

**5:30 p.m. Board of
Selectmen's Package
and Agenda –**

Tina Philbrick (verbal)

4. a) Approval of Intent to Cut Wood or Timber Map 44-011 Lot 001

RECEIVED
DEC 31 2020
TOWN OF MILFORD

FORM PA-7 (Assigned by Municipality)
NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
NOTICE OF INTENT TO CUT WOOD OR TIMBER

YR - TOWN - OP# - T

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

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.
44-011-001
- Intent Type: Original Supplemental (Original Intent Number)
- Name of Access Road: ROUTE 101A
- a. Acreage of Lot: 6.95 Acreage of Cut: 4 +/-
- b. Anticipated Start Date: 1/6/2021
- Type of ownership (check only one):
 - 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 16, whichever comes first. I/We also assume responsibility for any yield tax which may be assessed. (If a corporation, an officer must sign.)
Timber Tax Information is Available at www.revenue.nh.gov
Questions?? Call (603) 230-6960

[Signature] 12/30/20
SIGNATURE (in ink) OF OWNER(S) OR CORPORATE OFFICER(S) DATE SIGNED

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

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

KEVIN CHAUVETTE - MERRIMACK VISION CARE LLC
PRINT CLEARLY OR TYPE NAME OF OWNER(S) OR CORPORATE OFFICER(S)
DBA MVC EYE CARE - 1876 SOUTH WILLOW STREET
MAILING ADDRESS
MANCHESTER NH 03103
CITY OR TOWN STATE ZIPCODE
E-MAIL ADDRESS
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		MBF
Hemlock		MBF
Red Pine		MBF
Spruce & Fir		MBF
Hard Maple		MBF
White Birch		MBF
Yellow Birch		MBF
Oak		MBF
Ash		MBF
Beech & Soft Maple		MBF
Pallet or Tie Logs		MBF
Other (Specify)		MBF
	Tons	Cords
Spruce & Fir		
Hardwood & Aspen		
Pine		
Hemlock		
Whole Tree Chips	250	
Miscellaneous		
High Grade Spruce/Fir		Tons
Softwood & Fuelwood		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. I have become familiar with RSA 227-J, the timber harvest laws.

[Signature] 12/30/20
SIGNATURE (in ink) OF PERSON RESPONSIBLE FOR CUT DATE

JOHN BROWN & SONS INC. - M. PETER HENK TREASURER
PRINT CLEARLY OR TYPE NAME OF PERSON RESPONSIBLE FOR CUT
14 B&B LANE
MAILING ADDRESS
WEARE NH 03281
CITY OR TOWN STATE ZIPCODE
(603) 628-7974 pste@brownbronto.com
PHONE NUMBER E-MAIL ADDRESS

FOR MUNICIPAL ASSESSING OFFICIALS ONLY

- The Selectmen/Municipal Assessing Officials hereby certify that:
 - All owners of record have signed the intent;
 - The land is not under the Current Use Unproductive category;
 - The form is complete and accurate; and
- Any timber tax bond required has been received.
\$ _____ Date: _____
- The tax collector will be notified within 30 days of receipt pursuant to RSA 76:10.
- This form to be forwarded to DRA within 30 days.

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

4. b) Approval of two (2) Polling Notification Forms for the Deliberative Session and Town Vote

THE STATE OF NEW HAMPSHIRE

**THE MILFORD HIGH SCHOOL WILL BE OPEN AT 9:00
on the 30th day of January, 2021, for the 1st Session
for voting on all matters in
the Warrant and other matters**

*TO THE INHABITANTS OF THE TOWN OF MILFORD, NEW HAMPSHIRE in the
[L.S.] County of Hillsborough in said State, qualified to vote in Town Affairs:*

**YOU ARE HEREBY NOTIFIED TO MEET AT THE MILFORD HIGH SCHOOL in said
Milford on Saturday, the 30th day of January 2021, at 9:00 am to
act upon the following subjects in accordance with NH RSA 40:13 with the first session
on Saturday, the 30th day of January, 2021, to transact all business other than voting, and
on the 9th day of March, 2021, for the second session for voting by official ballot at the
polls, at the MILFORD HIGH SCHOOL, and at the times mentioned above, to act on all
matters in the Warrant as well as officers and other matters to be voted on.**

**Additionally, we hereby certify that we gave notice to the inhabitants within
named, to meet at the time and place and for the purposes above-mentioned, by posting
up an attested copy of the within Warrant at the place of meeting within named, and a
like attested copy at the Milford Town Hall, it being a public place in said Town, on the
25th day of January, 2021**

GIVEN UNDER our hands and seal, this 11th day of January, 2021.

A TRUE COPY OF WARRANT - ATTESTED:

**Selectmen
of
Milford**

THE STATE OF NEW HAMPSHIRE

THE TOWN VOTE POLLS WILL BE OPEN FROM 6:00 AM to 8:00 PM
on the 9th day of March, 2021, for the 2nd Session
for voting on all matters in
the Warrant as well as Officers and other matters

TO THE INHABITANTS OF THE TOWN OF MILFORD, NEW HAMPSHIRE in the
[L.S.] County of Hillsborough in said State, qualified to vote in Town Affairs:

YOU ARE HEREBY NOTIFIED TO MEET AT MILFORD HIGH SCHOOL in said
Milford on Tuesday, the 9th day of March 2021, next for the
second session for voting by official ballot at the polls, at the same location mentioned
above, and at the times mentioned above, to act on all matters in the Warrant as well as
officers and other matters to be voted on.

