANDUM

To: Board of Selectmen
Cc: Lincoln Daley

From: Kathy Doherty, Tax Collector

Date: May 22, 2024

Subject: 2024 Preliminary Tax Warrant

The first real estate tax billing has been processed for 2024 with a net sum due of 22,912,776.49

Bills are scheduled to be mailed May 31, 2023 with a due date of July 1, 2024.

Please sign the attached warrant authorizing me to collect the committed taxes.

Respectfully,
Kathy Doherty

2024 Preliminary Tax Warrant

WARRANT PROPERTY TAX LEVY STATE OF NEW HAMPSHIRE

HILLSBOROUGH, ss:

TO: Kathy Doherty, Collector of Taxes for the Town of Milford, in said County:

In the name of the State, you are hereby directed to collect the first half year 2024 property taxes in the list herewith committed to you amounting in all, to the gross sum of **Twenty Three Million Thirty Four Thousand Four Hundred Twenty Six Dollars and 49/100** [\$23,034,426.49] less abatements [Veterans Credits] in the amount of **One Hundred Twenty One Thousand Six Hundred Fifty Dollars and 00/100** [\$121,650.00] for a net sum to be collected in the amount of **TWENTY TWO MILLION NINE HUNDRED TWELVE THOUSAND SEVEN HUNDRED SEVENTY SIX DOLLARS AND 49/100** [\$22,912,776.49] and with interest at the rate of eight (8%) percent per annum from 1 July 2024 on all sums not paid on or before that date.

A tax collector shall remit all money collected to the town treasurer, or to the town treasurer's designee as provided by RSA 41:29, VI, at least on a weekly basis, or daily whenever tax receipts total \$1500 or more.

Given under our hands and seal at Milford, New Hampshire this 27th day of May, in the year of our Lord, Two Thousand and Twenty Four.

Chairman

Vice-Chairman

Selectman

Selectmen of Milford, New Hampshire

Selectman

Selectman

TOWN STATUS

TOWN STATUS REPORT

May 28, 2024

1. 2024 Town Employee Wage Schedules and Compensation Workgroup Update

Karen Blow, Human Resources Director will apprise the Board of the 2024 employee wage schedules increases (4% increase received in April) and provide an update of the activities and efforts of the Compensation Workgroup. Please see attached narrative summary.

2. Capital Improvements Program - Update

The Capital Improvements Citizens Advisory Committee meet last Wednesday to begin the review and prioritization of submitted planned/anticipated capital projects. In addition to the projects submitted by Departments/Committees/Commissions/Trustees, Town Administration submitted project applications for the Swing Bridge, 168 South Street parking lot, and the 127 Elm Street property to remove the existing building for consideration. The schedule of meetings and completion of the final report has been modified (refined) to coincide with and to assist the Select Board in the preparation of the 2025 municipal budget.

Capital Improvements Citizens Advisory Committee meets every Wednesday at 6:30 p.m. in the Select Board Meeting Room.

3. Economic Development Advisory Council

The Economic Development Advisory Council is fully up and running and will be meeting regularly on the second Wednesday of the month. The next scheduled meeting with June 12, 2024 at the Greater Merrimack-Souhegan Valley Chamber of Commerce.

For questions, please contact Camille Pattison, Community Development Director at cpattison@milford.nh.gov.

4. 127 Elm Street Property & Wadleigh Memorial Library – Site-Specific Quality Assurance Project Plans (SSQAPP)

Crede Associates, LLC was retained by the Nashua Regional Planning Commission (NRPC) on behalf of the Town of Milford to prepare Site-Specific Quality Assurance Project Plans (SSQAPP) for the both the 127 Elm Street building/property (formerly the Permattech Diamond Tool & Die Company) and the Wadleigh Memorial Library building and parking area. The NRPC is using funding from a 2022 U.S. Environmental Protection Agency (EPA) Brownfields Assessment Grant (BF00A01028) to conduct this assessments and complete the reports.

The plan will investigate and detail possible source areas and contaminants of potential concern (COPCs) (e.g. asbestos, lead, polychlorinated biphenyls) within the buildings and site, nature and extent of contamination, exposure pathways, and potential human and environmental receptors. The final reports will provide the needed information to inform the for the Select Board/Town to determine a course of action for the 127 Elm Street building and to assist the Library Trustees with future library construction/expansion plans. The final reports are scheduled to be completed by July and August 2024.

5. Milford Community Lands (Formally Brox) Alteration of Terrain Permit – Gravel Operations (Update)

The Town and Northeast Sand & Gravel submitted responses and revised plan set to the NH Dept. Of Environmental Services (permitting agency) and NH Fish & Game (NHFG) on December 1, 2023. The submittal was in response to a list of detailed comments from NHFG involving several areas of the project including the legal conservation instrument to manage the proposed 75+ acre area conserved area on the Milford Community Land.

Town staff and the project engineer are scheduled to meet with NHDES and NHFG in early June to resolve the remaining elements of the application/permit for approval and allow the Town to resume the gravel operation this year.

6. Board, Commission, Committee Volunteers

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

- Board of Adjustment 2 Alternate Positions
- Conservation Commission 2 Alternate Positions
- Economic Development Advisory Council TBD
- Recycling Committee 1 Full Time Position
- Planning Board 2 Alternate Positions

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

HR Narrative – Tuesday 5/28/24

1. **FYI – Updated Wage Schedule for the BOS** – adjusted scale by the 4% increase we received in April
2. **FYI – Compensation Workgroup**
 - a. The Compensation workgroup is working on an RFP to send out to get quotes for a **Classification, Benefit and Wage Study**. Currently in draft form. We would send out the RFP and request a quote on an “a la carte” basis so the BOS could determine
 - A) financially what focus is feasible to do (do all three, do just wages and benefits, do just wages). Have a study done that could last 3-5 yrs (or longer) and not have staff have to invest the time and energy in this process each year OR
 - B) Continue with the current process
 - b. The study would consist of
 - A) Classification
 - a. are jobs in the right grade level
 - b. are jobs classified correctly (Exempt v Nonexempt)
 - B) Benefits - are benefits competitive
 - C) Wages
 1. are wages competitive
 2. review our current schedules and recommend adjustments for 2025
 - c. Workgroup would like a BOS member to participate. At the present time we are meeting weekly on Wednesdays at 1:00.
 - A) Workgroup currently consists of Lincoln, Chief Viola, Director Schelberg, BAC member/Volunteer, staff member and myself. (We would/will have Finance Director when a candidate is hired.)
 - d. Workgroup put out an INTERNAL benefit survey to employees.
 - A) Want to make sure that what we as a group focus on, and bring to the Board as recommendations, is actually what staff is needing/wanting as benefits.
 - e. Will be scheduling meetings with NHIT, SC and HT at the end of Jun, start of Jul so that when the bids are received, we will have a firm idea of what each offers and provide recommendation for BOS re: Health and Dental by 3rd week in October.
 - A) A decision will need to be made re: health/dental by 1st week in November. If there is a change, we will need ample time (November) for education and open enrollment.

3. Town Policies and Language to Discuss

- a. **Safe Harbor Policy** – The only change I would recommend is the active link I put in the document to the Fact Sheet 17G. Already on the website and already in the document on the website.
- b. **Cashing out of Sick Leave Due to Workers Comp Policy and Make Whole wording** – the Cashing out of Sick Leave and the Make Whole wording in the handbook are tied together.
 - A) Researched this Policy and provided you all with Lee Mayhew’s memo from 1998, Board minutes 4/24/2000 (LM), Board minutes 2/25/02 (Katie Chambers) and Board minutes 10/16/02 (KC). So this has been a long standing policy.
 - B) The basis of this policy appears to be that any sick leave hours charged as a result of a WC absence will reduce the number of sick leave hours remaining to the EE for the remainder of the year. Once EE receives the WC check and conveys the income to the Town, the Town applies that towards the sick leave incentive “cash out” and renders the absence as non-chargeable sick leave hours. Since we don’t do the cash out any more, it restores the sick leave balance and the sick leave conversion (5 days towards vacation and 3 days towards sick bank) would apply
- c. **Make Whole wording in the EE Handbook**
 - A) Research this and found comparative language in the 1997, 2001 EE handbooks noting 2 sick leave options
 - B) 2004 resulted in the first sick leave option being removed (2/25/02 Katie Chambers BOS minutes)
 - C) 2006 EE Handbook reflected the one option
 - D) 2013/2014 language changed from absence in excess of 8 days to absence in excess of 5 days.
 - E) The “making whole” language is referenced in the employee handbook and the AFSCME Contract. We would not be able to make any changes at this time to the AFSCME Contract unless we did a sidebar.
 - F) For all FT Employees the process is identified in the BOS handout.
 - 1. Finance puts all available hours into a “bucket” (sick bank, sick, personal, unused holiday, then vacation)
 - 2. Finance uses this bucket to continue to pay EE his/her full check
 - 3. When the EE receives the check, they bring it into HR/Finance and sign it over to the Town.
 - 4. Once the final check is received, Finance then reconciles the checks received with what was paid out.

5. The language reads that we can use all but 40 hours of vacation.

G) Options

1. Remove the 'leaving 40 hrs on the books" clause (Town non-union, not AFSCME)
2. Allow being made whole up to the point of any available time that is on the books. Once the available time is used, the EE would then need to keep the check from the insurance company (Town non-union, not AFSCME)
3. Grandfathering staff that is currently in place with the existing rules. People hired on or after Jun/Jul 1 would be subject to the new rules.

Revised Wage Schedule

TOWN OF MILFORD

2024 REVISED EXEMPT WAGE SCALE - 4% INCREASE

GR	MIN	MID	MAX	POSITION(S)		DEPT	JOB CODE
1	\$ 10.39	\$13.55	\$ 16.70	LIBRARY PAGE	LPT	LIB	L12
2	\$ 10.90	\$14.22	\$ 17.53	AMIN ASST-SEASONAL	PT/FT	REC	RD 36
				CALL FIRE I	CALL	MFD	FD08
				CUSTODIAN	PT	LIB	LI13
				PROGRAM INSTRUCTOR	LPT	REC	RD39
3	\$ 11.45	\$14.93	\$ 18.41	LABORER-SEASONAL	PT/FT	DPW	CE08 or PW10
4	\$ 12.01	\$15.62	\$ 19.25	ASST SWIM TEAM COACH	STIPEND	REC	RD14
				GTM VIDEOGRAPHER	LPT	GTM	PA02
				LIFEGUARD –SEASONAL	PT/FT	REC	
				TENNIS INSTRUCTOR-SEASONAL	PT/FT	REC	RD22
5	\$ 12.59	\$16.40	\$ 20.21	HEAD LIFEGUARD	PT/FT	REC	RD40
				HEAD SWIM TEAM COACH SEAS	PT/FT	REC	RD08
6	\$ 13.27	\$17.29	\$ 21.31	ADMIN COORD-SEASONAL	PT/FT	REC	RD11
				CALL FIREFIGHTER II	CALL	MFD	FD03
				CHECKLIST SUPERVISOR (LPT \$12.00)	LPT	ELECT	EO04
				CROSSING GUARDS (LPT 3HR BLOCK)	LPT	MPD	PD14
				EMT-NO PTO	LPT	MAS	AM08
				GIS TECH	PT/FT	DPW/OCD	PW33
				INTERN	PT/FT	As needed	CD20/WU04
				PARK RANGER-SEASONAL	PT/FT	REC	RD15/RD16
				POLICE MATRON	LPT	MPD	PD15
7	\$ 13.94	\$18.16	\$ 22.38	No positions assigned			
8	\$ 14.65	\$19.07	\$ 23.50	CALL FIREFIGHTER I/II DRIVER	CALL	MFD	FD16
				POOL MANAGER-SEASONAL	FT	REC	RD34
9	\$ 15.37	\$20.02	\$ 24.66	ADMINISTRATIVE ASSISTANT I	PT	MPD	PD16
				CONSERVATION COMM COORD	RPT	OCD	CC02
				MUNICIPAL CLERK	LPT	TC	TC08
10	\$ 16.14	\$21.02	\$ 25.91	AEMT-NO PTO	PT	MAS	AM09
				AEMT PER DIEM	PD	MAS	AM15
11	\$ 16.92	\$22.06	\$ 27.20	ADMIN ASST I	FT	MPD-FTEM	PD12
				ADMIN ASST I	PD	ASSESS	AS05
				ASSISTANT MEDIA MANAGER	FT	GTM	PA05
				BUILDING SERVICES	LPT	LIB	LI34
				CALL FIRE LIEUTENANT	CALL	MFD	FD06
				CUSTODIAN	FT	DPW	PW07
				LABORER	FT	DPW-FTEM	PW35/PW09
				LABORER	FT	CEM	CE02
				LABORER (TRANSFER STATION)	FT	DPW-FTEM	SW09
				LABORER-SEASONAL	PT/FT	DPW	PW30
				LAND USE ASST I/PERMIT TECH	RPT	OCD	CD15
				LAND RESEARCHER	PT/FT	OCD	AD05
				LIBRARY ASSISTANT	SUB/PT	LIB	LI32
				LIBRARY ASSISTANT	PT	LIB	LI11
				LIBRARY ASSISTANT	FT	LIB	LI30
				LIB BLDG SERVICES SPECIALIST	PT	LIB	LI36
LIBRARY TECH SERVICES	PT	LIB	LI08				
RECORDING SECRETARY	LPT	OCD/ZONING	ZB05				
12	\$ 17.79	\$23.18	\$ 28.56	BILLING CLERK	RPT	MAS	AM14
				DEPUTY TOWN CLERK (36 HRS)	FT	TC	TC12
				FINANCE CLERK	RPT	FIN	FI09

Revised Wage Schedule

				OFFICE MANAGER	FT	WUD	
				PROGRAM COORDINATOR	FT	REC	RD32
				WATER UTILITIES CLERK	FT	WUD	WU09
13	\$ 18.70	\$24.35	\$ 30.00	ADMINISTRATIVE ASSISTANT II-DPW	FT	DPW	PW06
				ADMINISTRATIVE ASSISTANT II-MFD	FT	MFD	FD02
				ADMINISTRATIVE ASSISTANT II-MPD	FT	MPD	PD10
				AEMT	FT	MAS	AM16
				EMT	FT	MAS	AM03
				FIREFIGHTER (42 HRS)	FT	MFD	FD15
				TRUCK DRIVER/LABORER H&S	FT	DPW-FTEM	PW05
				TRUCK DRIVER/LABORER TRSTA	FT	DPW-FTEM	SW14
				TRUCK DRIVER/LABORER CEM	FT	DPW-FTEM	CE14
14	\$ 19.63	\$25.55	\$ 31.48	ADMINISTRATIVE ASSISTANT III, PARALEGAL	FT	MPD	PD24
				ASSISTANT CHILDREN'S LIBRARIAN	FT	LIB	LI35
				ASSISTANT TOWN CLERK (ADMIN III) (36 HRS)	FT	TC	TC13
				CALL FIRE CAPTAIN	CALL	MFD	FD07
				EXECUTIVE ASST I (ADMIN III)	FT	WUD	WW24
				LAND USE ASST III/OFFICE MGR	FT	OCD	CD22
				MECHANIC	FT	DPW-FTEM	PW25
15	\$ 20.60	\$26.82	\$ 33.04	COLLECTION SYSTEM OPERATOR	FT	WUD	WW21
				EQUIPMENT OP TRANS STATION	FT	DPW-FTEM	SW04
				EQUIPMENT OP H&S	FT	DPW-FTEM	PW04
				LAB ASSISTANT	FT	WUD	WW18
				WATER UTILITY INSP/UTIL SYSTEM OPERATOR	FT	WUD	WU07
				UTILITY INSP/UTILITY SYSTEM OP	FT	WUD	WU05
				MAINTENANCE MECHANIC WW	FT	WUD-FTEM	WW05
				OPERATOR, CERTIFIED WWTF	FT	WUD	WW04
				OPERATOR, CERTIFIED WATER	FT	WUD	WA10
				PARAMEDIC	PT	MAS	AM02
				PROCESS CONTROL OPERATOR (APRIL 2024)	FT	WUD	
				WATER SYSTEM TECHNICIAN	FT	WUD-FTEM	WA16
				WATER SYSTEM UTILITY INSP/UTIL SYS OP	FT	WUD	WU07
16	\$ 21.62	\$28.16	\$ 34.71	CALL DEPUTY FIRE CHIEF	CALL	MFD	FD09
				FF LIEUTENANT (42 HRS)	FT	MFD	FD20
				PARAMEDIC	FT	MAS	AM01
17	\$ 22.72	\$29.58	\$ 36.44	ACCOUNTANT/PAYROLL COORD	FT	FIN	FI01
				CALL ASSISTANT FIRE CHIEF	CALL	MFD	FD10
				EXECUTIVE ASSIST II (ADMIN IV) TA/BOS	FT	ADMIN	AD12
				FOREMAN, PARKS & CEM	FT	DPW	CD13
				WATER UTILITIES MANAGER	FT	WUD	WU08
18	\$ 23.83	\$31.05	\$ 38.27	WELFARE DIRECTOR	PT	WELF	WE00
				SUPERVISOR, TRANSFER STATION	FT	DPW	SW00
19	\$ 25.04	\$32.61	\$ 40.18	CHILDRENS LIBRARIAN	FT	LIB	LI26
				DEPUTY DIR OF WATER UTILITIES	FT	WUD	WW22
				ELECTRICAL INSPECTOR	PT	OCD	CD14
				GENERAL MANAGER, FACILITIES	FT	DPW	PW37
				GENERAL FOREMAN, H&S	FT	DPW	PW15
				HEAD OF REF & ADULT SVCS LIBRARIAN	FT		LI37
				HEAD OF TECHNICAL SERVICES	FT	LIB	LI02
				LIBRARIAN	FT	LIB	LI03
				PARAMEDIC, CAPTAIN	FT	MAS	AM17
				PROFESSIONAL LIBRARIAN (35 HRS)	FT	LIB	LI38
				REF & ADULT SVC LIBRARIAN	FT	LIB	LI14
				YOUNG ADULT SVCS&REF LIBRARIAN	FT	LIB	LI22

Revised Wage Schedule

20	\$ 26.30	\$34.23	\$ 42.17	no positions			
21	\$ 27.06	\$35.68	\$ 44.30	no positions			
20E	\$ 37.14	\$41.32	\$ 45.50	POLICE SERGEANT-NON-UNION	FT	MPD	PD21
20DS	\$ 38.00	\$42.17	\$ 46.35	POLICE DET SERGEANT-NON-UNION	FT	MPD	PD23

OTHER SEASONAL							
ADMIN ASST PT				LPT/PT	VARIES	CD06	
EQUIPMENT OPERATOR – DPW		SNOW PLOW DRIVER/HEAVY EQUIP SEASONAL		LPT/PT	DPW	PW16	

VOLUNTEER							
AMB EMT/A/P – VOLUNTEER				VOL	MAS VOL	AM12	

(See attachment - tracking changes)

Position Changes – new/retired/grade change(s):