Additionally, we hereby certify that we gave notice to the inhabitants within
named, to meet at the time and place and for the purposes above-mentioned, by posting
up an attested copy of the within Warrant at the place of meeting within named, and a
like attested copy at the Milford Town Hall and Milford High School, they being public
places in said Town, on the 25th day of January, 2021.

GIVEN UNDER our hands and seal, this 11th day of January, 2021.

A TRUE COPY OF WARRANT - ATTESTED:

Selectmen
of
Milford

TOWN OF MILFORD

FINANCE OFFICE



January 8, 2021

Milford BOS,

We have received our 2019 preliminary audit. Our Undesignated Fund Balance at 12/31/19 is \$4,320,234. This represents an increase of \$418,889 over the 12/31/18 Undesignated Fund Balance. I have estimated that the projected surplus at 12/31/20 for the Town of Milford will be \$355,000 or 2.26% of the approved budget. Coupled with the BOS action on 12/14/20, this will result in a projected Surplus in 2020 in the amount of \$644,000. The projected 12/31/20 Undesignated Fund Balance is \$4,969,234. Please see Fund Balance analysis.

I would like the BOS to discuss Encumbering the following items. Further I would request that the BOS remove items #1 & #2 from the 2021 budget:

- 1.) \$104,650 (2) Police SUV's
- 2.) \$52,983 (1) Ambulance response vehicle
- 3.) \$68,503 (1) DPW Truck

If the BOS were to make a motion to approve this request, the 2021 budget increase over the 2020 approved budget would be 2.6%. This would be down from the 3.7% increase we currently are showing.

Respectfully,

Paul Calabria
Finance Director

Town of Milford
Fund Balance analysis
Prepared: January 5, 2021

*****Minimum Level of Unassigned Fund Balance as a percentage of Gross Town, County & School Appropriations:**

Per T. of Milford Finance Policy	5% to 15%
Per NHDRA recommendation	5% to 10%
Per NHGFOA recommendation	8% to 17%

Fund Balance:

	Actual	
12/31/2018	3,901,344	<i>*Actual</i>
12/31/2019	4,320,234	<i>*Actual</i>
12/31/2020	4,969,234	<i>*Unaudited</i>

Gross Appropriations (Town, County & School):

FY 2020	48,416,756
10.3%	4,969,234 <i>*Unaudited</i>
5%	2,420,838
10%	4,841,676
15%	7,262,513

Fund Balance used to reduce the tax rate:

<u>FB Used</u>	<u>Remaining Fund Balance</u>	<u>% of Gross Appropriations</u>
250,000	4,719,234	9.75%
500,000	4,469,234	9.23%
750,000	4,219,234	8.71%
1,000,000	3,969,234	8.20%

*****Gross Appropriations less Enterprise Funds and Current Year Bonds**



Agreement for Document Scanning Services

This Agreement (the "Agreement") is made between: New England Document Systems, Inc. (NEDOCS), a New Hampshire Corporation having a principal place of business at 750 East Industrial Park Drive, Manchester, NH 03109, and Town of Milford, NH.

It is agreed: NEDOCS will provide the service of preparation, scanning, indexing and delivery of Customer's documents. These services and associated prices are detailed in below.

Service	Description	\$Price /Unit
Scanning 11,14,17 inch	Per Image	.07
Indexing: Map and Lot#	Per File	.10
Clerical Preparation	Hourly	25.00
FTP Uploads to PVE	Per Upload	15.00
Engineering Drawings	Per Drawing	1.50
Secure Shredding	Per Image	.003
Transportation	Per Trip	20.00

The final cost is determined by volume and the actual count of total images processed through the scanner.

Contracted amount not to exceed \$10,000.00 in total billing for the first year and then the town appropriated amount in the year(s) following.

810,000 Budget
- 3,300 Billed

6,700 Encumber

(Assessing)

Scanning Contract

For

Town of Milford, NH

Scanning Contract

For

Town of Milford, NH



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Engineering Drawings	Per Drawing	1.50
Secure Shredding	Per Image	.003
Transportation	Per Trip	20.00

The final cost is determined by volume and the actual count of total images processed through the scanner.