2024				From GR	To GR
NEW	WUD	WWTF CERT OP -> PROCESS CONTROL OPERATOR (April 2024)		15	15
NEW	LIB	LIB - Lib Director to Professional Librarian (3/10/2024)	L138		19
2023				From GR	To GR
TITLE CHG	WUD	WATER UTILITIES CLERK (was ACCOUNT CLERK (PT) WA13)			
INACTIVE	WUD	ACCOUNT CLERK (PT) WA13			
TITLE CHG	WUD	OFFICE MANAGER WUD (was ACCOUNT CLERK (FT) WA02) 12/5/2023			
INACTIVE	WUD	ACCOUNT CLERK (FT) WA02			
NEW	WUD	LAB ASSISTANT (FT) (NEW 2022)			
INACTIVE	WUD	SUPERVISOR, LAB/WUD WWTF (FT)			
NEW	WUD	WATER UTILITIES MANAGER (new 2023)			
NEW	LIB	HEAD OF REF & ADULT SVCS LIBRARIAN (new 2023)			
TITLE CHG	WUD	COLLECTIONS SYSTEM OPERATOR (was formerly COLLECTION SYSTEM TECHNICIAN WW23)			
INACTIVE	WUD	UTILITY FOREMAN WU06			
2022				From GR	To GR
TITLE CHG	MFD	FF I/II DRIVER/OPERATOR			8
GRADE CHG	MAS	PT BILLING CLERK/ADM I		11	12
GRADE CHG	WUD	WATER ACCT CLK (FT) (A-1)		11	12
GRADE CHG	WUD	WATER ACCT CLK (PT) (A-1)		11	12
GRADE CHG	TC	ASST TOWN CLERK (A-III)		13	14
GRADE CHG	WUD	WUD EXEC ASST (A-III)		17	14
GRADE CHG	TC	ADMINISTRATIVE ASSISTANT III, PARA-MPD (FT)		13	14
GRADE CHG	OCD	LAND USE ASST III/OFFICE MGR (FT)		13	14
GRADE CHG	MAS	PARAMEDIC (PT)		13	15
TITLE CHG	WUD	HEAVY EQUIP OP LEAD to COLLECTION SYSTEM TECHNICIAN (3/27/22) approved by Union		16	15
TITLE CHG	WUD	DISTRIBUTION SERVICE METER TECH to WATER SYSTEM TECHNICIAN (3/27/22) approved by Union		15	15
ADD - NEW	MFD	FF LIEUTENANT			16
RETIRE	MFD	FIRE INSPECTOR/PUBLIC EDUCATION			
RETIRE	MFD	FIRE CAPTAIN - TRAINING PREVENTION OFFICER(8.2022)		20E	
RETIRE	WUD	WATER OPERATOR, NON-CERTIFIED			
INACTIVE	WUD	TRUCK DRIVER/EQUIP OP WWTF			

Rev 5.21.24

For position changes in 2021 and before, please see HR

Revised Wage Schedule

TOWN OF MILFORD 2024 EXEMPT WAGE SCALE - 4% INCREASE

GR	MIN	MID	MAX	POSITION(S)
16	\$ 48,839.03	\$ 62,994.79	\$ 77,150.55	No positions assigned
17	\$ 51,305.31	\$ 66,156.69	\$ 81,008.07	TAX COLLECTOR ASSISTANT LIBRARY DIRECTOR (new 2023)
18	\$ 53,836.51	\$ 69,447.49	\$ 85,058.48	No positions assigned (was Town Clerk)
19	\$ 56,562.42	\$ 72,936.92	\$ 89,311.41	IT ASSISTANT; COMMUNITY MEDIA MANAGER
20	\$ 59,385.66	\$ 76,581.32	\$ 93,776.97	BUILDING CODE ENFORCEMENT OFFICIAL; RECREATION DIRECTOR; TOWN PLANNER
21	\$ 62,338.73	\$ 80,402.27	\$ 98,465.81	POLICE CIVILIAN PROSECUTOR
22	\$ 65,454.05	\$ 84,421.58	\$ 103,389.11	ASSESSOR; HR DIRECTOR
23	\$ 68,731.62	\$ 88,645.09	\$ 108,558.56	No positions assigned
24	\$ 72,236.34	\$ 93,111.42	\$ 113,986.50	DEPUTY FIRE CHIEF
25	\$ 75,546.35	\$ 97,616.08	\$ 119,685.82	FINANCE DIRECTOR; IT DIRECTOR; LIBRARY DIRECTOR; POLICE CAPTAIN-ADMIN; POLICE CAPTAIN-SUPPORT TOWN ENGINEER (new 2023)
26	\$ 80,102.33	\$ 102,886.22	\$ 125,670.12	AMBULANCE DIRECTOR; COMMUNITY DEVELOPMENT DIRECTOR;
27	\$ 83,756.50	\$ 107,855.06	\$ 131,953.62	FIRE CHIEF
28	\$ 88,007.61	\$ 113,279.45	\$ 138,551.30	DPW DIRECTOR; POLICE CHIEF; WATER/WASTEWATER DIRECTOR
29	\$ 92,453.43	\$ 118,997.85	\$ 145,542.27	No positions assigned
30	\$ 96,114.95	\$ 124,433.88	\$ 152,752.81	TOWN ADMINISTRATOR

Positions – new/retired/grade change:

- 2023 Head of Circulation (Gr16) promoted to **Assistant Library Director** (Gr17)
- 2023 Town Clerk removed from schedule at TC's request - was grade 18
- 2022 MFD – REPLACE – Captain Training Prevention with **Deputy Fire Chief (new 2022)**
- 2022 MFD - ADD - **Lieutenant (new 2022)**
- 2022 DPW/OCD – REPLACE – Highway Mgr with **Town Engineer (new 2022)**
- 2021 IT – ADD – **IT Technician - new position (8.2.21)**
- 2021 WUD - Director, WUD - Grade change per Commissioners from 26 to 28
- 2018 GTM - Community Media Director changed to **Community Media Mgr**
- 2016 OCD - Town Planner/GIS Coordinator inactive
- 2016 LIB - Assistant Library Director inactive

Employee Benefit Survey

Employee Benefit Survey 2024

1. What is your role in the organization? .

<input type="radio"/> Management <input type="radio"/> Mid-management <input type="radio"/> Staff	<input type="radio"/> Intern <input type="radio"/> Volunteer
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2. Are you

<input type="radio"/> Full-time <input type="radio"/> Part-time <input type="radio"/> Per Diem	<input type="radio"/> Call <input type="radio"/> Volunteer
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3. Please identify the Department you are primarily associated with

<input type="radio"/> Administration <input type="radio"/> Ambulance <input type="radio"/> Assessing <input type="radio"/> Community Development <input type="radio"/> DPW <input type="radio"/> Finance-Tax <input type="radio"/> Fire Dept <input type="radio"/> Granite Town Media	<input type="radio"/> HR <input type="radio"/> IT <input type="radio"/> Library <input type="radio"/> Police Dept <input type="radio"/> Recreation <input type="radio"/> Town Clerk <input type="radio"/> Water Utilities <input type="radio"/> Welfare
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4. When you think about your satisfaction with benefits, please rate the following:

Type of Benefit	Not Important at all	Not so important	Somewhat important	Very Important
Adult Day Care				
Career Pathing / Mobility				
Childcare Benefits / Daycare				
Dental Insurance				
Donating sick time - ability to				
Education Incentive (receive stipend for earned degree Associates, Bachelors, Masters)				
Employee Recognition				
Financial Wellbeing (child care planning, adult planning, retirement planning)				
Health Insurance				
Insurance Buy back				
Legal Benefits (Tax/Will Preparation)				

Please print double sided

Employee Survey

Type of Benefit	Not Important at all	Not so important	Somewhat important	Very Important
Longevity				
Sick Bank (Increase bank maximum rollover by 40 hours)				
Tuition Reimbursement (assist in attaining a degree)				
Vacation (Increase vacation rollover maximum by 40 hours)				
Vision Insurance				

5. Please identify your first, second and third choice of the benefits you would like to see the Town invest more in.

Type of Benefit	Select 1 st , 2 nd and 3 rd
Adult Day Care	
Career Pathing / Mobility	
Childcare Benefits / Daycare	
Dental Insurance	
Donating sick time - ability to	
Education Incentive (receive stipend for earned degree Associates, Bachelors, Masters)	
Employee Recognition	
Financial Wellbeing (child care planning, adult planning, retirement planning)	
Health Insurance	
Insurance Buy back	
Legal Benefits (Tax/Will Preparation)	
Longevity	
Sick Bank (Increase bank maximum rollover by 40 hours)	
Tuition Reimbursement (assist in attaining a degree)	
Vacation (Increase vacation rollover maximum by 40 hours)	
Vision Insurance	
Other, please specify	

6. If you could add just one additional benefit to our current package, what would it be and why?

Thank you! Please return this form to HR and/or your Department Head

Please print double sided

DISCUSSIONS

MEMORANDUM

To: Town of Milford, New Hampshire (the “Town”)
From: Renelle L. L’Huillier, Devine, Millimet & Branch, P.A. (“Bond Counsel”)
Re: Post-Issuance Tax Compliance Policies and Procedures
Date: May 21, 2024

At the closing of a tax-exempt bond or note issuance, the Town’s governing board signs a No Arbitrage and Tax Certificate. This document provides Bond Counsel with the information necessary to make a determination that the bond or note is tax exempt at the time of issuance. However, there are a number of things that can occur “post-issuance” that could adversely affect the tax-exempt status of the bonds or notes, such as (i) the direct or indirect use of the proceeds by a non-governmental person that might cause the bonds or notes to be taxable private activity bonds; or (ii) the Town’s potential liability for rebate payments to the federal government due to the failure to expend funds quickly enough to qualify for one of the spending exceptions to the rebate rules.

Over the past few years, the Internal Revenue Service (the “IRS”) has focused on the post-issuance tax compliance of municipal bond issuers. During that time, we have seen an increased number of IRS examinations of bonds and tax notes to determine compliance with the requirements of the Internal Revenue Code of 1986, as amended (the “Code”). One of the questions posed by the IRS in such examinations is whether the issuer has adopted written procedures to ensure compliance with the Code provisions applicable to tax-exempt bonds and notes.

In addition, the IRS includes guidance on its website that makes it evident that written procedures are an important part of an issuer’s tax-exempt bond program. Moreover, in the fall of 2011, the IRS updated its Form 8038-G to add questions about whether the issuer has established written procedures to address private activity concerns and to monitor the requirements of section 148 related to arbitrage rebate. The IRS also now requests more detail about an issuer’s reimbursement for pre-issuance expenditures on this form.

In order to address this increased level of review by the IRS, we have prepared a form of Post-Issuance Tax Compliance Policies and Procedures. This form of policy names a “Coordinator” who has the responsibility to monitor compliance with the policy. It follows the requirements of the Code and closely tracks the information included in the No Arbitrage and Tax Certificate that is signed at the closing of a bond or tax note financing.

We have also included a form of resolution that the governing board may pass in order to adopt this formal policy.

As the Town may be planning to finance a project with tax exempt bonds, may need to issue tax anticipation notes or may be considering a lease-purchase arrangement in the near future, we recommend implementing these policies as soon as possible. As a result, the Town would be able to answer “yes” to the questions on the Form 8038-G, thereby showing the IRS that it is

RESOLUTION OF
THE SELECT BOARD
OF THE TOWN OF MILFORD, NEW HAMPSHIRE

_____, 20__

WHEREAS, the Town of Milford, New Hampshire (the "Town") from time to time, on a tax-exempt basis, issues (i) bonds and bond anticipation notes to finance capital projects, (ii) tax anticipation notes to pay the Town's maintenance and operation expenses and (iii) municipal leases to finance the lease-purchase of certain equipment, all pursuant to the provisions of New Hampshire RSA Chapter 33, as amended;

WHEREAS, the federal income tax laws included in the Internal Revenue Code of 1986, as amended (the "Code), require that issuers of tax-exempt debt comply with certain post-issuance requirements set forth in the Code;

WHEREAS, for purposes of maximizing the likelihood that the Town complies with such requirements of the Code, the Select Board of the Town (the "Board") desires to adopt the Post-Issuance Tax Compliance Policies and Procedures, attached hereto as Exhibit A;

NOW THEREFORE, BE IT RESOLVED by the Board as follows:

VOTED: That the Post-Issuance Tax Compliance Policies and Procedures, attached hereto as Exhibit A are hereby approved.

VOTED: That the Board hereby names the _____ as the "Coordinator" under the Post-Issuance Tax Compliance Policies and Procedures and that the _____ has accepted such nomination.

VOTED: That this resolution shall take effect from and after its adoption.

EXHIBIT A

POST-ISSUANCE TAX COMPLIANCE POLICIES AND PROCEDURES

TOWN OF MILFORD, NEW HAMPSHIRE

POST-ISSUANCE TAX COMPLIANCE POLICY AND PROCEDURES FOR TAX-EXEMPT OBLIGATIONS

The purpose of this Post-Issuance Tax Compliance Policy and Procedures is to establish policies and procedures in connection with tax-exempt bonds and notes (the "Bond" or "Bonds") issued by the Town of Milford, New Hampshire (the "Issuer") so as to maximize the likelihood that all applicable post-issuance requirements of federal income tax law needed to preserve the tax-exempt status of the Bonds are met.

1. Compliance Coordinator:

- a) The _____ ("Coordinator") shall be responsible for monitoring post-issuance compliance.
- b) The Coordinator will maintain a copy of the transcript of proceedings in connection with the issuance of any tax-exempt obligations. The Coordinator will obtain such records as are necessary to meet the requirements of this policy.
- c) The Coordinator shall consult with bond counsel, a rebate consultant, financial advisor, Internal Revenue Service ("IRS") publications and such other resources as are necessary to understand and meet the requirements of this policy.
- d) Training and education of the Coordinator and his/her staff will be sought and implemented upon the occurrence of new developments and upon the hiring of new personnel to implement this policy.

2. Record-Keeping.

a) Financing Transcripts. The Coordinator shall confirm the proper filing with the IRS of an 8038 Series return, and maintain a transcript of proceedings for all tax-exempt obligations issued by the Issuer, including but not limited to all tax-exempt bonds, notes and lease-purchase contracts. Each transcript shall be maintained for as long as the Bonds are outstanding, plus three (3) years after the final redemption date of the Bonds. Said transcript may be maintained in electronic format and shall include, at a minimum:

- 1) Form 8038s;
- 2) minutes, resolutions, and certificates;
- 3) certifications of issue price from the underwriter, if applicable;
- 4) formal elections required by the IRS;

- 5) trustee statements, if applicable;
- 6) records of refunded bonds, if applicable;
- 7) correspondence relating to bond financings;
- 8) reports of any IRS examinations for bond financings;
- 9) documents related to governmental grants associated with construction, renovation or purchase of bond financed facilities, if applicable; and
- 10) publications, brochures, and newspaper articles, where applicable.

b) Modification to Financing Documents. The Coordinator shall determine if there is any “significant modification” to bond documents resulting in reissuance under Treasury Regulations §1.1001-3, in consultation with bond counsel and any other legal counsel and financial advisor. The Coordinator shall retain proof of filing new Form 8038 and relevant documentation plus final rebate calculation on pre-modification bonds.

3. Proper Use of Proceeds. The Coordinator shall review the resolution authorizing issuance for each tax-exempt obligation issued by the Issuer and shall:

- a) obtain a computation of the yield on such issue from the Issuer’s financial advisor;
- b) create a separate Project Fund (with as many sub-funds as shall be necessary to allocate proceeds among the projects being funded by the issue) and a separate Cost of Issuance Fund as necessary to allocate proceeds to Bond issuance costs into which the proceeds of the issue shall be deposited, as applicable;
- c) review all requisitions, draw schedules, draw requests, invoices and bills requesting payment from the Project Fund;
- d) determine whether payment from the Project Fund is appropriate, and if so, make payment from the Project Fund (and appropriate sub-fund if applicable);
- e) maintain records of the payment requests and corresponding records showing payment;
- f) maintain records showing the earnings on, and investment of, the Project Fund;
- g) ensure that all investments acquired with proceeds are purchased at fair market value;
- h) identify bond proceeds or applicable debt service allocations that must be invested with a yield-restriction and monitor the investments of any yield-

restricted funds to ensure that the yield on such investments does not exceed the yield to which such investments are restricted;

- i) maintain records related to any investment contracts, credit enhancement transactions, and the bidding of financial products related to the proceeds; and
- j) monitor and maintain records of the reimbursement of costs previously expended by the Issuer to ensure that such reimbursement occurs not more than 18 months after the later of (i) the dates of the expenditures or (ii) the date the project/asset was placed in service (but not more than 3 years after the original expenditures were paid) except with respect to those expenditures for which the Issuer obtained a certificate of licensed engineer/architect to the effect that (I) at least five (5) years was necessary to complete the construction of the part of the project for which such expenditures were required; and (II) such expenditures shall be reimbursed not more than five (5) years after the date that the original expenditures were paid.

4. Arbitrage/Rebate Compliance and Timely Expenditure of Proceeds. The Coordinator shall review the No Arbitrage and Tax Certificate (or equivalent) (the "Certificate") for each tax-exempt obligation issued by the Issuer and the expenditure records provided in Section 2 of this policy, above, and shall ensure that the Issuer takes the following actions:

- a) monitor and ensure that proceeds of each such issue are spent within the temporary period set forth in the Certificate;
- b) if at the time of issuance, it appears that that the Bonds will qualify for the small issuer exception to the rebate requirement, the Coordinator will monitor the amount of subsequent tax-exempt obligations issued or proposed to be issued in the calendar year in which the Bonds closed to ensure that the Issuer does not exceed the \$5 million or \$15 million threshold, as applicable, in such calendar year;
- c) if at the time of issuance, based on reasonable expectations set forth in the Certificate, it appears likely that the issue will qualify for an exemption from the rebate requirement, the Issuer may defer taking any of the actions set forth in subsection (d) below. Not later than the time of completion of construction or acquisition of the project, and depletion of all funds from the Project Fund, the Issuer shall make a determination if the expenditure of the Bond proceeds qualified for an exemption from the rebate requirements based on spending within a 6 month, 18 month or 2 year period after issuance. If a rebate exemption is determined to be applicable, the Issuer shall prepare and keep in the permanent records of the issue a memorandum evidencing this conclusion together with records of expenditure to support such conclusion. If the transaction does not qualify

for rebate exemption, the Issuer shall initiate the steps set forth in (d) below;

- d) if at the time of issuance it appears likely that arbitrage rebate calculations will be required, or upon determination that calculations are required pursuant to (c) above, the Issuer shall:
- i. engage the services of expert advisors (each a “Rebate Service Provider”) to assist in the calculation of arbitrage rebate payable in respect of the investment of Bond proceeds, or else shall ensure that it has adequate financial, accounting and legal resources of its own to make such calculations, and, prior to each rebate calculation date, cause the trustee or other financial institution investing bond proceeds to deliver periodic statements concerning the investment of Bond proceeds to the Rebate Service Provider;
 - ii. provide to the Rebate Service Provider additional documents and information reasonably requested by the Rebate Service Provider;
 - iii. monitor efforts of the Rebate Service Provider;
 - iv. assure payment of required rebate amounts, if any, no later than 60 days after each 5-year anniversary of the issue date of the Bonds, and no later than 60 days after the last Bond of each issue is redeemed;
 - v. during the construction period of each capital project financed in whole or in part by Bonds, monitor the investment and expenditure of Bond proceeds and consult with the Rebate Service Provider to determine compliance with any applicable exceptions from the arbitrage rebate requirements during each 6-month spending period up to 6 months, 18 months or 2 years, as applicable, following the issue date of the Bonds;
 - vi. retain copies of all arbitrage reports, trustee statements and other documents as required herein; and
 - vii. in lieu of engaging an outside Rebate Service Provider, the Issuer may make a determination that it has sufficient capabilities using its own personnel, supported by its regular accounting and legal advisers, to be able to make the required rebate calculations. Such determination shall be evidenced in writing with specific reference to the personnel and advisers to carry out the calculations, and such written determination shall be maintained in the records of the bond transaction.

5. Proper Use of Bond Financed Assets.

- a) The Coordinator shall maintain appropriate records and a list of all bond financed assets. Such records shall include the actual amount of proceeds (including investment earnings) spent on each of the bond financed assets.
- b) With respect to each bond financed asset, the Coordinator will monitor and confer with bond counsel with respect to all proposed:
 - i. management contracts,
 - ii. service agreements,
 - iii. research contracts,
 - iv. naming rights contracts,
 - v. leases or sub-leases,
 - vi. joint venture, limited liability or partnership arrangements,
 - vii. sale of property, or
 - viii. any other change in use of such asset.
- c) Section 141 of the Code sets forth private activity tests for the purpose of limiting the volume of tax-exempt bonds that finance activities of persons other than state and local governmental entities. These tests serve to identify arrangements that actually or reasonably expect to transfer the benefits of tax-exempt financing to non-governmental persons, including the federal government. The Coordinator shall provide to the users of any bond financed property a copy of this Compliance Policy and other appropriate written guidance advising that:
 - i. “Private business use” means use by any person other than the Issuer, including business corporations, partnerships, limited liability companies, associations, non-profit corporations, natural persons engaged in trade or business activity, and the United States of America and any federal agency, as a result of ownership of the property or use of the property under a lease, management or service contract (except for certain “qualified” management or service contracts), “naming rights” contract, “public-private partnership” arrangement, or any similar use arrangement that provides special legal entitlements for the use of the bond financed property;
 - ii. No more than 10% of the proceeds of any tax-exempt bond issue (including the property financed with the Bonds) may be used for private business use, of which no more than 5% of the proceeds of the tax-exempt bond issue (including the property financed with the bonds) may be used for any “unrelated” private business use – that is, generally, a private business use that is not functionally related to the government’s purposes of the Bonds; and no more than the lesser of \$5,000,000 or 5% of the proceeds of a tax-exempt bond issue may be used to make or finance a loan to any person

other than a state or local government unit;

iii. Before entering into any special use arrangement with a non-governmental person that involves the use of bond financed property, the Coordinator will consult with bond counsel, provide bond counsel with a description of the proposed non-governmental use arrangement, and determine whether that use arrangement, if put into effect, will be consistent with the restrictions on private business use of the bond financed property; and

iv. In connection with the evaluation of any proposed non-governmental use arrangement, the Issuer will consult with bond counsel to obtain federal tax advice in whether that use arrangement, if put into effect, will be consistent with the restrictions on private business use of the bond financed property, and, if not, whether any “remedial action” permitted under §141 of the Code may be taken as means of enabling that use arrangement to be put into effect without adversely affecting the tax-exempt status of the Bonds.

d) The Coordinator shall maintain a copy of any such proposed agreement, contract, lease or arrangement, together with the response by bond counsel with respect to said proposal for at least three (3) years after retirement of all tax-exempt obligations issued to fund all or any portion of bond financed assets;

e) The Coordinator shall consult with bond counsel and other legal counsel and advisers in the review of any change in use of bond-financed or refinanced assets to ensure compliance with all covenants and restrictions set forth in the Certificate;

f) The Coordinator shall confer at least annually with other personnel responsible for bond-financed or refinanced assets to identify and discuss any existing or planned use of bond-financed or refinanced assets, to ensure that those uses are consistent with all covenants and restrictions set forth in the Certificate; and

g) To the extent that the Coordinator discovers that any applicable tax restrictions regarding use of bond proceeds and bond-financed or refinanced assets will or may be violated, the Coordinator shall consult promptly with bond counsel and other legal counsel and advisers to determine a course of action to remediate all nonqualified bonds, if such counsel advises that a remedial action is necessary.

6. Bank Qualification. If the Bonds are issued in a par amount of \$10 million or less and designated by the Issuer as “bank qualified” under Section 265(b)(3) of the Code, the Coordinator will monitor the amount of subsequent tax-exempt

obligations issued or proposed to be issued in the calendar year in which the Bonds closed to ensure that the Issuer does not exceed the \$10 million threshold in such calendar year.

7. General Project Records. For each project financed with tax-exempt obligations, the Coordinator shall maintain a copy of all material documents relating to capital expenditures financed or re-financed by tax-exempt proceeds, until three (3) years after retirement of the tax-exempt obligations or obligations issued to refund those obligations including (without limitation), the following:

- a) appraisals, demand surveys or feasibility studies,
- b) applications, approvals and other documentation of grants,
- c) depreciation schedules,
- d) contracts respecting the project, including construction contracts,
- e) purchase orders,
- f) invoices,
- g) trustee requisitions and payment records,
- h) documents relating to costs reimbursed with Bond proceeds, and
- i) records identifying the assets or portion of assets that are financed or refinanced with Bond proceeds, including a final allocation of proceeds.

8. Advance Refundings. The Coordinator, shall be responsible for the following current, post issuance and record retention procedures with respect to advance refunding bonds:

- a) Identify and select bonds to be advance refunded with advice from internal financial personnel, and a financial advisor;
- b) The Coordinator shall identify, with advice from the financial advisor and bond counsel, any possible federal tax compliance issues prior to structuring any advance refunding;
- c) The Coordinator shall review the structure with the input of the financial advisor and bond counsel, of advance refunding issues prior to the issuance to ensure (i) that the proposed refunding is permitted pursuant to applicable federal tax requirements if there has been a prior refunding of the original bond issue; (ii) that the proposed issuance complies with federal income tax requirements which might impose restrictions on the redemption date of the refunded bonds; (iii) that the proposed issuance complies with federal income tax requirements which allow for the proceeds and replacement proceeds of an issue to be invested temporarily in higher yielding investments without causing the advance refunding bonds to become "arbitrage bonds"; (iv) that the proposed issuance will not result in the issuer's exploitation of the difference between tax exempt and taxable interest rates to obtain an financial advantage nor overburden the tax exempt market in a way that might be considered an abusive

transaction for federal tax purposes; and (v) that the proposed refunding complies with applicable State law.

- d) The Coordinator shall collect and review data related to arbitrage yield restriction and rebate requirements for advance refunding bonds. To ensure such compliance, the Coordinator shall engage a rebate consultant to prepare a verification report in connection with the advance refunding issuance. Said report shall ensure said requirements are satisfied.
- e) The Coordinator shall, whenever possible, purchase SLGS to size each advance refunding escrow. The financial advisor and/or bond counsel shall be included in the process of subscribing SLGS. To the extent SLGS are not available for purchase, the Coordinator shall, in consultation with bond counsel and the financial advisor, comply with IRS regulations.
- f) To the extent the Issuer elects to purchase a guaranteed investment contract, the Coordinator shall ensure, after input from bond counsel, compliance with any bidding requirements set forth by the IRS regulations.
- g) In determining the issue price for any advance refunding issuance, the Coordinator shall obtain and retain issue price certification by the purchasing underwriter at closing.
- h) After the issuance of an advance refunding issue, the Coordinator shall ensure timely identification of violations of any federal tax requirements and engage bond counsel in attempt to remediate same in accordance with IRS regulations.

9. Continuing Disclosure. The Coordinator shall assure compliance with each continuing disclosure certificate and annually, per continuing disclosure agreements, file audited annual financial statements and other information required by each continuing disclosure agreement. The Coordinator will monitor material events as described in each continuing disclosure agreement and assure compliance with material event disclosure. Events to be reported shall be reported promptly, but in no event not later than ten (10) Business Days after the day of the occurrence of the event. Currently, such notice shall be given in the event of:

- a) Principal and interest payment delinquencies;
- b) Non-payment related defaults, if material;
- c) Unscheduled draws on debt service reserves reflecting financial difficulties;

- d) Unscheduled draws on credit enhancements relating to the bonds reflecting financial difficulties;
- e) Substitution of credit or liquidity providers, or their failure to perform;
- f) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax-exempt status of the bonds, or material events affecting the tax-exempt status of the bonds;
- g) Modifications to rights of Holders of the Bonds, if material;
- h) Bond calls (excluding sinking fund mandatory redemptions), if material, and tender offers;
- i) Defeasances of the bonds;
- j) Release, substitution, or sale of property securing repayment of the bonds, if material;
- k) Rating changes on the bonds;
- l) Bankruptcy, insolvency, receivership or similar event of the Issuer;
- m) The consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- n) Appointment of a successor or additional trustee or the change of name of a trustee, if material;

- o) Incurrence of a financial obligation of the Obligated Person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the Obligated Person, any of which affect security holders, if material*; and
- p) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the Obligated Person, any of which reflect financial difficulties*.

10. Compliance with Continuing Disclosure Filings Under S.E.C. Rule 15c2-12. Under S.E.C. Rule 15c2-12, the Issuer may be required to periodically provide financial documentation, reports, notice and updates of documents to EMMA, the Electronic Municipal Market Access website managed by the Municipal Securities Rulemaking Board. Compliance is required in accordance with the Issuer's Material Events Disclosure Certificate and/or Continuing Disclosure Certificate executed in connection with a bond or note issue.

11. Due Diligence and Remedial Actions. In all activities related to the Issuer's Bonds, the Coordinator and his/her staff will exercise due diligence to comply with the Code provisions governing tax-exempt obligations. The Issuer is aware of (a) the Voluntary Closing Agreement Program (known as "VCAP") operated by the IRS which allows issuers to voluntarily enter into a closing agreement in the event of certain non-compliance with Federal tax requirements and (b) the remedial actions available under Section 1.141-12 of the Income Tax Regulations for private use of bond financed property which was not expected at the time the Bonds were issued.

* For purposes of events (o) and (p), "financial obligation" shall mean (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of (a) or (b); provided, however, that a "financial obligation" shall not include any municipal security for which a final official statement has been provided to the MSRB consistent with the Continuing Disclosure S.E.C. Rule 15c2-12. "Obligated Person" shall mean the Issuer or any person committed by contract or other arrangement to support payment of all, or part, of the obligations on municipal securities. This definition does not include providers of municipal bond insurance, letters of credit or other liquidity facilities.

12. Periodic Review. The Issuer will monitor compliance with the guidelines contained in this policy as well as any other covenants not specifically included herein and will review and update these guidelines at least annually and whenever necessary due to change in law or circumstances.

TOWN OF MILFORD

TOWN ADMINISTRATION



Date: May 24, 2024
To: Milford Select Board
From: Lincoln Daley, Town Administrator
RE: Select Board Policies

The follow agenda item represents the Select Board's continued process of reviewing and updating/amending past Board policies.

1) Policy No. 2006-03 Deductions From Salaries For Employee Exempt From Overtime Pay Requirements (Safe Harbor Policy)

On August 14, 2006, the Board of Selectmen adopted the Policy 2006-03 regarding Deductions From Salaries For Employees Exempt From Overtime Pay Requirements (Safe Harbor Policy). Upon review by Town Administration and Human Resources, no changes to current policy are being recommended at this time. The most current version of Fact Sheet 17G will be attached to the Policy. Please see attached Policy and Fact Sheet 17G.

2) Policy No. 2000-06 Cashing Out Of Sick Leave Due To Worker's Compensation Injury

On April 20, 2000, the Select Board adopted the Policy 2000-06 regarding Cashing Out Of Sick Leave Due To Worker's Compensation Injury. As further detailed in the attached summary and attached supporting documentation from Karen Blow, Human Resource Director, she is recommending a number of changes for Board consideration and input to said policy. Please see attached Policy.

3) Policy 2004-04, Policy and Procedure on Town Officials and Town Employee Ethics

On December 26, 2006, the Select Board voted to adopt the Policy regarding Town Officials and Town Employee Ethics. This Policy was subsequently amended by the Board on June 25, 2012, May 23, 2011, November 2009, July 14, 2008, June 23, 2008, May 27, 2008 & August 27, 2007. Given the complexity of the policy, it is recommended that the Select Board schedule a work session with the Ethics Committee to discuss/review the policy and recommend amendments as needed. Please see attached Policy.

4) Policy 2006-01, Email

On May 22, 2006, the Select Board voted to adopt the Policy regarding email correspondence. As part of the current policy review, members expressed a desire to revisit the section involving record keeping and storage of emails and to possibly expand to reflect current times. It is recommended that the Select Board schedule a work session to discuss/review the policy and recommend amendments as needed. Please see attached Policy.

TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2006-03

TO : ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

FROM: GUY SCAIFE, TOWN ADMINISTRATOR

SUBJ : POLICY ON DEDUCTIONS FROM SALARIES FOR EMPLOYEES
EXEMPT FROM OVERTIME PAY REQUIREMENTS (SAFE HARBOR POLICY)

DATE: OCTOBER 9, 2006

At a meeting of the Milford Board of Selectmen held on Monday, August 14, 2006, the Board of Selectmen voted to adopt the following Policy regarding Deductions From Salaries For Employees Exempt From Overtime Pay Requirements (Safe Harbor Policy):

Introduction:

The US Department of Labor regulations regarding payment of overtime require – as a preliminary threshold for exemption from overtime pay requirements – that an employee be paid on a salary basis.

The Regulations review the types of deductions which may be made from an employee's salary during any pay period and their effect on the employee's status as exempt or non-exempt from overtime pay requirements

The Department of Labor has provided some examples of permissible deductions in Fact Sheet 17G – a copy of which is attached to this Policy and made a part hereof. As with any sampling, caution must be exercised by noting that the specific requirements in any given case will be governed by application of the laws and rules in question. Here is how the US Department of Labor describes exemptions from salary:

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; for penalties imposed in good faith for infractions of safety rules of major significance; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. Also, an employer is not required to pay the full salary in the initial or terminal week of employment, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act.

Policy:

The Town of Milford is committed to avoiding improper deductions and will act promptly to remedy any situation in which such a deduction may have been made by reimbursing the employee for any such improper deduction not later than the first pay day upon which the reimbursement reasonably may be made following a timely final determination that the deduction was improper.

Any employee who believes that a deduction from salary is improper should discuss the matter with his/her supervisor who will promptly (normally within twenty-four (24) hours) make an initial determination as to whether the deduction is proper, including a written explanation if it is found that the deduction was proper. The employee should ordinarily initiate this inquiry within forty-eight (48) hours after being paid or being notified of the deduction unless special circumstances justify later action. If the employee is not satisfied with the decision of the Supervisor, the employee may file a written appeal within forty-eight (48) hours to the Board of Selectmen which states the basis for disagreeing with the decision. The appeal shall be considered within seventy-two (72) hours with a final decision issued within ninety-six (96) hours whenever possible. Any final decision of the Board of Selectmen may be appealed in accordance with State or Federal requirements as applicable.

If any deduction was found to have been made improperly, the Town of Milford shall make a sincere and good faith effort to avoid any such improper deductions in the future for the employee and any similarly situated employees.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

Fact Sheet #17G: Salary Basis Requirement and the Part 541 Exemptions Under the Fair Labor Standards Act (FLSA)

Revised September 2019

NOTICE: On April 23, 2024, the U.S. Department of Labor (Department) announced a final rule, *Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales, and Computer Employees*, which will take effect on July 1, 2024. The final rule updates and revises the regulations issued under section 13(a)(1) of the Fair Labor Standards Act implementing the exemption from minimum wage and overtime pay requirements for executive, administrative, and professional (EAP) employees. Revisions include increases to the standard salary level and the highly compensated employee total annual compensation threshold, and a mechanism that provides for the timely and efficient updating of these earnings thresholds to reflect current earnings data.

This fact sheet provides information on the salary basis requirement for the exemption from minimum wage and overtime pay provided by Section 13(a)(1) of the FLSA as defined by Regulations, 29 C.F.R. Part 541.

The FLSA requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at not less than time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees. These exemptions are often called the “white-collar” or “EAP” exemptions. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$684* per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee’s specific job duties and salary must meet all the requirements of the Department’s regulations.

See other fact sheets in this series for more information on the exemptions for executive, administrative, professional, computer and outside sales employees.

Salary Basis Requirement

To qualify for exemption, employees generally must be paid at not less than \$684* per week on a salary basis. These salary requirements do not apply to outside sales employees, teachers, and employees practicing law or medicine. Exempt computer employees may be paid at least \$684* on a salary basis or on an hourly basis at a rate not less than \$27.63 an hour.

Being paid on a “salary basis” means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee’s work. Subject to exceptions listed below, an exempt employee must receive the full salary for any week in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any

workweek in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a "salary basis." If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

Employers may use nondiscretionary bonuses and incentive payments (including commissions) paid on an annual or more frequent basis, to satisfy up to 10 percent of the standard salary level. Additionally, if after the 52-week period, the employer has not met its financial obligation, the employer can make a final "catch-up" payment within one pay period after the end of the 52-week period to bring an employee's compensation up to the required level. Any such catch-up payment will count only toward the prior year's salary amount and not toward the salary amount in the year in which it is paid.

Circumstances in Which the Employer May Make Deductions from Pay

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; for penalties imposed in good faith for infractions of safety rules of major significance; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. Also, an employer is not required to pay the full salary in the initial or terminal week of employment, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act.

Effect of Improper Deductions from Salary

The employer will lose the exemption if it has an "actual practice" of making improper deductions from salary. Factors to consider when determining whether an employer has an actual practice of making improper deductions include, but are not limited to: the number of improper deductions, particularly as compared to the number of employee infractions warranting deductions; the time period during which the employer made improper deductions; the number and geographic location of both the employees whose salary was improperly reduced and the managers responsible; and whether the employer has a clearly communicated policy permitting or prohibiting improper deductions. If an "actual practice" is found, the exemption is lost during the time period of the deductions for employees in the same job classification working for the same managers responsible for the improper deductions.

Isolated or inadvertent improper deductions will not result in loss of the exemption if the employer reimburses the employee for the improper deductions.

Safe Harbor

If an employer (1) has a clearly communicated policy prohibiting improper deductions and including a complaint mechanism, (2) reimburses employees for any improper deductions, and (3) makes a good faith commitment to comply in the future, the employer will not lose the exemption for any employees unless the employer willfully violates the policy by continuing the improper deductions after receiving employee complaints.

Fee Basis

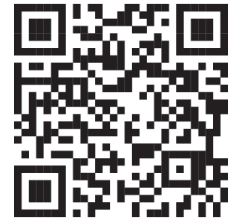
Administrative, professional and computer employees may be paid on a "fee basis" rather than on a salary basis. If the employee is paid an agreed sum for a single job, regardless of the time required for its completion, the employee will be considered to be paid on a "fee basis." A fee payment is generally paid for a unique job, rather than for a series of jobs repeated a number of times and for which identical payments repeatedly are made. To determine whether the fee payment meets the minimum salary level requirement, the test is to consider the time worked on the job and determine whether the payment is at a rate that would amount to at least \$684* per week if the employee worked 40 hours. For example, an artist paid \$350 for a picture that took 20 hours to complete meets the minimum salary requirement since the rate would yield \$700 if 40 hours were worked.

Where to Obtain Additional Information

For additional information, visit our Wage and Hour Division Website:

<http://www.dol.gov/agencies/whd> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.



The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2000-06

TO : ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

FROM: LEE F. MAYHEW, TOWN ADMINISTRATOR

SUBJ : CASHING OUT OF SICK LEAVE DUE TO WORKER'S COMPENSATION INJURY – POLICY NO. 2000-06

DATE: APRIL 26, 2000

At their meeting on Monday, 24 April 2000, the Milford Board of Selectmen adopted the following Policy concerning the annual cashing out of sick leave balance due to worker's compensation injury as follows:

POLICY:

If, in the course of employment, an employee is injured and, as a result of this injury, has to be absent from work and out on Worker's Compensation, the Town will charge that employee's sick leave hours in order to make that employee "whole" during the course of this absence so that there is no loss of income to the employee. Any sick leave hours charged as a result of this worker's compensation absence will reduce the number of sick leave hours remaining to the employee for the remainder of the year, however, this absence will be considered as "non-chargeable" sick leave hours towards the sick leave incentive cash out at the end of the year. If and when the employee is compensated for the absence by Compensation Funds of New Hampshire as a result of the injury, that income shall be conveyed to the Town of Milford and applied towards the reinstatement of the charged sick leave hours, thereby increasing the number of sick leave hours available to that employee for the remainder of the year.

EFFECTIVE DATE: Retroactive to 1 January 1999 for Non-Union Personnel

**UPDATE #1 TO
TOWN OF MILFORD
EMPLOYEE HANDBOOK OF PERSONNEL RULES
REVISED 1997**

TO : All Full-Time, Regular Employees Not Covered Under A Collective Bargaining Agreement

FROM : Lee F. Mayhew, Town Administrator

DATE : April 13, 1998

SUBJ : Worker's Compensation Salary Continuation

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In the past, when a full-time, regular, non-union employee was injured in the performance of his/her duties and said employee was subsequently compensated by our Worker's Compensation Insurance carrier, the Town of Milford did **not** continue to "make whole" that employee. That is, the Town did **not** cover the forty (40%) percent difference between that employee's regular weekly rate and the sixty (60%) percent paid by Worker's Compensation Insurance. Realizing that this decrease in an employee's weekly salary could pose an undue hardship on that employee, the Milford Board of Selectmen, at their meeting on 23 March 1998, voted unanimously to approve the following changes to the Town of Milford Employee Handbook of Personnel Rules. As such, please place this update as the last page (27-A & 27-B) of Chapter 4 entitled "Time Off Benefits."