TERMS AND CONDITIONS

- I. NEDocs agrees to provide secure storage facilities for the documents and other material supplied to it by CUSTOMER and/or its vendors. NEDocs shall keep all such documents and materials separate from any other client's documents and materials and have such materials clearly marked as belonging to CUSTOMER.
- II. NEDocs will exercise all reasonable care, which will meet or exceed generally accepted industry standards, in the storage of the documents and materials. In no event will NEDocs be held liable for any consequential or incidental damages suffered as a result of the failure to provide access, or for loss or damage to the documents or material. So long as NEDocs exercises reasonable care in the storage of the material CUSTOMER releases NEDocs for any liability associated with loss or damage to the documents, material or files while in the care and custody of NEDocs.
- III. The CUSTOMER assumes responsibility for all deliveries outside of NEDocs' delivery scope. NEDocs will not be held accountable should the customer choose to utilize a third-party delivery option (including, but not limited to, USPS, FedEx, UPS, outside courier, etc.). All electronic deliveries should be sent through a secure e-mail server. NEDocs will not be held accountable for any electronic data (files, images, etc.) that are sent in any other manner.
- IV. The CUSTOMER is responsible for reporting any and all operational failures, incidents, problems, concerns or complaints to NEDocs directly by reaching out to our IT Support Desk, Customer Service department or their Sales Representative. Changes to any of NEDocs' systems that affect CUSTOMER directly will be communicated to them in a timely manner (i.e. software updates, policy changes, etc.). NEDocs is also responsible for notifying the customer in the event of a data breach, as dictated by State and Federal regulations.
- V. All data storage devices sent from NEDocs to the customer, including but not limited to CDs, DVDs, flash drives, etc., will be encrypted in order to protect the security of the enclosed data. Encryption passwords will be maintained by NEDocs and available only to Customer's employees who have been approved in writing to receive those passwords. All electronic deliveries sent from NEDocs will be sent through our Secure E-mail server.
- VI. This writing constitutes the full and complete agreement of the parties, and supersedes all prior agreements and understandings and there are no prior oral or written agreements which modify or change this writing.



- VII. The document conversion pricing provisions quoted above will be offered by NEDocs to CUSTOMER for three years with no maximum of CPI increase thereafter.
- VIII. Either party may terminate this Agreement upon at least thirty (30) days written notice to the other party. All data from customer stored at NEDocs or in process at the time of termination will be returned to customer. Customer shall pay NEDocs all unpaid Fees and Expenses up to and including the date of termination.
- IX. **Mutual Indemnification:** Each party hereto agrees to indemnify, defend, and save harmless the other party, its officers, agents, and employees from any and all losses (including reasonable attorneys' fees) arising out of or resulting from any claim by any third party against the other party caused by the former party's sole negligent or wrongful acts or omissions. NEDocs also agrees to indemnify, defend, and save harmless CUSTOMER, its officers, agents, and employees from any and all claims and losses (including reasonable attorneys' fees) arising out of or resulting from any claim by any third party that the services provided by NEDocs violate any patent, copyright, trade secret or other proprietary right of any third party.
- X. **Force Majeure:** In no event shall either party be liable for delays or for any damages suffered by the other party when such delay or non-performance is due to causes beyond such party's reasonable control, including Acts of God, fire strikes, floods, power outages, epidemics, quarantine restrictions, war, insurrection or riot, action, inaction or delay by any civil or military authority or any federal, state or other governmental authority, or unusually severe weather (including lightning strikes), provided that the non-performing party uses commercially reasonable efforts to avoid or remove such causes of non-performance and continues performance under this Agreement with reasonable dispatch whenever such causes are removed.
- XI. **Governing Law:** This Agreement shall be governed by and construed in accordance with the laws of the state of New Hampshire. Both parties are responsible for complying with all applicable laws and regulations (ex. GLBA, HIPAA, 201 CMR 17, etc.)
- XII. **Confidentiality Agreement:** NEDocs agrees to maintain in confidence and not disclose or otherwise make available any information contained in the documents provided by CUSTOMER or its vendors to New England Document Systems. NEDocs shall safeguard all of the documents against unauthorized disclosure, and require all of its employees to sign a confidentiality agreement to insure that the provisions of this Agreement are not violated by any employee of NEDocs.



New England
DOCUMENTSYSTEMS
Managing Information - Since 1983

CUSTOMER: Town of Milford, NH

Signature: *[Handwritten Signature]*

Print Name: MARTIN DUEL

Title: Assessor

Date: 8-31-2020

New England Document Systems, Inc.

Signature: _____

Print Name: Nick Brattan

Title: President

Date: 8-21-2020

New England
DOCUMENTSYSTEMS
Managing Information - Since 1983

Authorized Requester Form:

Company:	Town of Milford, NH	Date:	8-21-20
Address:	1 Union Sq. Milford, NH 03055		
Primary Contact:	Marti Noel	Phone #:	603-249-0615
Department:	Assessing		

We require a password for your account. This must be sent via separate email or provided verbally.
 Employees in the box below are authorized to request boxes or individual files to be faxed, emailed, delivered or picked up from our Document microfilm division, the record center or our document imaging conversion bureau.

Name	Department	Phone #

Employees listed in the box below also authorized to permanently remove boxes or data and authorize destruction of boxes or data. They are also allowed to make changes to the authorized requester list above.

Name	Department	Phone #

Deletions: (People no longer authorized on this account)

Name	Department	Deletion Date

Email any changes to customerservice@nedocs.com

Leaders in Document Retention Services Since 1983
 750 East Industrial Park Drive Manchester, NH 03109-5630
 (603) 625-1171 - Inquiries@NEdocs.com
www.NEdocs.com