For employees covered under Sick Leave Option I, the following shall apply:

Delete Paragraph D. on Page 24 in its entirety and replace with the following:

D. In the event that an employee uses sick leave in excess of eight (8) days, and is enrolled in the Town of Milford Short-Term Disability Program, that employee shall be "made whole" by the Town based on the employee's available leave balance(s). That is, the Town shall pay the difference, based on the foregoing, between that employee's weekly rate of pay (less legal payroll deductions) and the amount received by said employee pursuant to the Short-Term Disability Program. In such cases, the employee's leave balance(s) will be charged in proportion to the amount paid by the Town. Since disability income is subject to income tax, regular weekly pre-tax gross wages will be used as the basis of the calculation; overtime, bonuses, and other supplemental payments will not be included. An employee on short-term disability leave will not receive a wage rate increase as approved at the Annual Town Meeting until said employee returns to full-time regular employment, said increase to be retroactive to January 1st - subject to performance review. Note: The above provisions apply only to non-work related disabilities. Work-related injuries or illnesses are covered by the Town's Worker's Compensation Insurance Policy and D.1 below.

D.1. In the event that an employee has been injured while in the performance of his/her duties, and that employee's Workers' Compensation Claim is accepted, then that employee shall be "made whole" by the Town - for a period not to exceed six (6) months from the date the injury occurred (excluding any waiting period required by Workers' Compensation law) - based on the employee's available leave balance(s) against which to charge these payments. This is accomplished by the employee utilizing his/her accumulated sick, personal, holiday and vacation time. That is, the Town shall cover the difference between the employee's weekly rate of pay and the amount received by said employee pursuant to the Workers' Compensation Program (less legal payroll deductions, and less the amount of Federal Income Tax, FICA and Medicare the employee would have had withheld from his/her regular weekly pay). Regular weekly pre-tax gross wages will be used as the basis for the calculation - overtime, bonuses and other supplemental payments will not be included. An employee on worker's compensation disability leave will not receive a wage rate increase as approved at the Annual Town Meeting until said employee returns to full-time, regular employment at which time said increase shall be retroactive to January 1st - subject to performance review.

For employees covered under Sick Leave Option II, the following shall apply:

Delete Paragraph D. on Page 26 in its entirety and replace with the following:

D. In the event that an employee uses sick leave in excess of eight (8) days, and is enrolled in the Town of Milford Short-Term Disability Program, that employee shall be "made whole" by the Town after the employee has exhausted all sick, personal, holiday and vacation time against which to charge payments, exempting, at any given time, a current balance of not more than forty (40) hours of annual leave (prorated for non-standard work week). That is, the Town shall pay the difference between that employee's weekly rate of pay (less legal payroll deductions) and the amount received by said employee pursuant to the Short-Term Disability Program when the employee has no available leave balance to make himself/herself "whole." Since disability income is subject to income tax, regular weekly pre-tax gross wages will be used as the basis of the calculation; overtime, bonuses, and other supplemental payments will not be included. An employee on short-term disability leave will not receive a wage rate increase as approved at the Annual Town Meeting until said employee returns to full-time regular employment, said increase to be retroactive to January 1st - subject to performance review. Note: The above provisions apply only to non-work related disabilities. Work-related injuries or illnesses are covered by the Town's Worker's Compensation Insurance Policy and D.1 below.

D.1. In the event that an employee has been injured while in the performance of his/her duties, and that employee's Workers' Compensation Claim is accepted, then that employee shall be "made whole" by the Town - for a period not to exceed six (6) months from the date the injury occurred (excluding any waiting period required by Workers' Compensation law) - after the employee has exhausted all sick, personal, holiday and vacation time against which to charge payments, exempting, at any given time, a current balance of not more than forty (40) hours of annual leave (prorated for non-standard work week) . That is, the Town shall cover the difference between the employee's weekly rate of pay and the amount received by said employee pursuant to the Workers' Compensation Program (less legal payroll deductions, and less the amount of Federal Income Tax, FICA and Medicare the employee would have had withheld from his/her regular weekly pay) when the employee has no available leave balance to make himself/herself "whole." Regular weekly pre-tax gross wages will be used as the basis for the calculation - overtime, bonuses and other supplemental payments will not be included. An employee on worker's compensation disability leave will not receive a wage rate increase as approved at the Annual Town Meeting until said employee returns to full-time, regular employment at which time said increase shall be retroactive to January 1st - subject to performance review.

MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING - 04/24/00

6. NEW BUSINESS

-Report from Police Station Pollution Meeting. Town Administrator Mayhew advised that there had been a meeting at the Police Station about 1 1/2 weeks ago. Present at this meeting were himself, Chief Douglas, and representatives from EPA, NHDES, Public Health, and a large contingency of Police Department personnel. Everything was reviewed and EPA has agreed to test the air again, test the soil, and provide the Town with the results of this retesting.

-Nicholas Dadoly Land Donation - Fox Run Road. The Board was apprised of Mr. Dadoly's donation of his last parcel of land on Fox Run Road to the Town of Milford to be used for conservation purposes, etc. Upon motion made by R. Courage and seconded by G. Infanti, the Board unanimously voted to accept Mr. Dadoly's donation with gratitude.

-Data Operations Technician Job Description. The Board reviewed the draft job description for the Data Operations Technician. Town Administrator Mayhew advised that this description has been through several drafts and everyone is now in concurrence with the description as being presented this evening. Lee was asking the Board to approve this description so that we can then proceed to advertise for the position. Upon motion made by R. Courage and seconded by G. Infanti, it was unanimously voted to accept the job description for the Data Operations Technician as drafted.

-West Street/Osgood Road Sidewalk Project. Town Administrator Mayhew informed the Board that, because we did not get the full amount of the Federal funding we were looking for, we can not complete this project this year. Chairman D'Amato questioned how much we were short by. Vice-Chairman Courage replied we would be missing about \$53,000 and that \$106,000 will appear on this year's tax rate. Mr. Mayhew advised that we would have to reapply for additional funding at the next go-around.

-Cashing Out of Sick Leave Due to Worker's Compensation Injury. Town Administrator Mayhew informed the Board that, when an employee is injured in the course of employment, that employee's sick leave is charged to make that employee whole while he/she is out on Worker's Compensation. As a result of this injury, at the end of the year, that employee's end-of-year cash out is affected by the reduction in sick leave hours, thereby penalizing the employee for being injured while in the course of employment. This issue was brought before the Personnel Committee who concurred that an injury should not affect an employee's cash out incentive and a policy was drafted whereby the employee's sick leave will be charged during the course of the absence so there is no loss of income, however, any sick leave hours so charged will be considered as "non-chargeable" sick leave hours towards the sick leave incentive cash out at the end of the year. Lee asked the Board, if they concurred with this policy, to make it retroactive to 1 January 1999. Upon motion made by R. Courage and seconded by J. Ruonala, it was unanimously voted to approve the Policy re: Cashing Out of Sick Leave Due to Worker's Compensation as recommended by the Personnel Committee and to make this policy effective retroactive to 1 January 1999 for all non-union personnel. A copy of this Policy is attached to these Minutes and made a permanent part hereof. Additionally, this policy will be added to the Town of Milford Handbook of Personnel Rules.

-Memo from K. Chambers re: Police Department Budget Transfers. Upon the recommendation of the Finance Director, Katie Chambers, and upon motion made by G. Infanti and seconded by J. Ruonala, it was unanimously voted to approve the transfer of funds within the Police Department Budget line items in order to accommodate unanticipated needs as follows:

01-421-201-0010	Software/Licenses Computer	+\$17,000
01-421-201-0020	Tech Support - Computer	-\$10,000
01-421-101-0004	Wages/Non-Union	-\$ 7,000
01-421-930-0030	Office Furniture	+\$ 6,000

MINUTES OF BOARD OF SELECTMEN MEETING - 2/25/2002

5. UNFINISHED BUSINESS:

-BROX Land Sale – Awaiting Planning Board Action on Lot Consolidation. Selectman D'Amato felt this had all been approved. Vice-Chairman Ruonala asked if the RFP is ready to go? Bill Parker said there are a few minor changes to be made to the plan, then it is ready to go. Vice-Chairman Ruonala asked if Town Administrator Mayhew has asked Bill Parker to bring it before the Board of Selectmen before it goes out? Bill Parker replied that he has not been asked to do that but that it will be in during the next week or so to be recorded. Town Administrator Mayhew needs to make the changes to the RFP that the Board of Selectmen requested and then the RFP will go out. Chairman Courage asked if the Board of Selectmen will have it by next week, to which Town Administrator Mayhew responded they will.

6. NEW BUSINESS.

-Fletcher Paint Superfund Site – Who to do? This item is on the agenda to discuss who can be trained to deal with this Superfund issue. The Board of Selectmen needs to decide if they would like Katie Chambers to be trained to handle this once Town Administrator Mayhew is retired. With the software changes, her transition to Town Administrator, along with training a new accounting person, Ms. Chambers will be extremely busy during the next few months. Vice-Chairman Ruonala asked why can't Town Administrator Mayhew continue to negotiate this? Town Administrator Mayhew feels he can continue but because he knows all about this case and no one else does, someone may need training. Eventually Katie Chambers will be replacing Town Administrator Mayhew, therefore, does the Board of Selectmen want her or someone else trained?. Town Administrator Mayhew is interested in being contracted out by the Town (once he retires) to continue this effort. Selectman D'Amato asked Town Administrator Mayhew to figure out how much he would charge and how much time he estimated will be needed, then the Board of Selectmen could sit down with Katie Chambers and talk at the next meeting. Details could be discussed in non-public. Board of Selectmen will await input from Town Administrator Mayhew on this issue.

-Approval of Manifest for October, November and December 2001. The manifest for October, November and December 2001 is attached hereto and incorporated into these Minutes. The monthly totals are as follows:

Date	Payroll Checks	Payroll Transfers	Payroll Tax Transfers	Vendor Checks	Escrow Transfers
Oct 01	\$ 117,897.84	\$ 122,573.91	\$ 99,218.98	\$2,394,445.11	\$ 123,677.15
Nov 01	\$ 196,955.80	\$ 160,455.54	\$ 105,829.35	\$2,087,155.43	\$ 2,380.69
Dec 01	\$ 172,413.50	\$ 130,442.12	\$ 113,403.21	\$3,013,319.36	\$ 47,434.18

Upon motion made by Vice-Chairman Ruonala and seconded by Selectman D'Amato, it was unanimously voted to accept the Manifest for October, November and December 2001.

-Memo from K. Chambers re: Proposal to Address Unfunded Time-Off Liability. Katie Chambers asked the Board of Selectmen if they would like to wrap this issue up this evening or educate the new Board members after March 12? Chairman Courage recommended that this Board of Selectmen finish it up. Katie Chambers explained that this unfunded time-off liability presentation is what was looked at before but is simplified. Since closing 2001, the figures for outstanding liability are significantly reduced. The Town currently funds \$16,000 of the \$149,000. Katie Chambers feels the Town could take the unexpended 2001 appropriation and fund a little more (up to \$40,000) – this is just a question to the Board of Selectmen. The phase out of Sick Leave Option 1 will end in 2004 and resulting in another \$17,000. Previously, it was discussed to reduce or establish a carry over limit of 80 hours. It was felt we could go to 120 hours, which would be pro-rated for part-time employees. That would reduce the balance to \$43,000. Without implementing any carryover limit, the entire \$75,000 could probably be funded over the next 3 years. In the future the Town will fund any additional balance. Selectman D'Amato asked why it will be reduced to 120 hours? Katie Chambers replied that right now people are able to carry over one and a half times their annual accrual. Selectman D'Amato asked why reduce it? Katie Chambers said employees would be required to use it up to (down to 120 hours) over the next 3 years. So instead of carrying of 240 hours, employees could only carry 120 hours over (by the end of the year). Vice-Chairman Ruonala said this is so people would have to take their vacation instead of just getting paid for it. Katie Chambers explained people do have to take it now too but right now people can carry more of it over than if this goes through. Vice-Chairman Ruonala clarified that Katie Chambers would like people to get down to 120 hours by taking their vacation. Katie Chambers said yes, to get their banked hours down to 120 by the end of 2004. Vice-Chairman Ruonala moved to adopt this proposal,

MINUTES OF BOARD OF SELECTMEN MEETING - 10/16/2002

1 33 feet wide and that Milford roads need a 50-foot wide right of way (inclusive of the road). Vice-Chairman Ruonala noted the other streets in that neighborhood do not have a total 50-foot wide right of way. Selectman O'Connell asked if the Town would be better off trying to get something for the land, since a road probably could not be built. Selectman Herman stated the new road being put in up on Falconer Drive will not have a total 50-foot right of way so why are we worrying about the possible width of a street? Selectman O'Connell responded that, there are easements on both sides of the Falconer Drive road. Vice-Chairman Ruonala feels the Town should just leave it the way it is for now. Vice-Chairman Ruonala moved to leave the property as Town owned. Selectman Amato seconded and all were in favor.

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10 **-Second Reading for New Stop Sign Ordinances for Mason and Burns Roads.** This is the second reading for new stop signs at the eastbound intersection of Mason Road and Whitten Road and at the westbound intersection of Mason Road and Whitten Road. Further, this is the second reading for a stop sign to be placed at Burns Road at the intersection with Mason Road. Chief Douglas explained the purpose for these ordinances is public safety. When the new school was put in, there were discussions of some changes, which were never implemented. It was felt that, by putting in a 3-way stop sign, it would improve that intersection. Vice-Chairman Ruonala moved to approve, Selectman Herman seconded. Selectman Amato opposed and all others were in favor.

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18 **-Queen's Quarry Property.** Sale completed this week on October 8, 2002.

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20 **-Pennichuck Hearing.** On hold.

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22 **-Adelphia Upgrade.** Vice-Chairman Ruonala reported there would be information regarding funding for a system rebuild in Milford by the first week in November. The Town is receiving two different stories on this matter.

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26 **6.NEW BUSINESS.**

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28 **-Special Events Liability Insurance - Use of Facilities by an Outside Party.** Town Administrator Mayhew explained that, if the Town Hall or town property is rented, the Town does not cover the liability insurance. If the group renting the facilities does not have coverage, they can obtain liability insurance through PRIMEX at a fee. This includes all Town property. Chairman D'Amato asked about the Historical Society? Selectman O'Connell responded they have their own liability insurance. Town Administrator Mayhew feels this might curtail the amount of use the Town Hall gets. Selectman Herman feels this needs to be in a Town procedure or it cannot be implemented. Katie Chambers explained there is a form that is used when groups would like to use Town property. Vice-Chairman Ruonala asked if Town Counsel should look this over and decide if the Board of Selectmen needs to get involved. Chairman D'Amato explained all this memo says is that, if any group needs liability insurance, they can get it through PRIMEX. Vice-Chairman Ruonala moved to have Town Administrator Mayhew look into this further. Selectman Amato seconded and all were in favor.

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40 **-Request for Approval of Revised Chapter 7, Employee Manual.** Vice-Chairman Ruonala explained that the Personnel Committee has reviewed this procedure and has made some changes for which approval is being requested. Chairman D'Amato asked who has the authority to terminate a Department Head? Town Administrator Mayhew explained the Town Administrator has the authority, and then the employee has the appeal process that goes to the Board of Selectmen. Chairman D'Amato feels that, since the Board of Selectmen hires the Department Heads, shouldn't the Board of Selectmen have the authority to terminate them? Town Administrator Mayhew feels then the employee would have no ability to appeal. If the Town Administrator wishes to terminate a Department Head and goes to the Board of Selectmen for approval, then the Department Head does not have an appeal process because the Board of Selectmen would be tainted. It is simply a due process issue. Vice-Chairman Ruonala moved to approve the changes to Chapter 7. Selectman Amato seconded and all were in favor.

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51 **-Request for Approval of Changes to Chapter 4, Employee Manual - "Time Off Benefits" - Sick Leave Option II.** Katie Chambers explained that the Town is trying to clarify the wording regarding part-time employees so that it reflects the benefits the Board of Selectmen voted to provide. After discussion and minor adjustments, it was moved by Selectman Amato to approve the changes. Vice-Chairman Ruonala seconded and all were in favor.

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56 **-Request for the Halloween Parade on 31 October 2002.** A request was received from the elementary school to be allowed to hold the annual Halloween Parade of Readiness and First grade students on 31 October 2002 at 1:30 p.m. Selectman Herman asked if this event would be insured? Town Administrator Mayhew explained the Town

Made Whole Policy (employee handbook) and Cashing Out of Sick Leave due to worker's compensation injury – Policy no. 2000-06

2 separate, but tied, items

I've done a look back at the Town Employee Handbooks and Board minute meetings and came up with the following:

Cashing Out of Sick Leave due to worker's compensation injury – Policy no. 2000-06

1 – Lee Mayhew Memo - Worker's Compensation Salary Continuation – 1998

2 – Board Minutes – 4/24/2000 Lee Mayhew

3 – Board Minutes – 2/25/2002 Katie Chambers

4 – Board Minutes – 10/16/2002 Katie Chambers

As a result of the Cashing out of Sick Leave Due to Workers Comp Policy and the subsequent changes to the **Made Whole language**, the Employee Handbook reflects changes

1997 – Employee handbook updated

- a. 1997 - 2 sick leave options
- b. 2001 – 2 sick leave options
- c. 2004 - phase out sick leave option 1
- d. 2006 – 1 sick leave option
- e. 2013/14 – went from absence in excess 8 days to 5 days

Things to consider –

- It's in the AFSCME Contract. Any changes we would want to make would need to be agreed upon by a sidebar

For Non-Union

1. Consider grandfathering the staff that is currently in place with the existing rules. People hired on or after June 1, 2024 would be subject to any new rules.
2. Remove the reference to 40 hours remains on books.
3. Allow for made whole only up to the point of any available time that is on the books that will offset the time used.

MAKING WHOLE PROCESS

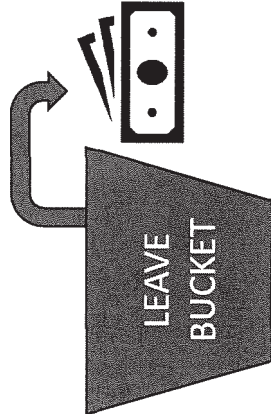
Employee gets hurt



Human Resources is notified.
HR initiates FMLA/WC or
FMLA/STD paperwork

LEAVE BUCKET
Finance puts
available
accrued hours
(sick bank, sick,
unused
personal, float
holidays, etc.)
in bucket

Employee gets paid with the hours from the bucket



During this time, Employee + accruals continue, as well as deductions

\$ Employee receives WC or STD check in the mail 

WC pays at 60% Short-term Disability pays at 66.67%

Finance then applies the check to the hours that were used out of the Leave Bucket account. Finance can only reconcile the account upon receipt of the last W/C or STD check

Employee brings check to Finance/HR and signs over to Town

	HRS PD BY Town while on leave	Time initially "fronted" by Town - gets put back in bucket	EE's time used for absence to equal the 80 hours
W/C (60%/40%)	80	48.000	32.000
STD (66.67%/33.33%)	80	53.336	26.664

Things to consider

- A. It's in the AFSCME Contract. If the BOS makes any changes to the policy, we would need to meet with AFSCME to see if there is an option for a sidebar agreement.
- B. The BOS may want to consider
 1. Grandfathering staff that is currently in place with the existing rules. People hired on or after *June 1, 2024* would be subject to any new rules.
 2. Remove the “leaving 40 hours on books” clause.
 3. Allow for being made whole up to the point of any available time that is on the books. Once available time is used, the employee would then need to keep the check from the insurance company (Primex or NYL).
 4. *All of the above would still need sidebar agreement with AFSCME.*

AFSCME CONTRACT

ARTICLE XII

SICK LEAVE

- A. The Town of Milford recognizes that from time-to-time, employees may be unable to work because of illness or injury. The Town also recognizes that employees may require time off to secure necessary treatment for disabilities and ailments. For these reasons, the Town provides paid sick days to full-time regular employees. Long-term illnesses may be covered under the Town's Short-term Disability and Long-term Disability plans. Please consult the appropriate policies provided to you for further details regarding these plans.
- B. An employee's sick leave may be used solely for that employee's own illness or injury, however, up to forty (40) hours of accrued sick leave may be utilized per year for the care of the employee's spouse, children or parent(s).
- C. Employees working the standard forty (40) hour week are permitted to take up to eighty (80) hours of sick time annually, to be pro-rated for employees working more or less than the standard work week. New employees shall accrue sick leave at a rate of 6.67 hours per month beginning the first of the month following the month of employment. Upon successful completion of the probationary period, the balance of the maximum eighty (80) sick leave hours for the current sick leave year which had not yet accrued will be credited to the employee's account. Probationary employees may not charge sick leave in advance of accrual.
- D. In the event that a full-time regular employee uses sick leave in excess of eight (8) consecutive calendar days and is enrolled in the Town of Milford Short-Term Disability Program, the Town shall pay the difference between that employee's weekly rate of pay (less legal payroll deductions) and the amount received by said employee pursuant to the Short-Term Disability Program, after the employee has exhausted all sick, personal, holiday and vacation time against which to charge payments, exempting at any given time, a current balance of not more than forty (40) hours of annual leave (pro-rated for non-standard work week).

If an employee who returns to work following a six-month Short-term Disability Leave should have to go out on another Short-term Disability (for the same condition) within ninety (90) days of that employee's return to work from the first Short-term Disability Leave, then the Town will treat this event as the employee being on Long-term Disability and will not again make the employee "whole" during this second period of Short-term Disability absence except that the employee may use any unused leave time he/she may have available against which to charge time. In this instance, accumulation of all types of leave benefits will cease and insurance coverage will remain in effect only with the direct pre-payment by the employee, to the Finance Department, of the employee's usual and customary share of the monthly insurance premium(s) during the period of the Short-term disability."

Since disability income is subject to income tax, regular weekly pre-tax gross wages will be used as the basis of the calculation; overtime, bonuses, and other supplemental payments will not be included. An employee on Short-Term Disability leave will not receive a wage rate increase until said employee returns to full-time regular employment, said increase to be retroactive to April 1st.

NOTE: The above provisions apply only to non-work related disabilities. Work-related injuries or illnesses are covered by the Town's Workers' Compensation Insurance policy and Paragraph E. The made whole provisions of this section do not apply to probationary employees.

E. In the event that an employee has been injured while in the performance of his/her duties, and that employee's Workers' Compensation Claim is accepted, then that employee shall be paid the difference between the employee's weekly rate of pay and the amount received by said employee pursuant to the Workers' Compensation Program (less legal payroll deductions, and less the amount of Federal Income Tax, FICA and Medicare the employee would have had withheld from his/her regular weekly pay) for a period not to exceed six (6) months from the date the injury occurred (excluding any waiting period required by Workers' Compensation law) - after the employee has exhausted all sick, personal, holiday, and vacation time against which to charge payments, exempting, at any given time, a current balance of not more than forty (40) hours of annual leave (pro-rated for non-standard work week). Regular weekly pre-tax gross wages will be used as the basis for the calculation-overtime, bonuses, and other supplemental payments will not be included. An employee on Workers' Compensation disability leave will not receive a wage rate increase until said employee returns to full-time, regular employment at which time said increase shall be retroactive to April 1st subject to performance review.

F. Effective January 1, 2012, all AFSCME members will transition to the Town of Milford's sick leave plan as follows (effective 4/1/19 – removed reference to days and using "hours" instead; sick hours changed from 64 to 80):

Officers – Regular full-time employees working the standard forty (40) hour week are permitted to take up to 80 hours of sick time annually to be prorated for employees working more or less than the standard work week. Probationary employees may not charge sick leave in advance of accrual.

If an employee uses no sick time during the year, the 80 hours would be converted to 40 hours of vacation time the following year, with the remaining time (40 hours) available to go into a "bank" system.

An employee will be allowed to "bank" up to a maximum of 150 hours of sick time (in addition to the 80 hours allowed each year) in order to have time against which to be made "whole" during a period of short-term disability or worker's compensation.

If any sick time is used during the year, there would be a corresponding loss of sick time. The first charge would be made against the banked time (maintaining the 40 hours of vacation time) and if more than 40 hours is used, all remaining time will be charged against vacation time.

With the addition of up to one additional week of vacation time if no sick time was used during the year and an employee was already at maximum accumulation, maximum accumulation would then be increased by 40 hours as shown below:

<i>Years of Service as of Anniversary Date</i>	<i>Annual Vacation Allowance</i>	<i>Maximum Accumulation</i>
1 through 5	80 hours (+ up to 40)	160 hours (120 + 40)
6 through 10	120 hours (+ up to 40)	220 hours (180 + 40)
11 through 25	160 hours (+ up to 40)	280 hours (240 + 40)
26 and over	200 hours (+ up to 40)	280 hours (240 + 40)

NOTE: No cash out of sick time or “banked” time would be made at termination or retirement.

- G. Sick leave may be utilized for absences due to illness, injury, or exposure to contagious diseases endangering the health of other employees; when recommended by the attending physician; for medical, dental, or optical appointments with prior approval of the employee’s supervisor, and for death within the immediate family in those rare cases where bereavement leave is not sufficient, as determined by the Chief of Police, or his designee. Sick leave shall be deducted on the basis of hours used.
- H. Notification of absence due to sickness shall be given to the Senior Officer on duty at the time of the call prior to the start of the shift except in case of an emergency. If the senior officer on duty / officer in charge is not available, the employee calling must ask to speak to one of the Captains, or, if they are unavailable, to the Chief. If the Captains or the Chief are working a shift they are considered to be the senior officer on duty / officer in charge for that shift and should be contacted regarding notification in the first instance. Repeat notification should be given for subsequent days of illness. Failure to report such absence may, at the discretion of the Chief of Police, or his designee, be charged to leave without pay. The on duty Senior Officer will then assess the need for additional manpower and, notify the Captain or the Chief of Police of the situation.
- I. Employees may be required to furnish to the Chief of Police, or his designee, a certificate from an attending physician or other licensed healthcare practitioner when sick leave exceeds three (3) consecutive work days, except that the Chief of Police, or his designee may, if concerned that an employee is not properly using Sick Leave, require that employee to provide a doctor’s note or certificate for Sick Leave absences shorter than three (3) days. Such certificate shall contain a statement that, in the practitioner’s professional judgment, sick leave, was, and is necessary. The Chief of Police, or his designee, will review such certification and determine whether it is adequate to justify the use of paid sick leave.
- J. After consultation with the Chief of Police, or his designee, if an employee collecting Workers’ Compensation benefits is capable of returning to work under the statutorily-authorized Temporary Alternate Duty Program, in the same capacity or another position within the Town and the employee refuses to return to duty, the Chief of Police shall have the option of terminating that employee.

- K. In accordance with Federal and State laws, a female employee who is unable to work due to pregnancy shall be considered temporarily disabled and shall be extended the same benefits and be subject to the same policies as any disabled employee. The employee shall submit documentation from her attending physician indicating the date she is no longer able to work and an estimated date at to when she will be able to resume her duties. When the actual return-to-work date is determined by the attending physician, it will be the employee's responsibility to so inform the Chief of Police, or his designee.
- L. Parental Leave may be permitted under the auspices of the Town of Milford Family Medical Leave Act Policy. Employees who do not qualify for Family Medical Leave, may be permitted to use up to forty (40) hours of sick leave, if available, for this purpose upon request and with the authorization of the Chief of Police, or his designee.
- M. An employee who utilizes sick leave on the day preceding or the day following vacation time shall not be compensated for said vacation time, unless sick leave is taken for pre-scheduled medical attention or the employee provides a Doctor's certification of illness or injury.

Employee Handbook 2023

Chapter 4, page 15

Sick Leave

14 E. Short-term Disability – In the event that a full-time regular employee uses sick
15 leave in excess of forty (40) hours (per occurrence) and is enrolled in the Town of
16 Milford Short-Term Disability Program, that employee shall be “made whole” by the
17 Town for the duration of the Short-Term Disability absence not to exceed six (6)
18 months after the employee has exhausted all sick/sick bank, personal, holiday and
19 vacation time against which to charge payments, exempting, at any given time, a
20 current balance of not more than forty (40) hours of annual leave prorated. That is,
21 the Town shall pay the difference between that employee’s weekly rate of pay (less
22 legal payroll deductions) and the amount received by said employee pursuant to the

Chapter 4, page 16

1 Short-Term Disability Program when the employee has no available leave balance to
2 make himself/herself “whole.”

Chapter 4, page 16

35 F. Workers Compensation – In the event that an employee has been injured while in
36 the performance of his/her duties, and that employee’s Workers’ Compensation
37 Claim is accepted, then that employee shall be “made whole” by the Town - for a
38 period not to exceed six (6) months from the date the injury occurred (excluding any
39 waiting period required by Workers’ Compensation law) - after the employee has
40 exhausted all sick/sick bank, personal, holiday and vacation time against which to
41 charge payments, exempting, at any given time, a current balance of not more than
42 forty (40) hours of annual leave, prorated. That is, the Town shall cover the
43 difference between the employee’s weekly rate of pay and the amount received by

Chapter 4, page 17

1 said employee pursuant to the Workers’ Compensation Program (less legal payroll
2 deductions, and less the amount of Federal Income Tax, FICA and Medicare the
3 employee would have had withheld from his/her regular weekly pay) when the
4 employee has no available leave balance to make himself/herself “whole.”

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

TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2006-01

TO : ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

FROM: KATHERINE E.L. CHAMBERS, TOWN ADMINISTRATOR

SUBJ : POLICY ON EMAIL

DATE: JUNE 05, 2006

At a meeting of the Milford Board of Selectmen held on Monday, May 22, 2006, the Board of Selectmen voted to adopt the following Policy regarding email correspondence:

Definitions:

Administrative matters – the one-way dissemination of information to Town Board members, where no further related email correspondence is exchanged between Town Board members on the subject matter of the information being disseminated.

Conduct business - make decisions or discuss substantive matters or affairs related to the town or the Town Board when such activity takes place among a quorum of Town Board members.

Meeting – two-way communication among a quorum of Town Board members.

Scheduling – the activity specifically associated with determining a date and time at which Town Board members would be available to meet in public session or non-public session.

Application:

This Email Policy applies to email initiated by the Board of Selectmen and all other town boards, committees, subcommittees and commissions whose members are appointed by the Board of Selectmen. This Email Policy shall also apply to email initiated by all other boards and commissions whose members adopt the provisions of this policy. Each such organization is referred to herein as a “Town Board”.

Accepted Use:

This Email Policy is not meant to limit or restrict emails sent between individual members of a Town Board as long as the number of members involved in the email exchange does not constitute a quorum.

Members of a Town Board may use emails for scheduling or other administrative matters and to send information and updates to one another, subject to the “Restrictions” section below.

Restrictions:

Email exchanges shall be considered public information and subject to disclosure under the Right to Know law if they:

- ❖ ·pertain to the business or affairs of a Town Board; and
- ❖ ·are initiated by a Town Board member; and
- ❖ ·involve a quorum of a Town Board.

Example: If three members of a Town Board constitute a quorum, then an email regarding the business of the Board that is sent by one member to two or more other members is public information.

A Town Board will not use email to hold a meeting or conduct business.

Record Keeping:

Each Town Board shall designate a person (who may be a member of the board or a town employee) who shall maintain a hard copy of public emails.

A member of a Town Board who sends an email regarding the business or affairs of such Town Board to other members of the same Town Board, such that a quorum is involved, shall make the email public by forwarding a copy of the email to the person so designated for record keeping.

Those individuals designated by Town Boards to maintain a hard copy of public emails shall make the email available as follows:

- ❖ Hard copies of public emails shall, upon request, be made available to members of the public for inspection.
- ❖ Public emails shall, upon request, be copied for members of the public upon payment of reasonable copying charges.
- ❖ Hard copies of public emails shall be kept no less than one year, after which they may be destroyed.

APPROVAL OF FINAL MINUTES

- **April 3, 2024 (Work Session)**
- **April 8, 2024**
- **April 22, 2024**
- **April 29, 2024 (5th Monday Forum)**
- **May 1, 2024 (Work Session)**
- **May 8, 2024 (Work Session)**

DRAFT MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
WORK SESSION
April 3, 2024

PRESENT: Tim Finan, Chair
Paul Dargie, Vice Chair
David Freel, Member
Chris Labonte, Member
Tina Philbrick, Member

Lincoln Daley, Town Administrator (online)
Susan Mallett, Executive Assistant

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

2. APPOINTMENTS – (Approximate times)

5:00 – Committee Assignments were discussed. Final choices attached to page 3 of these minutes.

5:30 p.m. – Goals and Objectives

Reviewed TA Daley’s goals and objectives, section by section, and provided feedback. Suggestion was made to create a to-do list of items we don’t want to fall off with dates to execute by, with the acknowledgment not all are going to be met due to unavoidable circumstances like budget. Selectman Freel suggested looking at roads and have in mind what needs to be done. TA Daley said items like this would fall in the CIP committee. Working with this Board can identify the projects and TA Daley will submit to the CIP. TA Daley will get the finalized schedule and share with the Board at future meeting.

FINANCE GOALS: Need to have some focus on inter-department financial issues.

HR GOALS: Brainstorm ideas to make benefits more attractive. Make employees appreciated and valued avoid and address employee turnover. Give ample time to address these items.

COMMUNITY RELATIONS: Chair Finan likes idea of a Podcast, suggests maybe a biweekly blog post. Selectman Labonte suggests website updates, and using the Town’s official Facebook page. The Town’s Facebook page should be to post but not allow the comments back by public or to comment directly to the person responsible.

At this point the Board changed focus from the Town Administrators goals to the Boards goals.

Chair Finan read the goals for the Boards, which included Reviewing Policies and consider changes to ethics and social media policies, being involved in the Master Plan process, manage growth of Fire/Ambulance departments, sort out Finance for instance, hire new Director and Payroll system. Sort out MOU (Memorandum of Understanding) with library and determine who does what.

Selectman Freel suggested reviewing the water leak at library and what is in DPW budget for that. He also suggested moving Recreation and DPW to earlier in the schedule due to their busy periods coming up, also to move Finance to a later meeting.

TA Daley will provide periodic updates regarding the Oval Improvement project for comment and input to the Board. TA Daley suggested 127 Elm St property needs to have a decision made. Second revising Master Plan for Brox Property, work with Planning Board and SAU. Also, the Select Board discussed Keyes field. These should all be discussed in a future meeting or work session.

3. NON-PUBLIC SESSION – Selectwoman Philbrick made a motion to go into non-public at 6:20 in accordance with (RSA 91-A:3, II(a)) Personnel. Seconded by Selectman Labonte. All were in favor. The motion passed 5/0.

In non-public no decisions or actions were made.

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4. ADJOURNMENT: Selectman Freel moved to adjourn at 6:45. Seconded by Selectman Dargie. All were in favor. The motion passed 5/0.

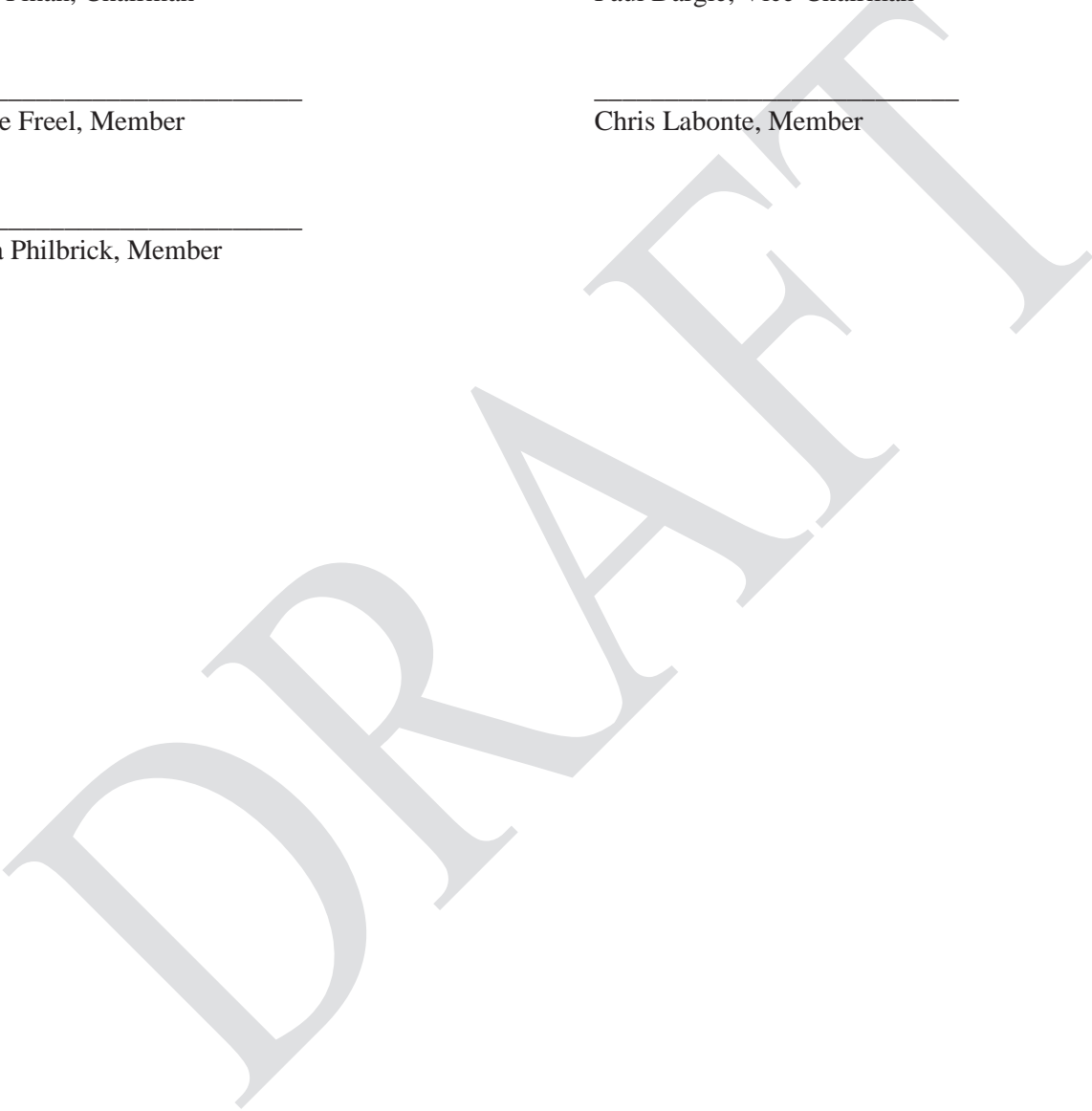
Tim Finan, Chairman

Paul Dargie, Vice-Chairman

Dave Freel, Member

Chris Labonte, Member

Tina Philbrick, Member



BOS Representatives on 2024 - 2025 Committees, Commissions, Boards, & Organizations