**5. 2) Non Union Staff
Raises – Paul Calabria,
Finance Director –
(verbal)**

Warrant Article #	Pre and Post Deliberative Proposed Vote Tallies for 2021 Warrant Articles	2021 Proposed Amount	BOS Pre-Deliberative Vote	Water Commissioners Vote	BAC Pre-Deliberative Vote	BOS Post-Deliberative Vote	BAC Post-Deliberative Vote	BOS Majority Report Author	BOS Minority Report Author
3	FIRST RESPONDERS COMMUNICATIONS NETWORK	\$2,400,000	01/11/2021	01/05/2021		1/16/2020			
4	SEWER WASTEWATER TREATMENT FACILITY (WWTF) SECONDARY CLARIFIERS REPLACEMENT MECHANISMS	\$1,750,000		Support (3-0)					
5	WADLEIGH LIBRARY HVAC/ELECTRICAL REPAIR	\$995,000							
6	TOWN OPERATING BUDGET	\$15,776,568							
7	WASTEWATER DEPARTMENT OPERATING BUDGET	\$2,288,406		Support (3-0)					
8	WATER DEPARTMENT OPERATING BUDGET	\$1,589,652		Support (3-0)					
9	RECONSTRUCTION OF TOWN ROADS	\$400,000							
10	WADLEIGH LIBRARY MAINTENANCE AND UPKEEP CAPITAL RESERVE	\$150,000							
11	FIRE RESCUE TRUCK #1 REPLACEMENT - 7 YEAR LEASE/PURCHASE (ANNUAL LEASE PAYMENT \$86,214) TOTAL PURCHASE PRICE \$689,700 BOND	\$86,214							
12	PUBLIC WORKS SNOW PLOW UNIT - 5 YEAR LEASE/PURCHASE (ANNUAL LEASE PAYMENT \$42,530) TOTAL PURCHASE PRICE \$200,000	\$42,530							
13	DPW VEHICLES AND HEAVY EQUIPMENT CAPITAL RESERVE	\$40,000							
14	SOCIAL SERVICES	\$40,000							
15	INFORMATION TECHNOLOGY INFRASTRUCTURE CAPITAL RESERVE	\$40,000							
16	NON-EMERGENCY COMMUNITY TRANSPORTATION BUS SERVICES	\$32,000							
17	FIRE APPARATUS REPLACEMENT CAPITAL RESERVE	\$25,000							
18	TOWN FACILITIES RENOVATION AND MAJOR REPAIR REPLACEMENT CAPITAL RESERVE	\$25,000							
19	KEYES PARK EXPANSION COMMITTEE PROJECT CAPITAL RESERVE	\$25,000							
20	PUBLIC WORKS WHEEL BUCKET LOADER - 5 YEAR LEASE/PURCHASE (ANNUAL LEASE PAYMENT \$22,980) TOTAL PURCHASE PRICE \$145,000	\$22,980							
21	ASSESSING REVALUATION CAPITAL RESERVE	\$15,000							
22	AMBULANCE DEPARTMENT PORTABLE RADIO REPLACEMENT FROM PUBLIC SAFETY COMMUNICATION EQUIPMENT REPLACEMENT CAPITAL RESERVE	\$13,927							
23	SUMMER BAND CONCERTS	\$9,000							
24	MEMORIAL, VETERANS & LABOR DAY PARADES AND RECOGNITION	\$6,500							
25	BLIND EXEMPTION	\$0							
26	GRANITE TOWN RAIL TRAIL REVOLVING FUND	\$0							

N/A = Not applicable N/P = No position S= Support O = Oppose

TOWN OF MILFORD, NEW HAMPSHIRE

BOARD OF SELECTMEN



RULES OF PROCEDURE

Adopted January 22, 2018

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Section I General Provisions

BOARD OF SELECTMEN MEETING – LOCATION

Rule 1. Board of Selectmen Meeting – Location and Posting

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

Rule 2. Board of Selectmen Meeting – Day/Time

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

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

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

Rule 4. Responsibilities of Members of the Board

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

Rule 5. Election of Officers

Procedures for electing officers are as follows:

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

Rule 6. Presiding Officer

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

Rule 7. Quorum

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

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

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

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

Rule 8. Board of Selectmen’s Meeting Agenda

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

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

Rule 9. Order of Business

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

- 1. Call to order, Board of Selectmen Introductions & Public speaking Instructions**
- 2. Appointments to Meet with the Board**
 - a. Public Hearings if needed
 - b. Citizens – Concerns, Complaints or Comments
 - c. Staff – Departmental Updates and/or any other items pertaining to each department.
- 3. Public Comments (regarding items that are not on the agenda)**
 - a. Any member of the public may request time to address the Board of Selectmen after first stating their name, address, and the subject of their comments. The Presiding Officer may then allow the comments subject to such time limitations as the Presiding Officers deems necessary, **generally five (5) minutes**. Following such comments the Presiding officer may place the matter on the current agenda or future agenda, or refer the matter to the Town Administrator or other official for investigation, report or to take such actions as may be appropriate.
 - b. Subjects on the current agenda. Any member of the public who wishes to address the Board of Selectmen on an item on the current agenda shall make such requests to the Presiding Officer at the time when comments from the public are requested. The Presiding officer shall rule on the appropriateness of public comments as the agenda item is reached. The Presiding Officer may

change the order of speakers so that testimony is heard in the most logical groupings, e.g. proponents, opponents, adjacent land owner's, vested interests, etc.

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

4. Decisions

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

5. Town Status Report

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

6. Discussions

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

7. Public Comments

8. Selectmen's Reports/Discussions

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

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

10. Information Items Requiring No Decisions

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

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

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

13. Adjournment

Rule 10. Town Administrator

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

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

Rule 11. Clerk of the Board of Selectmen

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

Rule 12. Meetings of the Board of Selectmen

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

Rule 13. Appointment to Boards and Commissions

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

Rule 14. Procedure for Nominating and Appointing citizens to Town Boards, Commissions and Committees.

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

Rule 15. Placement of Selectmen Recommendations on Warrant

The Board shall place a "Recommended" or a "not Recommended" notation on each warrant article submitted directly to the Board or submitted through petition to any Town Meeting as may be required by RSA 32:5 V(a) or RSA 40:13, V-a. The Board may choose to place such notation on any warrant article, regardless of whether such action is required, unless the Town has voted to prohibit such voluntary notations. The Board shall place their recommendations regarding each warrant article on the ballot for all articles that were placed on the ballot by the Board or by petition. Their position regarding each article shall be placed on the ballot substantially in this format: The Board of Selectmen recommends this article (x-x) (yes-no), or The Board of Selectmen does not recommend this article (x-x) (yes-no).

SECTION II

DUTIES AND PRIVILEGES OF MEMBERS

Rule 16. Forms of Address

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

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

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

Rule 18. Rules of Order

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

Rule 19. Motions

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

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

Rule 20. Suspension of Rules

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

Rule 21. Dissents and Protests

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

Rule 22. Procedures for a Public Hearing

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

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

- (g) The Presiding Officer closes the public hearing.
- (h) The Presiding Officer shall then inquire if there is a motion by any of the Selectman. Following the motion and its second, discussion occurs among Selectman. The Presiding Officer may call on an individual Selectman in the discussion.

Rule 23. Voting

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

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

Rule 24. Committees

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

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

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

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

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

Rule 26. Resolutions and Policies

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

Rule 27. Procedures for Ordinances

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

- (d) Action on all ordinances and resolutions shall be governed by the following rules:
- 1) The Selectmen shall have the authority to establish, and amend town ordinances and codes after they hold 2 public hearings at least 10 but not more than 25 days apart on the establishment or amendment of the ordinance or code.
 - 2) Prior to introducing any ordinance or resolution, the proponent of the ordinance or resolution may seek a motion to introduce the ordinance or resolution by title only and to waive a reading of the entire ordinance or resolution. If there is a second, and after discussion, the Presiding Officer shall call for the question and the Board of Selectmen shall vote whether to read the ordinance or resolution by title only. Lacking such a motion or should this motion fail, the ordinance or resolution shall be read in its entirety.
 - 3) If an ordinance or resolution is referred to committee, the committee shall report the item to the Board of Selectmen in due course and the item shall then be in order for further action. The reporting of an ordinance or resolution shall not require a motion or other Board of Selectmen action. The Board of Selectmen may, upon a motion made and seconded, call the ordinance or resolution out of committee. The item shall then be in order for further action before the Board of Selectmen.
 - 4) At such time as further action is in order, any Selectmen may move that the ordinance or resolution be scheduled first for 2 public hearings at least 10 but not more than 25 days apart.
 - 5) The selectmen's vote shall take place no sooner than 10 days nor later than 25 days after the second public hearing is held. The provisions of this section shall not apply to the establishment and amendment of a zoning ordinance, historic district ordinance, or building code under the provisions of RSA 675.

Rule 28. Public Complaints and Suggestions to Board of Selectmen

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

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

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

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

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

Rule 30. Amendment Procedure

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

Rule 31. Effective Date

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

APPENDIX A POLICY: ETHICAL CONDUCT

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

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

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

Officials shall not:

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

**Town of Milford
New Hampshire**

Board of Selectmen Rules of Procedure

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

Chairman

Vice-Chairman

Selectman

Selectman

Selectman

Received and recorded this _____ day of _____, 2020.

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

9. Approval of Final Minutes - December 28, 2020

DRAFT

MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

December 28, 2020

This meeting was conducted pursuant to the State of New Hampshire Emergency Order #12 pursuant to Executive Order 2020-04, temporary modification of public access to meetings under RSA 91-A. As such, the meeting was conducted online using these connection instructions that were listed on the posted meeting agenda: "The Public is encouraged to participate remotely, call in on your phone @ 1-646-558-8656 and enter the meeting ID# 865 0671 3534 and the password is 202056 or join the Zoom Meeting @ <https://zoom.us/j/81556027838>. Please try to log in 5 minutes before the meeting's scheduled start time in case you run into any technical difficulties".

PRESENT: Gary Daniels, Chairman (Zoom) John Shannon, Town Administrator (Zoom)
Paul Dargie, Vice Chairman (Zoom) Tina Philbrick, Executive Assistant (Zoom)
Laura Dudziak, Member (excused)
Chris Labonte, Member (Zoom)
David Freel, Member (Zoom)

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

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

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

All votes that are taken during this meeting must be done by Roll Call vote. Members from home were asked to state their name and state whether there was anyone in the room with them during this meeting, which is required under the Right-to-Know law.

Roll call attendance: Selectman Dargie, yes, (zoom) no one is present. Selectman Labonte yes, present in the BOS room, and Chairman Daniels yes, (zoom) no one is present. Selectman Freel, yes, no one is present.

2. APPOINTMENTS: (Approximate times)

5:30 p.m. - Proclamation for Clare Callahan

Clare Callahan is retiring from the Town Clerks' office. Chairman Daniels read a Proclamation.