- Conservation Commission (2nd Thursday, 7:00 p.m., Town Hall, BOS Room) - **Selectwoman Philbrick (Liaison) & Selectman Dargie (Alternate)**
- Economic Development Advisory Committee (Varied) - **Selectwoman Philbrick (Voting member) & Selectman Finan (Alternate)**
- Granite Town Media (Formerly PEG Access) Advisory Committee (4th Thursday, 6:00 p.m., Town Hall, BOS Room) - **Selectman Finan (Voting member) & Selectwoman Philbrick (Alternate)**
- Heritage Commission (2nd Wednesday, 7:00 p.m., Town Hall) - **Selectman Dargie (Voting member) & Selectman Freel (Alternate)**
- Joint Loss Management Committee (quarterly, March 7nd, June 6th, Sept 5th and Dec. 5th), 9:00 a.m., Police Facility, Community Room) - **Selectman Freel (Liaison) & Selectwoman Philbrick**
- Library Trustees (3rd Tuesday, 6:30 p.m., Library) - **Selectman Finan (Liaison) & Selectman Dargie (Alternate)**
- MACC Base Meeting time and dates TBD at each meeting - **Captain Frye (Voting member)**
- MACC Base BAC Representative - **Selectman Freel (Liaison)**
- Master Plan Steering Committee - **Selectman Dargie and Selectman Freel**
- Milford Energy Advisory Committee (1st and 3rd Thursday, 5:30, Police Facility, Community Room) - **Selectman Dargie (Voting) & Selectman Freel**
- NHMA (Varied) - **Town Administrator Lincoln Daley & Selectman Dargie (Alternate)**
- Planning Board (1st & 3rd Tuesdays, 6:30 p.m., Town Hall, BOS Room) - **Selectman Labonte (Voting member) & Selectmen Finan (Alternate)**
- Recreation Commission (2nd Wednesday, 7:00 p.m., Town Hall, BOS Room) - **Selectwoman Philbrick (Liaison) & Selectman Freel (Alternate)**
- Recycling/Solid Waste Committee (3rd Tuesday, 6:30 p.m. - **Selectman Freel (Liaison) & Selectman Dargie (Alternate)**
- Traffic Safety Committee (Varied as items are sent for consideration, Police Facility, Community Room, 19 Garden Street) - **Selectman Labonte (Voting member) & Selectman Freel (Alternate)**
- Zoning Board of Appeals (1st & 3rd Thursdays, 7:00 p.m., Town Hall, BOS Room) - **Selectman Freel (Liaison) & Selectman Finan (Alternate)**
- Manifest Sign Off (available Thursdays after 4:30 pm through Mondays before 7:00 am) - **Selectwoman Philbrick & Selectman Dargie (Alternate)**
- Payroll Sign Off (available every other week Wednesdays after 3:00 pm through Thursdays before 9:00 am) - **Selectman Freel & Selectwoman Philbrick (Alternate)**

1 **DRAFT MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING**

2 **April 8, 2024**

3
4 **PRESENT:** Tim Finan, Chair Lincoln Daley, Town Administrator
5 Paul Dargie, Vice Chair Susan Mallett, Executive Assistant
6 David Freel, Member
7 Chris Labonte, Member
8 Tina Philbrick, Member
9

10 **1. CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING**
11 **INSTRUCTIONS:** Select Chair Finan introduced the Board, Town Administrator and Exec Assistant, and led
12 the Pledge of Allegiance
13

14 **2. APPOINTMENTS – (Approximate times)**

15
16 **5:00 p.m. – Ambulance Mutual Aid Agreement (Eric Schelberg)**

17 Mr. Schelberg presented the agreement for the Boards consideration, not for adoption this evening. He explained
18 that there are 4 other communities that are part of this. Wilton, Brookline, Amherst and Hollis. The last agreement
19 with Amherst was 30 years ago. He went on to explain the updates that he has included, including Paramedic
20 intercept. Two of the communities have not yet had their Boards review it. So, he wants to wait for Milford
21 Select Board approval in case updates need to be made. If there are no changes to this document, he would like
22 to just send a memo to the Board to approve after other 4 agencies review.
23

24 **5:45 p.m. – Ambulance Transport Fee Increase (Eric Schelberg)**

25 Mr. Schelberg would like to propose a 5% increase for their fee for service based on cost of living. In January
26 2023 was the last update, and a 5% increase would be in line with other locations and cost of service. We are
27 about 75% of the average of other areas. Selectman Labonte would like to see is what other towns charge on a
28 comparative level. Selectman Dargie would like to see it by level of care as well. Chair Finan said it seems like
29 a reasonable increase but he is ok if others want to wait until the Director provides the requested information.
30 Eric explained that we can't decide to not charge uninsured people. Senate Bill 407 requires insurers to directly
31 reimburse ambulance service providers at the usual and customary rate for such services or at the rate negotiated
32 by the insurer and ambulance service provider. Senate Bill 409 refers back to House Bill for reimbursement of
33 non-transport patients. This would authorize patients that get treated but not transported to be billed of a Medicaid
34 only patient. Selectman Labonte expressed concern about charging for this, and would like to see surrounding
35 communities' prices before voting.
36

37 **Selectman Labonte made a Motion to table this until next week, in order to review further information**
38 **from Director Schelberg. The motion failed due to lack of a second.**

39 **Selectman Dargie moved to accept proposed increase of 5% as presented. Seconded by Selectwoman Phil-**
40 **brick. The motion passed 4/1 with Selectman Labonte opposed.**
41

42 Hearings coming up regarding SB 407 and SB 409, and Director Schelberg would like the permission to attend in
43 person. This will ensure payments come directly to the Ambulance service not the patient.
44

45 **Selectman Dargie made a motion to support SB407 and SB 409 in any**
46 **way Director Schelberg sees fit including testifying in person at hearings. Seconded by Selectwoman Phil-**
47 **brick. The motion passed 4/1 with Selectman Labonte opposed.**
48

49 Director Schelberg noted grant that is up to \$20K. He is not finished reading through the grant, but it is due
50 Monday April 15, 2024. There is another one that would give up to 50 car seats that he also has to review.
51

52 **Selectman Dargie moved to allow Director Schelberg to apply for the two separate car seat grants if he**
53 **finds that we can fulfill the grant requirements. Seconded by Selectman Labonte. The motion passed 5/0.**
54

55 **3. PUBLIC COMMENTS – Gary Daniels had questions on minutes. March 25 and 29th reflected they are ap-**
56 **proved on second page. This will be corrected. March 25th line 299 approved March 11 minutes by zero, and**

57 on line 312 adjourned with vote of 4/0 who was missing? Should be 5/0. Mr. Daniels said Minutes for March
58 29th should reflect Special Meeting not Work Session. He also noted April 3 minutes were not part of the
59 package. This is because they were not wrapped up in time to be included in the package.

60 **4. DECISIONS**

61 a. **CONSENT CALENDAR**

- 62 i. Approval to reappoint Tom Schmidt and Josh Breault to the Granite Town Media Committee
63 with terms expiring in 2027
- 64 ii. Yearly Taxi Cab Operators Permit and License Application for William and Edward LaBell
- 65 iii. Acceptance and Appropriation of Unanticipated Revenues under \$10K NH (RSA (31:95(b))
66 – Donation to the Conservation Commission from the runners in the 2024 Ghost Train Trail
67 Race in amount of \$445
- 68 iv. Petition and Pole License

69 **Selectman Labonte requests to remove item iv**
70 **Motion to accept items i through iii by Selectman Labonte, seconded by Selectwoman Philbrick, Mo-**
71 **tion passes 5/0**

72 **Selectman Labonte asked for clarification of the Petition and Pole License process in iv. He also had**
73 **concerns about double poles and whether that means we are being charged for those.**

74 **Motion to accept item iv by Selectwoman Philbrick, Seconded by Selectman Labonte, motion passed**
75 **5/0**

76 b. **OTHER DECISIONS**

- 77 i. Michael Facques is requesting to use the Oval for his campaign kickoff. There was some
78 discussion about whether this type of decision needs to come to the Board, and it was noted
79 that this is the present policy and maybe we can review the policy to be more flexible, i.e.:
80 if a large event it needs Select Board approval, otherwise it's just administrative.

81
82 **Selectman Dargie motioned to accept this request to use the oval, Seconded by Se-**
83 **lectwoman Philbrick, Motion passes 5/0.**

84
85 **5. TOWN STATUS REPORT**

- 86 a. **Third Party Payroll Services:** TA Daley has researched 3 different vendors for 3rd party Municipal
87 payroll services, noting that this refers to a suite of products including payroll, HR, timekeeping. The
88 range is between \$20K and \$80K depending on the level of services. We have an excess of \$10K
89 that we can put towards this. Selectman Labonte feels we are violating our Town policy with the
90 current time clock we have. TA Daley explained that some departments like police can't effectively
91 use the time clock because they have different rates, shift work, and not working in the office but out
92 in the field. So, in these cases they use worksheets to keep track of their hours and rates. Selectman
93 Labonte requests that we look into that in selecting a new system. Chair Finan said with the new
94 Finance Director things may change drastically. Chief Flaherty noted he has on call employees, and
95 can't have 28 people lined up to punch in if there is a fire. TA Daley feels we can use the \$10K
96 towards HR services, such as onboarding. Chair Finan feels we want the incoming Finance Director
97 to have some input into this. TA Daley noted he can wait for new Finance Director before going
98 forward. Chief Viola said historically police departments don't use a timeclock punch in type of
99 timekeeping system. There are many aspects, such as an officer going to court has a minimum num-
100 ber of hours, a canine officer needs to go directly to an active scene. Selectman Labonte asked if TA
101 Daley can do a simple survey among department heads to see how much manual work is being done.
102 Lynn Coakley said seasonal workers will have a heavy turnover this spring and summer. Consensus
103 that TA Daley should investigate HR services and bring back information at a future meeting to keep
104 the Board updated.
- 105 b. **RFP for Financial Auditing Services:** TA Daley sent RFP's out to 4 or 5 auditing companies;
106 completion date will be around July 15th. Selectman Labonte had some concern about the short run-
107 way to do the work.

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- c. **Mason Road Bridge Project Update:** Extended to 2025 due to material lead times, this is being postponed so that the full closure of Mason Road will be during the 2025 summer break to reduce the impact on the school and bus routes.
- d. **Milford Master Plan Project Update:** Meeting held on April 2nd, attended by 16 individuals and 3 staff members. Starting May 28th, the Master Plan Committee Meetings will be held on the 4th Tuesday of the month at 5:30 pm through the fall of 2025.
- e. **Select Board 4/3/24 Work Session Information Request Updates:**
 - Wadleigh Memorial Library Building Maintenance** – during roof repair it was discovered that water is infiltrating the interior of the building from sections of the exterior brick wall and is causing additional water damage. DPW Director Leo Lessard is assessing the building and is in the process of getting contractors to provide cost estimates in the early spring. The idea is to prioritize the repairs. This project would be funded with the Contractual Buildings line item in the Public Works Department budget. This budget item was increased by \$28,000 to \$153,000 to pay for the Town’s share of the Oval Bandstand repairs. Updates to the Board will occur as the project moves forward.

127 Elm St Building – to summarize this building suffered a failure of the sprinkler system on January 29, 2013 that resulted in extensive water damage throughout the building and a shutdown of all utilities, and damage to the building fire alarm system. The following month the Milford Fire Department issued an Order to Remedy Dangerous Conditions to the previous owner (The Mayo Group) of the property, this order transfers to all future owners, (at this point the Town of Milford). Currently the building is not used except for storage. Chief Flaherty noted that they would do a complete inspection of the building and determine the use of the building to move forward. Nothing was done to repair the building, and the fence has been taken down. He has not been in the building since the incident so not aware of the condition of the interior at this point. The building is so far gone, the systems replacement and repair, it might be better to just tear it down. Chief Flaherty said the building is being used for storage which is unauthorized. A discussion needs to be had what the use of the building should be and this should be a whole meeting in itself. TA Daley suggested a 3rd party that was part of both studies would be able to provide an assessment.

Capital Improvements Program Status Update – This is part of the Town’s short and long -range community planning and budgetary process. As authorized by NH RSA 674:5 and Article 25 of the 1995 Milford Town warrant, the Town annually prepares a 6-year CIP to lay out a program of municipal programs and projects that require a significant capital outlay. The 2025-2031 Capital Improvements process has officially begun with the first meeting of the Advisory Committee scheduled for May 22nd and the project is scheduled to conclude October 17th. Camille Pattison is pushing this project forward. The schedule was discussed and concern was noted by Selectman Labonte that there is a gap between August and October and this would be hitting at the beginning of budget process.

6. DISCUSSIONS

- a. Follow up on Board Goals – Selectman Finan handed out the goals, wants to sit with the Town Administrator and go over each one and develop a plan of how to get there.
 - Selectman Labonte suggest an edit to include looking into outsourcing in section 2B.
 - Selectman Finan reiterated the work session will be about the future of all services
 - The Work Session will be at the Fire House.

7. SELECT BOARDS REPORTS/DISCUSSIONS

- a. **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES**

159 b. **OTHER ITEMS (that are not on the agenda)**

160 Selectwoman Philbrick asked for clarification on the MACC Base BAC entry, it was determined to
161 remove the word “voting” from the MACC Base entry on the Select Board Representatives list next
162 to Selectman Freel’s name.

163
164 **8. PUBLIC COMMENTS**

165
166 **9. APPROVAL OF MINUTES** for March 25 meeting and March 29 Work session

167 Changes were suggested by Selectman Labonte, he also asked how in depth we want to go. Selectwoman
168 Philbrick said as long as the intent is there it’s enough.
169 Selectman Labonte asked if there is something to add, can we add to the minutes.

170
171 Selectman Dargie motioned to accept the March 25th minutes with suggested amendment, Seconded by
172 Selectwoman Philbrick. All were in favor. The motion passed 5/0.

173
174 Selectman Dargie motioned to accept the March 29th minutes with the change from Draft to Approved,
175 Seconded by Selectwoman Philbrick. All were in favor. The motion passed 5/0.

176
177
178 **10. INFORMATION ITEMS REQUIRING NO DECISIONS**

179 **11. NOTICES**

180 a. The next Select Boards meeting is April 22, 2024 at 5:30 in the Select Boards meeting room, 1 Union
181 Square, Milford, NH at 5:30p.m. This will be a HYBRID meeting, information to access Zoom will
182 be posted on the Towns website on or before April 19th, 2024

183
184 b. Town Wide Brush Pickup will be April 22 to 24 only. This is NOT leaves or grass clippings removal,
185 only brush. Brush is to be placed on the edge of the roadway at the curb line of your residence. Any
186 limbs or brush larger than 4 inches in diameter will be left on the ground. Any questions call the
187 DPW at 603-249-0685

188
189 c. Milford Police Drug Take Back Day at Milford Police Station, 19 Garden St, Saturday April 27 from
190 10:00 a.m. to 2:00 p.m. Any questions call the Police Department at 603-249-0630

191
192 **12. NON-PUBLIC SESSIONS**

193 a. **Selectwoman Philbrick motioned to go into non-public session at 7:15 p.m. In accordance with**
194 **NH (RSA 91-A:3, II(c)) – Reputation and with NH (RSA 91-A:3, II(a)) – Personnel**
195 **Seconded by Selectman Labonte. All were in favor.**

196 **A roll call vote was taken:**

197 **Chairman Finan - YES**

198 **Vice Chair Dargie - YES**

199 **Selectman Labonte - YES**

200 **Selectman Freel - YES**

201 **Selectwoman Philbrick – YES**

202 **All were in favor and the motion passed 5/0**

203
204 Selectman Freel motioned to seal minutes for “Reputation”, Seconded by Selectman Dargie. All
205 were in favor. The motion passed 5/0

206
207 The Select board returned to public session at 8:40 p.m. In the above non-publics, no decision or
208 actions were made.

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Selectman Dargie motioned to seal minutes for “Personnel”, Seconded by Selectman Freel. All were in favor. The motion passed 5/0

- 13. ADJOURNMENT:** Selectwoman Philbrick moved to adjourn the meeting at 8:55. Seconded by Selectman Dargie. All were in favor. The motion passed 5/0.

Tim Finan, Chairman

Paul Dargie, Vice-Chairman

Dave Freel, Member

Chris Labonte, Member

Tina Philbrick, Member

DRAFT MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
Monday April 22, 2024

1
2 **PRESENT:** Tim Finan, Chair Lincoln Daley, Town Administrator
3 Paul Dargie, Vice Chair Susan Mallett, Executive Assistant
4 David Freel, Member
5 Chris Labonte, Member
6 Tina Philbrick, Member
7

8 **1. CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING**
9 **INSTRUCTIONS:** Select Chair Finan called the meeting to order at 5:30 p.m., introduced the Board and led the
10 Pledge of Allegiance
11

12 **2. APPOINTMENTS**
13

14 **Public Recognition of Gary Daniels’ 21 years of service to the Select Board**

15 Chairman Finan congratulated Gary Daniels for completing 21 years of consecutive years of dedicated public
16 service on the Board and noted his many achievements while serving on the Select Board. Chair Finan did some
17 research and went back to the 1950 and found no one served longer, although one Selectman did match the years
18 of service. Just few of the achievements noted were overseeing projects such as the new Police Station and Am-
19 bulance Building, Keyes Park, 3 Super Fund site cleanups, multiple default budgets, Garden St Fire, Osgood Pond
20 dredging, Cell Towers on Town Hall along with MACC base renewals. After reviewing the 21 years of service
21 Chair Finan presented Mr. Daniels with a granite plaque memorializing his service. Mr. Daniels replied that he
22 has been honored and privileged to work with the members of the Board over the years. The Town is made better
23 by many including Boards, Committees, Commissions, volunteers and residents and this separates Milford from
24 so many other Towns. He wished everyone well going forward.
25

26 **Recreation Department Update (Arene Berry)**

27 Ms. Berry recapped the responsibilities of the department including providing programs, events and trips for the
28 community, ice rink and staffing and programming of the pool. The financial status of the department is within
29 budget allocations and no overages are expected. At this point staffing is 2 Full Time positions, and summer
30 seasonal positions are being filled. The recreation bus does not have any issues, also it was not a Town Budget
31 purchase so any maintenance issues are not covered by the Town Funds. The next 4 months are filled with many
32 summer events and a guide was included in the package.

33 Selectman Labonte asked how the revolving fund is doing, Ms. Berry noted they have finally caught up after the
34 hit they took during COVID. Selectman Dargie asked if any large expenditures are coming up, and Ms. Berry
35 responded not at this time. Selectman Freel asked about pool equipment and furniture purchases, Ms. Berry noted
36 her budget was reduced from \$5,000 to \$2,500 during budget planning. She spent the \$2,500 but due to quantity
37 discounts that resulted in less than half of what was planned. Ms. Berry noted the pools and decks need painting,
38 she will collect quotes and add to the next budget. She will also get any other maintenance projections pulled
39 together, with information from quotes and DPW (DPW did this before). Park Ranger is fully funded, the week
40 day position is full and the weekend position is being advertised. Selectman Freel asked about the lights and time
41 the park closes. Ms. Berry noted hours of the park are a Town Ordinance, and the pool closes when Park Ranger
42 leaves for the day at 7:00pm and park closes at 10:00pm. TA Daley, noted the lighting is being worked on by IT
43 and DPW to some degree, the work should be done fairly soon to put the cameras up.
44

45 **DPW Department Update (Leo Lessard)**

46 Mr. Lessard reviewed his department, both foreman positions have been filled, but is still down a laborer and truck
47 driver. Fixing minor items on the vehicles, the bigger trucks have some more serious issues, but they now have
48 the software to diagnose issues with the trucks. Ambulance and Fire also use this software. The next thing they
49 are going to do is inspection license, so they can do training and get the equipment. He explained they are adapting
50 to liquid with the salt and it saves money. Due to the easy winter season, they were able to work on the parks and
51 repair all the ball fields as well as clean up and hazardous tree removal. They also worked on drains that were
52 bad when we got heavy rains.

DRAFT MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
Monday April 22, 2024

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Paving bids have gone out and he covered the roads they need to address whether by patching, paving or other maintenance. They meet with the National Regional Planning Commission on a regular basis to review the streets and after that will focus on sidewalks later. Mr. Lessard noted that while he has a laborer position open, he would like to work with a 3rd party to do the cemetery mowing. He said Exeter has a few robots that mow the grass and it works pretty well. He'd like to purchase one and test out on an area like the oval if it's not too expensive. This would be for grass cutting only, weed whacking and other tasks still need to be done by DPW. He would like to reallocate resources and see how this works out. The line striping bids came in and were over and only cover about half the work needing to be done, he would like to use the revolving account to pay for the extra. The proper way to fund needs to be discussed outside of the department update, Mr. Lessard will need to come back to discuss the funding process with the Board.

Mr. Lessard also clarified that the electric eyes in the lights at the park are not in yet, this is why the lights stay on all the time. There was some discussion on security and the lights, it was suggested this is something for the Joint Loss Committee. TA Daley suggested it might be as easy as putting a sign up with hours and/or rules. Chair Finan asked about the status of the water in walls at the library. Mr. Lessard explained that he is getting bids for the problem area. There is a crack in foundation in area of the downspout, he will put a camera to see if he can identify any other issues. Selectman Labonte asked about plumbing issues. Mr. Lessard heard about it and noted it was before his time here and this is part of the renovations they want to do. He will go over it with them before going forward.

Vietnam Memorial Update (Jerry Guthrie)

Mr. Guthrie presented in 3D what the Memorial will look like and where they are in the process. They have raised 76K so far and they need to raise \$125K. He noted that the DPW Director has been helpful along with the volunteers Mr. Guthrie is working with. Mr. Guthrie is a landscape architect and has done high end work in Boston. The material has been started to be cut and they have acquired the stone. This will be similar to the project over at Keyes Park. Permissions have been received from the church to get the stone thru, along with Souhegan SRLC. They can do this work in phases if they don't raise all the funds needed, they are selling bricks and T Shirts to help raise the needed funds. There is a form to buy bricks in the package for the meeting or go to this link https://www.milford.nh.gov/system/files/uploads/vietnam_memorial_brick_order_form.pdf to purchase a brick. Mr. Guthrie also explained he is trying to get the list of names, while respecting those that don't want to be listed, he is trying to locate the complete list. The 3 Milford residents that died over there will have a gold star, a blue star will indicate residents that served in Vietnam, and the rest of the names will be people that served in that era that were Milford residents at the time. Construction will begin in the spring, to coincide with the 50th anniversary of the end of the war. The big stones will need to be the beginning, and smaller tasks will happen in phases.

Ambulance Fee and SB-407 (Eric Schelberg)

Director Schelberg noted he used the wrong numbers at last meeting, and handed out updated numbers, and is asking the Board to reaffirm the adoption of the increase using the 2023 numbers.

Selectman Dargie motioned to reaffirm the 5% increase using the corrected numbers, seconded by Selectwoman Philbrick. Motion passed 3/2 with Selectmen Labonte and Freel opposed.

Senate bill 407 has passed and is going to the House for a vote, if passed there it will go to the Governor for signature. This will force insurance companies to pay the provider directly. This bill will set an EMS rate structure for transporting services, that rate will be based on 325% of Medicare. Director Schelberg is asking the Board to consider making the rates equal to SB 407 rates. There was some concern about people who could not pay the bill, especially with the increases. There is a write off committee that can review on a case-by-case basis to assist.

DRAFT MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
Monday April 22, 2024

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3. PUBLIC COMMENTS –

Jay Duffy, is proud to report that the commendation was made to Robert “Bob” Courage for 70 years at the DPW. He also received a proclamation from the Governor, Representative Sheehan, and others. He would like to thank the Keyes trust, Dunkin Donuts, Janet Langdell, Chris at GTM, The Cabinet, WMUR, the Selectmen, Town Administrator, the DPW team and many others. It all went well and was much deserved.

He also wanted to note the 4th annual Veteran Flag placement May 19th at 12:00 in the Riverside cemetery all are welcome.

Michael Thornton wanted to thank Mr. Duffy and Bob Courage for their wonderful job.

Suzanne Fournier stated that she might want to reply to the Town Status report on BROX and she asked for permission speak at that time depending on what is said during the report. Permission to speak at that time if she so desired was granted.

4. DECISIONS

a. CONSENT CALENDAR

- i. Acceptance and Appropriation of Unanticipated Revenues Under 10K NH RSA (31:95(b)) Donation from Arthur L. Keyes Memorial Trust to the Laurel-Abbot School restoration-repairs project in the amount of \$5K.
- ii. Intent to Cut Wood or Timber Ruonola Rd, Tax-Map 52-93-2 - Monica Hurley, Town Assessor
- iii. Approval of 6 Veteran’s Tax Credits - Monica Hurley, Town Assessor
- iv. Approval of Tax Abatements - Monica Hurley, Town Assessor
- v. Approval of PA-9 Certification of Yield Taxes - Monica Hurley, Town Assessor
- vi. Flags on Oval for Pride Day

Chairman Finan would like to remove item i. from consent calendar, and recused himself from voting on that item as he is on the Keyes Trust that made the donation.

Motion to accept items ii through vi by Selectwoman Philbrick, seconded by Selectman Labonte. All were in favor. Motion passes 5/0

Motion to accept items i by Selectman Dargie, seconded by Selectman Labonte. All were in favor. Motion passes 4/0/1 with Chair Finan abstaining.

b. OTHER DECISIONS

- i. \$1 Million ARPA Grant Approval for the Booster Pump Station Project – Mr. Pouliot asked that the Board approve the grant and allow him to sign the document. Selectman Freel asked if we collect as project goes on. Mr. Pouliot said it comes in as disbursements. There was some discussion if a public hearing is needed, and TA Daley will confirm we are all set with the Town Council.

Selectman Labonte motioned to accept \$1 million ARPA Grant, Seconded by Selectwoman Philbrick. All were in favor. Motion passes 5/0.

5. TOWN STATUS REPORT

- a. **Milford Swing Bridge Project Update:** This project was originally added to the 2019-2028 NHDOT 10-year plan with the understanding that the project would be fully funded by the State with the local

DRAFT MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
Monday April 22, 2024

157 20% match funded through Toll Credits. The estimated total cost of the project is approximately
158 \$906,000. Staff learned recently through the amendment and adjustment process and direct conver-
159 sations with NHDOT, the agency is requiring a local 20% match from the Town which is approxi-
160 mately \$181,200. We met with the NH DOT to look at options and opportunities, there might be
161 some opportunity to use Block Grant funds or bridge money next year to cover the local match.
162 Selectman Dargie suggests putting this in the CIP with the plan of doing a warrant article next year,
163 and in the meantime explore our other options. Ms. Kokko suggest putting in front of Heritage Com-
164 mission in particular if there are grants to apply for. Mr. Palance asked what's changed in the funding.
165 TA Daley thinks there is a difference of opinion on how the local match is going to be funded. When
166 discussing this project back in 2019, Executive Councilor Wheeler was at the forefront and trying to
167 push this project forward for support with the DOT and it was our understanding at that point in time
168 the local match would be covered with what's called Toll Credits (a funding source the DOT uses for
169 projects like this) to cover the local match. The DOT 10-year plan shows this funding source has
170 been modified and the DOT may have made a mistake along the way. Different funding options
171 were further discussed, and TA Daley will look into options.

172
173
174 **b. Requests for Proposal – Financial Auditing:**

175 TA Daley is asking the Board for their input on the bid process. Do we want to change auditors at
176 this point or put it off until next year when Finance Director is settled in. The decision is to go ahead
177 with the bid process.

178
179 **c. Milford Community Lands (Formally Brox) Alteration of Terrain Permit – Gravel Operations**

180 **(Update):** At final stages of working with Fish and Game. The last item involves the deed restriction,
181 that is the management mechanism to maintain and manage the 75 plus acres of town. There are a
182 couple of questions we have and want some clarification from DES and Fish & Game and anticipate
183 meeting with them in early May to finalize this whole process.

184 Selectman Labonte asked about the length of the contract. TA Daley noted there are two time frames.
185 The first is 20 years the Board has authorization to move this project. The Second if the actual
186 contract involving the services to move the gravel for the overall project. There were some challenges
187 with this project and the prior Town Administrators offered amended extensions and the most recent
188 ends in 2026. TA Daley is working with Town Council on this project.

189 Suzanne Fournier was recognized, it was a 2016 Warrant that was recognized, and contracts with
190 Northeast Sand and Gravel was signed in June 2016. So, it has now been 8 years of continuous
191 contract. She also questioned when the meeting was with DES and Fish & Game and TA Daley said
192 no specific date is set but it will be first week in May. She finds it curious that that Mr. Daley, for
193 the Town, is still objecting to Fish & Games threatening and endangered species conditions for years.
194 She went on to challenge that there should not be contracts longer than 6 years, she read the Warrant
195 Article from 2016 that explains this.

196 Chair Finan acknowledges the legal issue with contract and noted we have engaged the Town Attor-
197 ney and will figure the correct way to proceed to resolve this matter.

198
199 **d. 127 Elm St Property – Site Specific Quality Assurance Project Plan (SSQAPP):** There is an

200 opportunity through the NRPC, they have applied for the Brownfields Grant funds and that is issued
201 to the DES for the purpose of looking at Brownfields sites that have some contamination but through
202 remediations can be reused or repurposed for a better use.

203 Selectman Labonte aske if any investigation of property was done prior to purchase. TA Daley noted
204 there was an assessment and there was an issue with a pipe that was remediated. Chairman Labonte
205 asked if there is anything substantial found at this point, is the prior owner liable. TA Daley says we
206 are now the responsible party, and he feels the Town has acquired a decent property. This is an
207 opportunity at no cost to the Town to get information that will help decide to keep the building, take
208 it down or other decision.

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Monday April 22, 2024

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e. **Public Works Department – Parks and Cemetery Maintenance:** TA Daley noted we are looking forward to automating lawn maintenance. DPW Director is also exploring opportunities to better utilize current staffing and potentially outsource lawn care to a third party for the Cemeteries. An RFP was put out for 3rd party lawn maintenance services for the Town Cemeteries.

f. **Volunteers needed for Boards, Commissions and Committees:**
Looking for 2 Alternates for the Board of Adjustment and the Conservation Commission as well as the Planning Board. The Recycling Committee is looking for 1 Fulltime position. The EDAC is off the list and Camille Pattison is doing an exceptional job of gathering the membership and organization of that overall process.

Selectman Labonte asked what is going on the Dog Park. TA Daley noted the Dog Park is working with a licensed surveyor due to the occasional flooding that occurs in that area. This will happen fairly soon, this month or next month. Selectman Freel asked if this means nothing can be done, TA Daley noted that some clean up and tree clearing has been done by the DPW, but wetlands needs to be understood and addressed first. Whether it opens this year or next is still in the air, TA Daley will get update from the Park Association directly.

6. DISCUSSIONS

a. **Armory Road Heavy Truck Traffic:** There is a concern by a resident of increased traffic on Armory Road, including heavy trucks. The major issue is a timing and frequency of larger vehicles and Armory Road. This is a public way so anyone can travel on it. We can reach out to the Traffic Safety Committee and see what options might be possible to alleviate the situation. There was some discussion on whether a quarry or business in the area are open early hours, and Board is not aware of any.

Selectman Dargie moved to recommend this issue to the Traffic Safety Committee, seconded by Selectwoman Philbrick. All were in favor. Motion passed 5/0

b. **Select Board Policy Review**

Chair Finan started with policy 2006-01, the email policy, his comment is that he is in favor of repealing this policy completely on the basis that everything in this policy is covered by 91A and it is 18 years old policy.

Selectman Dargie motioned to repeal Selectman Policy 2006-01, Seconded by Selectwoman Philbrick.

Selectman Labonte asked if all Board, Commissions, Committee members have Town email addresses. If not, he feels we may need to have something in place, because if a court order comes up it opens up personal email. TA Daley mentioned we can look at issuing emails to Board, Commission, Committee members.

Ms. Kokko agrees with Selectman Labonte, also one item in that policy is regarding records retention and she knows there are NH court cases where the court relies on local policy for records retention. Also, there is the state law around retaining certain items. This is a case law issue.

There was some discussion further around this topic. Selectman Labonte suggested reaching out to NHMA and getting their input on this policy. Chair Finan agrees with Selectman Labonte that maybe we need to rewrite or update this policy.

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261 Michael Thornton thanks Selectman Labonte for bringing up an important issue that committee
262 members face every time they use their personal email and equipment, risking their personal pri-
263 vacy.

264
265 **Mr. Dargie withdrew his motion to repeal Selectman Policy 2006-01**

266
267 2012-01 Credit Cards is the next policy for review. Chair Finan had a quick review and suggests
268 that perhaps Parks & Recreation could change from \$2,000 to \$5,000, he then asked if anyone else
269 had comments.

270 Selectman Dargie noted when reviewing the manifests, it's hard to know who approved, and it
271 would be good to have a printed name along with the initials. There was some suggestion if this
272 belongs on the policy or the department heads should print name as well as initial. After discussion
273 it was decided that this is not a policy item.

274 Chairman Labonte asked why Park & Rec would get a \$5,000 limit. This is because they may
275 have to rent a bus, or buy sandwiches for people on trips, and this adds up.

276 TA Daley also noted that the Department Heads has not been changed in a while, and maybe
277 should be increased to \$3,000 as well. Discussion on the amounts continued for Parks and Rec
278 and Department heads continued for a bit.

279
280 **Selectman Dargie motioned to change section 4 b of the policy, so that \$2,000 is increased to**
281 **\$3,000 and the \$5,000 is increased to \$7,500, Seconded by Selectman Freel. All were in favor.**
282 **The motion passed 5/0.**

283
284 **Policy 2017-01**

285 Discussion was had if anyone had changes to this policy, no one did. No changes needed.

286
287 **Policy 2006-04**

288 We should have a meeting with the Ethics Committee in a work session. No change at this time.

289
290 **Policy 2006-03**

291 TA Daley suggested having HR at future meeting to discuss this policy. No change at this time.

292
293 **Policy 2007-01**

294 This was revised in 2021, no changes at this time, put on agenda for next meeting to review.

295
296 **Policy 2013-01**

297 Recommend this be done in a work session due to the length of this one.

298
299 **Policy 2023-02**

300 Take off the list

301
302 TA Daley mentioned a few policies he would like to add for future meetings. They include the
303 Internal Camera Policy and the Car Replacement Policy. Selectman Labonte asked that TA Daley
304 present these to the Board.

305
306
307 **7. SELECT BOARDS REPORTS/DISCUSSIONS**

308 **a. FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES**

309 i. Selectman Labonte attended his first planning board meeting, planning board discussed the
310 CIP, and did a training last Thursday as well.

311 ii. Selectwoman Philbrick went to Recreation and Conservation meetings last week. She also
312 wanted to give a shout out to volunteers who worked on the Town wide clean up on the 13th.

DRAFT MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
Monday April 22, 2024

313 Co-organizers were supporters of the dog park club, unitarian Universalist Church, Milford
314 Thrives, Milford Recycling and Solid Waste and DPW. People were in line at 8:15 to partic-
315 ipate, many families, and even took pictures with the truck and little kids.
316 iii. Dargie, with the Heritage Commission, noted Ms. Kokko is working on the Band Stand pro-
317 ject. The library is also still engaged looking for a new director, Mary Ann Shea is the acting
318 director.
319 iv.

b. **OTHER ITEMS (that are not on the agenda)** Work Session has been rescheduled to May 1, 2024
at 5:00 pm at the Fire Station.

8. PUBLIC COMMENTS – Ms. Kokko thanked the Keyes Memorial Trust for the \$5K donation to the
schoolhouse on behalf of the Heritage Committee. This was the result of the Heritage Commission ap-
proaching the Keyes Memorial Trust and asking about getting some exterior work done. They are going
to approach other organizations about getting additional donations to work towards the 20-25K that would
be needed to do the entire exterior of the building at once.

Gary Daniels expressed concern that the Town purchased 127 Elm St, and the policy has been we don't
take properties with pollution on it. TA Daley noted the cleanup efforts when they brought the property
had been completed. This new interior inspection is to identify things like asbestos or lead in the interior
and validate what's been done in the past.

9. APPROVAL OF MINUTES for April 3, 2024
Changes were suggested, Ms. Mallett will update and bring to the next meeting for review.

10. INFORMATION ITEMS REQUIRING NO DECISIONS

11. NOTICES

- a. The next Select Board meeting (5th Monday Forum) is April 29, 2024 at 5:30 in the Select Board
meeting room, 1 Union Square, Milford, NH at 5:30p.m. This will be a HYBRID meeting, infor-
mation to access Zoom will be posted on the Towns website on or before April 19th, 2024
- b. Town Wide Brush Pickup will be April 22 to 24 only. This is NOT leaves or grass clippings removal,
only brush. Brush is to be placed on the edge of the roadway at the curb line of your residence. Any
limbs or brush larger than 4 inches in diameter will be left on the ground. Any questions call the
DPW at 603-249-0685
- c. Milford Police Drug Take Back Day at Milford Police Station, 19 Garden St, Saturday April 27 from
10:00 a.m. to 2:00 p.m. Any questions call the Police Department at 603-249-0630
- d. The Select Board will have a work session on May 1st, 2024 at 6:00pm at the firehouse meeting room.

12. NON-PUBLIC SESSIONS

**Selectman Freel made a motion to enter non-public session at 8:40 p.m. in accordance with NH (RSA
91-A:3, II(a)) – Personnel. Seconded by Selectman Dargie. All were in favor. The roll call motion
passed 5/0**

The Select Board returned to public session at 8:50 p.m. It was announced that in non-public session,
no decisions were made, and no votes were taken.

13. ADJOURNMENT: Selectwoman Philbrick moved to adjourn the meeting at 8:55. Seconded by

DRAFT MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
Monday April 22, 2024

365 Selectman Labonte. All were in favor. The motion passed 5/0.

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Tim Finan, Chairman

Paul Dargie, Vice-Chairman

Dave Freel, Member

Chris Labonte, Member

Tina Philbrick, Member

DRAFT MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
FIFTH MONDAY FORUM
Monday April 29, 2024

1
2 **PRESENT:** Tim Finan, Chair Lincoln Daley, Town Administrator
3 Paul Dargie, Vice Chair (Arrived Late) Susan Mallett, Executive Assistant
4 David Freel, Member
5 Chris Labonte, Member
6 Tina Philbrick, Member
7

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

10 Select Chair Finan called the meeting to order, introduced the Board and led the Pledge of Allegiance.
11

12 **2. OPEN FORUM**

13 No input from the public at this point.
14

15 **3. DISCUSSIONS**

16 Mr. Finan made a comment as a member of the rotary club, and this coming year is the 75th anniversary.
17 They have a whole bunch of stuff planned for around town. The celebration will begin in July 1, 2024,
18 and one of the things they want to do is put up banners around the oval, about 8 to 10 poles and put up
19 every third or so. He noted there are some missing and this would be a good way to fill in the blanks. He
20 reached out to Chappell and Leo and Lincoln, no one had concern. When the oval was fixed in the early
21 2000s the light posts were put up and Rotary paid for all the banners. Selectwoman Philbrick and Select-
22 man Freel noted they have no issue with this either. Chair Finan said this hasn't been approved by the
23 Rotary Club, but he wanted to be sure Select Board had no objections or concerns before proceeding.
24

25 TA Daley informed the Select Board that they have an interim Finance Director, Kevin Blanchard, to fill
26 in the gap until they find a permanent person.
27

28 TA Daley also noted that Congressman Kuster is soliciting projects, both transportation and econ devel-
29 opment projects. He was originally going to suggest a bypass off of 101 to the BROX industrial prop-
30 erty, at an estimated \$40-50 million per recent estimate. Other programs we might be able to apply for
31 is under HUD, are 127 Elm St or small parking lot on South St. He is asking for 4 letters of support,
32 working with Camille Pattison, Planning Board, Ms. Sheehan, and the Select Board or allow TA Daley to
33 write letter on their behalf.
34

35 Selectman Labonte suggested swing bridge, but TA Daley noted we can't match federal money with fed-
36 eral money.

37 Representative Sheehan would be happy to sign off on a letter for these projects.

38 Selectman Labonte would favor the South St Parking lot and sidewalks because it's closer to the down-
39 town area.

40 Ms. Kokko, asked for clarification on what the parameters are for this funding source. TA Daley re-
41 sponded that he would forward the link to the HUD section that dictates the terms of this. The general
42 notion is that it creates an economic driver for the community and what can provide positive impact for
43 the businesses and residents in the Town.