WHEREAS, Clare Callahan has served with distinction as a Deputy Town Clerk for the Town of Milford for 15 years; and
WHEREAS, the Town of Milford is most sincerely appreciative of Clare Callahan's long and faithful service to the Town of Milford

WHEREAS, Clare Callahan has made many lasting contributions to the Town Clerk's Office.

WHEREAS, Clare Callahan is recognized for her unmatched loyalty, unparalleled dedication, and outstanding service;

NOW, THEREFORE, BE IT RESOLVED, that the Milford Board of Selectmen recognize the special efforts and contributions of Clare Callahan, and congratulate her by presenting this proclamation on her 15 years of Service to the Town of Milford,

BE IT FURTHER RESOLVED, the Board wishes Clare Callahan much success in her retirement.

Given under our hand and seal this 28th day of December 2020

Selectmen Dargie made a motion to approve the proclamation for Clare Callahan. Seconded by Selectman Labonte. A roll call vote was taken with Selectman Dargie yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. The motion passed 4/0.

5:35 p.m. - Water Utility's Permit Upgrade Project 2023 - Water Utilities Director, Kevin Stetson

In summary: Kevin Stetson gave a brief powerpoint presentation to the Board of Selectmen on future Wastewater Treatment Facility Upgrade Projects.

Chairman Daniels asked who would be paying for the warrant articles. Kevin said tax-payers. Milford's newly issued permit requirements were effective on November 1, 2020. Water Utilities will need to process improvement upgrades; they have three years to become compliant. The construction project is being planned for 2023.

DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 12/28/2020

64 The original plan would have been \$11,737,000 but the Water Commissioners have completed several projects over time
65 which lessened the cost. Even after the upgrades, several additional projects will need to be completed in the amount of
66 \$1,174,000

- 67
- 68 • In 2021 \$190,240 will be taken from the Sewer Capital Reserve Account for Evaluation of Treatment Alternatives
69 for the final design.
- 70 • In 2022 there will be a warrant article for approximately \$450,000 for Final Design/Project Bidding.
- 71 • In 2023 there will be a warrant article for approximately \$5,977,000 for Project Construction.
- 72 • Total project will be \$6,447,000.
- 73 • 2023 Plant upgrade project estimated taxpayers costs:
 - 74 ➢ Project Cost \$6,447,000
 - 75 ➢ Percentage rate 2.5% over 20 years
 - 76 ➢ Payments: monthly \$ 34,056.86
 - 77 ➢ Payments: Quarterly \$102,170.58
 - 78 ➢ Payments: Annually \$408,682.32
 - 79 ➢ There are 5,633 water utility customers
 - 80 ➢ Semi-Annual Amount per customer is \$36.28

81

82 Selectman Freel asked when the warrant articles would be presented. Kevin repeated the above information. Dale White,
83 Water Commissioner said so far, the Sewer users have paid for all upgrades. We are required by law to upgrade the system.
84 There could find savings during the engineering process. This is too much money to ask of just the sewer users. The sewer
85 treatment plant benefits the whole town of Milford and we feel that the taxpayers should share the burden.

86

87 Selectman Labonte asked about parcels. Kevin said it was a rough estimate. Selectman Labonte asked what the difference
88 would be if you had to adjust it to user rates and dumping fees. Kevin said the water treatment plant was originally paid for
89 by the town's taxpayers. We will get a low-interest loan and some principle forgiveness is available to us.

90

91 Selectman Dargie said this should be translated to a tax rate calculation and Finance can help with that. He gave some
92 suggestions on how to present this to the taxpayers when the time comes.

93

94 Bob Courage, Water Commissioner, reiterated what Keven and Dale said. The Town of Wilton will also have to pay
95 14.89% of this as they benefit from the services. We are also looking at State and Federal Grant Funding and we are on a
96 high priority list to get some of that funding. We currently have a bond item on the warrants for next year. We will have a
97 final number prior to the Deliberative Session. That bond will be paid for by our user fees.

98

99 Selectman Freel asked how long the new permit was good for. Bob said five years. The last one lasted fifteen years. Dale
100 said the upgrades need to be done during the next three years with the new permit even though it's good for five years. Se-
101 lectman Freel said what happens if the warrant article fails. Why can't we just put it in the water utility budget? Bob said if
102 we are not in compliance we could get fined daily and we still have to do the upgrades. This isn't unique to Milford. We
103 need a warrant article to bond the funding. We need to have a 20-year bond so we can afford the payments.

104

105 Mike Thornton, a Milford resident, agrees that the town should do this. He has concerns about paying an equal share with
106 the users of the system when he doesn't use it. It's a five-year permit and you want us to do a 20-year bond. Bob said we
107 have to have these improvements completed and we will be subject to fines. We only have 3,000 sewer customers in the
108 system.

109

110 Selectman Labonte said with Wilton paying a percentage of it, will they have to have a warrant article. Bob said yes. Peter
111 Basiliere, Milford resident, said if the warrant article fails we could hold a special meeting. He asked how long will the
112 equipment last. Bob said the equipment could last 40 years. We should clarify who gets to vote on the warrant articles. It
113 should be the water/sewer users who vote on this and not all the taxpayers.