44 She suggested other projects might qualify, such as the library and other capital improvements issues that
45 have come up in Town.

46 Selectman Labonte asked TA Daley if he had any other projects. TA Daley noted the time frame was
47 very short and these were the two that were top of the list.

48 Chair Finan agreed that the parking lot was a good use of the money along with benefitting the down-
49 town area.

50 Selectwoman Philbrick has no problem with the South St Parking but not sure people will walk to the
51 downtown area.

DRAFT MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
FIFTH MONDAY FORUM
Monday April 29, 2024

52 TA Daley noted it is a two-and-a-half-minute walk from Oval to South St Parking lot. Also, that NH
53 DOT has been looking at EV Charging stations along route 101.

54 Mike Thornton noted in Santa Barbara they rented a trolley for special events and that was popular and
55 a revenue stream for the city. In San Luis Obispo they had a few restaurants do BBQ that also was a
56 revenue stream.

57 Chair Finan recalled that there was an ad hoc committee for parking and he believes a trolley was con-
58 sidered.

59 TA Daley said issues was getting drivers and vehicle to drive around.

60 Ms. Langdell asked if any way to expand beyond the parking lot and also remove the walkability be-
61 tween south and Nashua Street. The quality of the sidewalks is not good in some places. Also, as Se-
62 lectman Freel, they are probably not ADA compliant.

63 Selectwoman Philbrick made a Motion to support grant for the South Street Parking lot and expand as
64 far as possible on the sidewalks. Seconded by Selectman Freel. All in Favor. Motion passed 4/0 with
65 Paul Dargie absent.

66
67 Ray Anderson will be at the May 13th meeting to give status of the MACC Base, including equipment
68 and location.

69
70 David Palance offered a caution, when items are not on the agenda, and they don't have background in-
71 formation that they don't submit a vote. Chair Finan in principle agrees with this, however, this grant is
72 on a short notice and timeline.

73
74 Chair Finan spoke with the DPW Director Lessard, and they tossed an idea around to put an 80foot pole
75 at Keyes Park in the center of the park. It would be a beautiful location and possibly viewable from Elm
76 St/Oval. He would like to go into the community to do some fundraising for this. DPW estimate is
77 roughly \$15–20K, for the installation, lighting and maybe a plaque or something. Chair Finan also
78 talked to the Parks & Rec Director and she is also in favor. As it is now the swim team can't see the
79 flag when they do the Pledge of Allegiance. We can accept donations into a special purpose fund for
80 this.

81
82 **Selectman Labonte made a motion to go into non-public at 6:45pm in accordance with NH (RSA**
83 **91-A:3, II(a)) Personnel, seconded by Selectman Freel. All were in favor. The roll call motion**
84 **passed 4/0**

85
86 **Note: Selectman Dargie arrived to the meeting just after the Board went into Non-Public.**

87
88 **The Select Board returned to public session at 6:55p.m. It was announce that while in non-public**
89 **session, the Board discussed one topic and made one decision.**

90
91 **Selectman Freel motioned to seal the minutes, seconded by Selectwoman Philbrick. All were in**
92 **favor. The motion passed 5/0**

93
94
95 **ADJOURNMENT:** Selectman Freel moved to adjourn the meeting at 7:00. Seconded by
96 Selectwoman Philbrick. All were in favor. The motion passed 5/0.

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100 _____
Tim Finan, Chairman

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Paul Dargie, Vice-Chairman

DRAFT MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
FIFTH MONDAY FORUM
Monday April 29, 2024

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Dave Freel, Member

Chris Labonte, Member

Tina Philbrick, Member

DRAFT - MINUTES OF THE MILFORD BOARD OF SELECTMEN
WORK SESSION
MAY 1, 2024

PRESENT: Tim Finan, Chairman
Paul Dargie, Vice Chairman
David Freel, Selectman
Chris Labonte, Selectman
Tina Philbrick, Selectwoman
Lincoln Daley, Town Administrator

1. CALL TO ORDER: Chairman Finan called the special work session to order at 5:00 p.m. at the Milford Fire Station Training Room. No public session this evening. The purpose of this work session is just to discuss the 10-year plan of the Milford Fire and Ambulances Departments.

2. OPEN FORUM:

Note many Emergency Services personnel in the audience, mostly firefighters, Ray Anderson from MACC base, and others.

FIRE: Milford Fire Chief Flaherty introduced his team; Assistant Chief, Mark Britton; Deputy Chiefs, Riley Stanchina and Jeffrey Marshall. He apologized for the reschedule from last week. This team then walked through a presentation that covered a brief history, data and future of the fire department. Some noteworthy items were:

Milford Fire Department (MFD) is focused on improvement of their ISO Score since 2000. It was 8, then in 2013 went down to 3 / 4, they are due for an audit and doing training to improve the score further. (Note 1 is the best score)

Call Stats: NFRS is the reporting system they use. The department is required to report to NH FMO, if they don't, they are not eligible for state and federal grants. They are on the 6th update to this system. The Fire, Police and Ambulance systems are not integrated.

Summary Data: Incidents and Activities are reported differently from old and new platforms. Various types of fires such as brush, dwelling, etc. were discussed. Rescue and EMS assist, call volume has been increasing and codes changed. Fire prevention activities were covered. Incidents by hour for the last 10 years were shown in graph form, also noted seasons have an effect on type of calls. Another graph showing distribution of types of incidents.

Staffing Impacts: Some things affecting Staffing are societal impacts, a drop in secondary school focus on trades, people don't have the time or desire like they used to. A chart referring to census data was also presented.

External Impacts: NH Dept of Safety acknowledges staffing issues and funded a study. There is a limited employment pool. Also, a 'cross-pollination' effect where Full Time Firefighter will also Volunteer at a different Town, in this case an injury or illness will take out 2 jobs. There was a discussion about pay, FT vs PT vs Per Diem options and other ways to set up the jobs to make them more enticing.

Internal Impacts: Retirements are coming up, people over 54 years, about to retire, loss of knowledge. Note, years of service is not necessarily correlated with age.

Kling Report and Population Data: Data reviewed covered Top 20 Towns by population, by person, by cost \$1,000 protected.

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5/1/2024

53 MFD Workload Increasing: This is seen especially in areas that are miles away from the Oval (where sta-
54 tion is), and due to expansion of call types.

55
56 Planning Time Line: in 2025 focus on adding 6 Firefighters, and retirement backfill. 2027-28 The goal is
57 2 FF's to expand to 4 FF's, also a possible expansion for a 2nd apparatus.

58
59 Staffing: 24 x 7 x 365 expand single crew. Five-year planning cycle, meets competent service metric.
60 Call Staff will be key. Growth and investment into training, tools, techniques is necessary.

61
62
63 **AMBULANCE:** Ambulance Director Eric Schelberg reviewed his presentation, noting the Ambulance
64 Department responsibility: Provide emergency and non-emergency pre-hospital health care and transpor-
65 tation. They provide paramedic level service, are Rapid Sequence intubation Certified and also Paramed
66 Interfacility Transfer (PIFT) credentialed.

67
68 **FUTURE EVOLUTION:**
69 In the next 3 to 5 years the goals are:
70 Staff second ambulance during 23:00 and 7:00, this is 112 hours total that will require two full-time em-
71 ployees with per-diem/part-time employees filling in the remaining 16 hours.
72 Mobile integrated Health care (MIH)
73 Point of Care Ultrasound (POCUS)
74 In the next 6 to 10 years the goals are:
75 Regional EMS – Community ability to support individual EMS services will become financially challeng-
76 ing going forward – due to personnel and infrastructure.

77
78 **AMBULANCE DEPARTMENT INFORMATION:**
79 The facility has 4 bays with dormitory space, first occupied in December 2013
80 3 ALS(Paramedic) equipped – 2 are year 2013, 1 is year 2020; the paramedic Response Vehicle (PRV) is
81 year 2022; and the Director vehicle is year 2013.
82 Ambulance Replacement Cycle is 5 years, with each ambulance serving 15 years. The next scheduled
83 replacement is in year 2028.
84 Personnel consists of 1 Director; 2 Captain/Paramedics; 2 Paramedic Field providers; and 7 AEMTs; 3
85 part time AEMT; 15 Per Diems that consist of 7 Paramedics and 8 AEMT and finally 2 Volunteers.
86 Staffing consists of 2 staffed ambulances – minimum of two (2) licensed EMS providers per ambulance.
87 1 runs at 24 hours 7 days a week with Paramedic, the other at 16 hours, 7 days per week with an EMT.
88 The call volume is over 2,000 annually.
89 The revenue is \$1.1 million annually.

90
91 **HISTORY:**
92 Began operations on January 1, 1974 at the BLS level with two ambulances and all volunteer staffing.
93 Two full-time EMT employees added in 1988 to cover 40-hours per week of daytime coverage.
94 Full-time Director/Paramedic added in June 1993.
95 1995-1998 added additional full-time Paramedic providers for 24/7 coverage
96 2003 Police station building passes at Town Vote, ambulance facility discussed leading to ambulance pri-
97 vatization discussion.
98 2004 – 2006: 2004 Privatization reviewed – Rockingham Ambulance proposal: zero cost for five years
99 with three five-year extensions at zero cost; 2005 town votes to maintain department (62%); 2005: Mer-
100 ger with Fire department discussed and eventually dropped; 2006 new T.A. Guy Scaife tasked with re-
101 viewing privatization and obtaining quotes from previous submitters – Rockingham Ambulance submitted
102 \$697,000 annually, BOS decided to maintain municipal department. Rockingham Ambulance goes out of
103 business in 2011 with a two to three month notice to employees and the City of Nashua.

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5/1/2024

104 2016 transitioned to paid staffing from volunteer for one ambulance 24/7 and second ambulance 16-
105 hours/7, due to a lack of reliable volunteer availability. Annual second ambulance need during 23:00 -
106 07:00 predicted at 42 calls, decision made not to staff second ambulance during this time at a savings of
107 \$135,000 annually.

108 2020 – 2023 transitioned to twelve full-time staff and 32-hours/week covered with part-time/per-diem
109 staffing.

110

111 **CALL INFORMATION:**

112 Call Volume - Type of Call

113 2023: ALS - 927; BLS – 586 TOTAL: 1,513 transports / 2,120 EMS requests (inc. m/aid)

114 2022: ALS - 946; BLS – 538 TOTAL: 1,484 transports / 2,059 EMS requests (inc. m/aid)

115 2021: ALS - 963; BLS – 571 TOTAL: 1,528 transports / 2,103 EMS requests (inc. m/aid)

116

117 Second Ambulance Calls (07:00 – 23:00)

118 2023: 431 (20.9%)

119 2022: 371 (18.4%)

120 2021: 428 (27.8%)

121

122 Third Ambulance Calls

123 2023: 3

124 2022: 5

125 2021: 15 (Billing Clerk licensed EMS provider)

126

127 Mutual Aid – Received (07:00-23:00 and 23:00-07:00) and Provided

128 2023: 80 - 59/21 // 67

129 2022: 76 – 48/28 // 67

130 2021: 77 – 51/26 // 65

131

132 Revenue from second ambulance (average)

133 2023: \$236,602

134 2022: \$182,020

135 2021: \$209,985

136

137 Length of Call Time – Transport (2023): 1 hour and 28 minutes

138

139 Overlap - Joint Ambulance and Fire calls

140 2023: A1 - 1,632 calls (79%); A2 - 431 (20.9%); A3 - 3 (0.1%); Totals: MAS - 2,063; Requests - 2,120;
141 MACCBASE - 20ACREW and MFD – 94

142 2022: MACCBASE - 20ACREW and MFD – 81

143

144 **OTHER INFO:**

145 • Employee cost: Group 1 – 23.18% and Group 2 – 40.0%

146 • Staffing

147 o Cross manning impact on minimum service level

148 o Impact 3-years, 5-years, 10-years

149 • Brattleboro VT starting stand-alone ambulance

150 • Other departments 'divesting' EMS from fire?

151

152 **GOALS AND BENEFITS TO BE ACHIEVED?**

153 Level of service to provide – Current: two ambulance coverage: one 24/7 and one 16-hours/7?

154

**DRAFT - MINUTES OF BOARD OF SELECTMEN WORK SESSION
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155 MERGER IMPLICATIONS:

- 156 • Cost
- 157 • Recruitment and retention
- 158 • Retirement plan cost difference - Group 1 versus Group 2
- 159 • Resentment of Group 1 versus Group 2 benefits (retirement criteria: age and length of service)
- 160 • Activity levels

161 PRIVITIZATION:

- 162 • Cost
 - 163 ○ Revenue not provided to town
- 164 • Stability of private for-profit companies

165
166 STAND ALONE:

- 167 • Cost
- 168 • Each discipline can focus on respective profession and responsibilities

169
170 There was much discussion of opinions of the Select Board, Fire and Ambulance officers and employees.

171
172 Selectman Freel asked that Chief Flaherty and Director Schelberg both provide at least one pro and one
173 con of merging the two departments.

174
175 There will be a future work session to be determined to further discuss this topic.

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177
178 **3. ADJOURNMENT:** Selectman Freel moved to adjourn at 7:26 p.m. Seconded by Selectman Dargie.
179 All were in favor. The motion passed 5/0.

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Gary Daniels, Chairman

Chris Labonte, Vice Chairman

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Paul Dargie, Member

Tim Finan, Member

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Dave Freel, Member

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DRAFT
MINUTES OF THE MILFORD BOARD OF SELECTMEN
WORK SESSION
May 8, 2024

1 **PRESENT:** Tim Finan, Chairman
2 Paul Dargie, Vice Chairman
3 David Freel, Selectman
4 Chris Labonte, Selectman
5 Tina Philbrick, Selectwoman
6 Lincoln Daley, Town Administrator
7

8 **1. CALL TO ORDER:**

9 Chairman Finan called the special work session to order at 5:00 p.m. in the Select Board Meeting room.
10 No public session this evening. The purpose of this work session is just to discuss the Town of Amherst
11 Proposed Ordinance limiting heavy trucks and the possible effect on Milford.
12

13 **2. OPEN FORUM:**

14 Peter Lyon, of the Amherst Select Board explained the Proposed “No Through Trucking Ordinance of the
15 Town of Amherst”. This is to address Heavy Truck traffic through the Village Center. Primarily it ap-
16 pears to be 18-wheel dump trucks, coming and going from New Boston Sand & Stone in New Boston.
17 Mr. Lyon noted they proposed this ordinance after listening to their residents. They’ve picked 68K GVW
18 as the top weight.
19

20 Selectman Labonte, noted if they are using their jake brakes (engine brake) it is loud and can give the ap-
21 pearance of the vehicle going faster than they really are. He suggested looking at an engine brake re-
22 striction. Selectman Labonte also asked if this is a new ordinance or a revision of an existing.
23

24 Selectman Dargie asked about the NRPC report for the trucks. He asked by not allowing the trucks to go
25 on certain roads, where does Mr. Lyon expect that they would go? Mr. Lyon can’t say where they would
26 detour. He then asked for clarification on traffic counts and what subset of trucks are included and ex-
27 cluded.
28

29 Ned Connell (Transportation Planner for NRPC) Noted the “Truck” count may be over the top and in-
30 clude other vehicles like school bus, propane delivery, Fed Ex, stretch limousines. He said you might get
31 a large amount of delivery trucks that go from one customer to the next and that path takes them through
32 the village, and they will be asking for waivers. He suggested to put out a class counter on Merrimack
33 Road.
34

35 Selectman Labonte expressed concern that the type or class of truck is not accurately recorded or that
36 there is really a volume of truck traffic that is portrayed in the report.
37

38 Lincoln Daley asked if anyone has reached out to the Sand and Stone company in New Boston to see if
39 this is a temporary traffic pattern with an end date or a new permanent pattern. He asked if there is some
40 way to mitigate the truck traffic. No one could answer that. He asked how were the roads selected for the
41 proposed ordinance and Mr. Lyon noted it was in response to resident complaints and a traffic study.
42

43 Selectman Freel suggested that maybe something to talk about is limiting the hours, instead of a 24-hour
44 ban.
45

46 Mr. Connell suggested he, as a neutral party, contact the gravel operator and find out their hours, days of
47 operation and typical routing. Mr. Lyon will discuss this with him outside the meeting.
48

49 Chair Finan noted he would like to work together with Amherst on this.
50

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51 Selectman Dargie asked what the guesstimate as to the impact on Milford would be. Mr. Connell said he
52 feels it will be virtually unnoticeable, you still have USPS, School Buses and other vehicles.

53
54 Selectwoman Philbrick asked if this is going to affect the oval, especially because there will be a lot of
55 changes going on. No one could say either way whether or not it would affect Oval traffic.

56
57 Dale White, president of Leighton White Inc, noted he owns trucks and has 52 people that make a living
58 in his company. He agrees jake brakes should not be used in the village area, however asks that Amherst
59 consider the Gross Vehicle Weight (GVW) and increase to 77-78 GVW limit. He asks Amherst to keep
60 in mind, this is going to hurt people who are just making a living and increase costs, he already pays \$30,
61 976 in registration to the Town, along with the state registrations, diesel, gas and inspections for his vehi-
62 cles. He asks that Amherst keep in mind that people are trying to make a living.

63
64 A member of the public, Jeannie Lou, of Amherst appreciates that truck drivers have businesses. She
65 doesn't want trucks speeding through, it is all residential and there are 2 schools I the area. She has been
66 frightened by large trucks speeding. She does want to discourage heavy large trucks from using Boston
67 Post Road as a cut through.

68
69 Chair Finan asked what can we do as a Board? Send Amherst a letter? Have one Board member attend
70 the Amherst Meeting?

71
72 Selectman Freel said we should drop them a letter, help them to look for a work around, and Amherst
73 should work with the sand company. If it is a speed issue, Amherst Police need to address that issue be-
74 fore an ordinance.

75
76 Chair Finan thinks multiple Towns should meet together to address this issue.

77
78 Selectman Labonte said you are basically penalizing a huge class over a handful of trucks. Suggest a no
79 engine brake, address speeding are a couple options to help.

80
81 It was decided to write a letter to Amherst Select Board to work together, also suggest to table ordinance
82 for now and consider 77 – 80 GVW limit, get together with the gravel company if we can. Selectman
83 Finan asked that we keep the letter Milford centric, we don't want to tell them what to do, but do want to
84 cooperate.

85
86 Selectman Freel also mentioned there are 2 large construction projects that are going up in Amherst and
87 this could be contributing to the truck traffic.

88
89 Dale White felt the police could also have a good effect on this issue, he really hates to see the cost go up
90 for owners and consumers.

91
92 Bob Labonte, Milford resident and owner of Labonte trucking said when Amherst reclaimed Boston Post
93 Road, they chose not to update culverts that were rotted, they classified it as E2 bridge to keep heavy
94 trucks off. He got stopped by a cop, that told him the majority of speeders are local people. Because of
95 this he feels the bulk of trucks are going up empty and coming down heavy, some being bagged for being
96 overweight on the way down. He thinks they should have something about Jake Brakes.

97
98 Action item: TA Daley and Select Board Chair Finan will work together to draft a letter to Amherst re-
99 questing to work together on this.

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WORK SESSION
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3. ADJOURNMENT: Selectwoman Philbrick moved to adjourn at 6:00pm. Seconded by Selectman Labonte. All were in favor. The motion passed 5/0

Gary Daniels, Chairman

Chris Labonte, Vice Chairman

Paul Dargie, Member

Tim Finan, Member

Dave Freel, Member