114

115 Chairman Daniels asked if the \$6.4 million included Wilton's share. Bob said yes.

116

117 **5:55 p.m. - Route 101A/Route 13 Oval Improvement Project - Community Development Director, Lincoln Daley**
118 **(tabled from December 14, 2020)**

119 In summary: Funding for the project originally came in 2006. This is an update to the Route 101A/Route 13 Oval Im-
120 provement Project scheduled to begin in 2021. Phase I was completed in 2018. Phase II consists of two projects and the

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121 town 20% match is \$412,250.21 to be funded by the previously appropriated matching balance. The project would begin in
122 2021 with construction to begin in mid/late 2022. Lincoln requested that the Board authorize Administrator Shannon to
123 sign the agreement.

124
125 Project 1: Nashua Street/Clinton Street/Tonella Road Improvements - This is to widen Nashua Street to accommodate a
126 turning lane and connect sidewalks to the above streets.

127
128 Project 2: Milford Downtown Oval Improvements - This is to enhance pedestrian safety/access and improvement vehicular
129 throughout the Oval area along Nashua Street, Elm Street, and Mont Vernon Street, and South Street and provide parking
130 opportunities.

131
132 Chairman Daniels clarified that it will come back to the Board for review before proceeding. Lincoln said yes. The final
133 sign off will include the Board. Selectman Labonte asked about a traffic light next to CVS. Lincoln said originally they
134 didn't meet the criteria to include a light. CVS contributed \$175,000 for a light and those funds will terminate in 2022. It's
135 still TBD for the design.

136
137 Selectman Labonte asked for more information in the second project. Lincoln said the second project would focus on the
138 Oval area along Middle Street, School Street, and Union Street. Selectman Labonte asked how we can get out of the
139 agreement if we don't like it. Lincoln said we already have the 20% match for these two projects. This is relying on stake-
140 holder involvement and he would be surprised if it doesn't go forward.

141
142 Selectman Labonte said if the Board doesn't feel it's a fit for Milford, they have no way to stop this. Lincoln said the de-
143 sign should meet the needs of the town and the Board. Selectman Freel is against a street light. Selectman Freel said the
144 \$400,000 could be used for something else; there are other priorities for the town. Lincoln said the money has already been
145 appropriated, we are not asking for additional funding. The community has desired this for many years.

146
147 Chairman Daniels asked about the light at CVS. Lincoln said the light may not be warranted at that intersection. We have
148 funds if needed but we won't know until we evaluate it further. Chairman Daniels asked about public hearings during the
149 evaluation phase. Lincoln said yes, it will be a year-long process. Chairman Daniels asked if we were going to deal with
150 the same construction company that built the oval. Lincoln said no.

151
152 Chairman Daniels asked if Lincoln was looking for approval to start the engineering phase. Lincoln said he needs the ap-
153 proval to start the overall process, phases 1 through 3. Selectman Freel said if this was to be approved, we can't get the
154 \$400,000 back. Lincoln said the warrant articles were specifically for this project. Chairman Daniels said unused money
155 will go back to where ever it came from and this remaining money would go back to the tax-payers.

156
157 Selectman Labonte clarified that this doesn't authorize the construction. Lincoln said this is to use the \$2,000,000 in all
158 four phases. The Board has to sign off on the final design. This covers authorizing construction.

159
160 **Selectmen Dargie made a motion to move forward as proposed by the Community Development Director with the**
161 **understanding that this will come before the Board before the construction stage. Seconded by Chairman Daniels.**

162
163 Pete Basiliere said all the warrant articles for this project were approved by voters. Some of these funds will be helping
164 local workers and contractors that will be participating in the project. Selectman Labonte still has concerns about it being
165 an acceptable plan for the Board.

166
167 **A roll call vote was taken with Selectman Dargie yes, Selectman Labonte yes, Selectman Freel yes, and Chairman**
168 **Daniels yes. All were in favor. The motion passed 4/0.**

169
170 **Selectmen Dargie made a motion to authorize Town Administrator Shannon to sign the documents. Seconded by**
171 **Selectman Freel. A roll call vote was taken with Selectman Dargie yes, Selectman Labonte yes, Selectman Freel yes,**
172 **and Chairman Daniels yes. All were in favor. The motion passed 4/0.**

173
174 **6:05 p.m. - BROX Community Land Conservation Easement - Conservation Chair, Andy Hughes and Conservation**
175 **Member, Chris Costantino**

176 In summary: An Alteration of Terrain Updated Permit (dated 10/26/20) was submitted by the Town for the sand and gravel
177 operation on the property referred to as the Brox Community Land. One of the conditions of this permit is that the Town of

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178 Milford (Town) will put 75 +/-acres into a conservation easement (Plan sheet 1 of 9 note #11). The Board of Selectmen, at
179 their October 14, 2019 meeting, accepted the Milford Conservation Commission's (MCC) offer to facilitate this easement
180 process. The Conservation Commission is suggesting that the Board include the remaining cost of \$30,000 in their 2021
181 budget.

182
183 Selectman Labonte asked if it was appropriate for the town to come up with \$30,000 seeing that this is a condition of the
184 AoT permit in regards to the Gravel Operation that was at no cost to the tax-payers. If there was no gravel operation there
185 would be no reason to have this. Andy Hughes said what was written was an assurance from the town that one way or an-
186 other either out of the budget or through payment from the gravel operation, that the \$30,000 would be paid for by the town
187 to the Fish and Game for the Stewardship fund.

188
189 Selectman Labonte repeated, it was put in front of the voters at no cost and that doesn't mean it should be taken out of the
190 profits. The Town of Milford doesn't pay for the permit. Lincoln said the contractor is paying for the AoT permit.

191
192 Chairman Daniels asked how much was in the Conservation fund and how come we can't take the \$30,000 from that fund.
193 Andy said the town went forward to do the Gravel Extraction Project. This is a State-imposed condition as part of doing
194 this project. We have about \$95,000 in the Conservation Land Fund and we don't believe the land fund balance should be
195 used for this project.

196
197 Selectman Dargie asked what the status was of the AoT permit. Administrator Shannon said the state has it and they are
198 going through their process right now. They have not given us any indication of which way they were leaning. Selectman
199 Labonte repeated that the warrant article wasn't going to cost the tax-payers any money, that's his concern. We are losing a
200 third of the year's income just to pay for this. He agrees that this shouldn't fall on Conservation.

201
202 Chris Costantino, Conservation member, asked about a line item that carries expenses for the gravel operation, how does
203 that get funded. Paul Calabria, Finance Director said a token amount was left in the line item in case something came up.
204 There is only \$100 in there. Anything in the operating budget is funded through the tax-payers. Chris asked how that mon-
205 ey gets tracked. Paul said when the gravel operation was in process we had a line item for the revenue. No revenue went
206 in this year.

207
208 Selectman Freel clarified that when the Gravel operation is in full swing, the town is making over \$100,000. Does the
209 easement have to be in place before we get the AoT permit and start pulling gravel out again? Andy said no. For the
210 \$20,000 grant to come in from the state, the easement has to be in place by June 30th. Selectman Freel asked why we can't
211 add it to the contract of who's hauling out the gravel. Chris said that is why we are here, to figure out how to pay for this.

212
213 Selectman Labonte said there was a line in the contract that said they were to pay all expenses that came up. Lincoln said
214 that was an understanding of the cost of the permit associated with the contract. The easement was unforeseen as part of
215 the overall process. Selectmen Freel said we should add this into the budget and add a little more per yard when the gravel
216 operation starts back up.

217
218 **Selectman Freel made a motion to add \$30,000 to the operating budget to cover the stewardship easement for next**
219 **year. Seconded by Selectman Dargie.**

220
221 Selectman Dargie said this is the cost of doing business if it isn't done and the operation doesn't start up again then we
222 would be selling gravel. Selectman Freel agrees. Selectman Labonte said we should hold off until Town Council reviews
223 this. Chairman Daniels said there is already a contract in place which changes the terms of the contract in the middle of it.

224
225 Selectman Labonte read some of the contract and said this cost is a result of the permit. He repeated that he thinks the
226 Board should hold off until we are advised by Town Counsel. He asked Andy when he needed an answer on this? Andy
227 said it can be put off but lawyers take a long time so it can't be held off until the last minute.

228
229 Selectman Freel removed his motion. **Selectman Dargie made a motion to table this until the second meeting in Janu-**
230 **ary. Seconded by Selectman Freel. A roll call vote was taken with Selectman Dargie yes, Selectman Labonte yes,**
231 **Selectman Freel yes, and Chairman Daniels yes. The motion passed 4/0.**

232
233 **6:15 p.m. - Deliberative Session and March Election – Town Moderator, Pete Basiliere**
234 In Summary: Pete Basiliere gave an overview of what to expect to host the Deliberative Session and Town Vote.

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235 Selectman Dargie asked Pete what his preference would be. Pete said to have the Deliberative in person. Tina Philbrick,
236 Town Administrators' assistant said a decision has to be made soon on the location so it can be properly posted.

237
238 Selectman Freel asked about going for an extension. Pete said both the Town and School are governed by SB2 and the
239 meeting could only be postponed by 72 hours. If the Governor allows it to be postponed further you won't have a new
240 budget until you're almost halfway through the year.

241
242 **Selectman Dargie made a motion to hold the Deliberative Session at the High School on the January 30th, contingent**
243 **on the School Board allowing us to use their rooms. Seconded by Selectman Freel. A roll call vote was taken with**
244 **Selectman Dargie yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. The motion passed**
245 **4/0.**

246
247 **3. PUBLIC COMMENTS (regarding items that are not on the agenda)** There were no public comments at this time.

248
249 **4. DECISIONS – Selectman Freel asked that 4. a) 4 be removed from the consent calendar. Selectman Dargie made**
250 **a motion to approve the consent calendar except for 4. a) 4. Seconded by Selectman Labonte. A roll call vote was**
251 **taken with Selectman Dargie yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were**
252 **in favor. The motion passed 4/0.**

- 253 **a) CONSENT CALENDAR.**
- 254 1. Approval of Petition and Pole License one (1) pole – Savage Road
 - 255 2. Conservation Commission Request Acceptance of \$6,204.16 from the Ghost Train Rail Trail Race, to be used for
256 maintenance and improvements to the Rail Trail.
 - 257 3. Request to re-appoint Rodney Dellafelice as a Full-Member to the Conservation Commission. Term Expires 2023.
 - 258 4. Request for Acceptance and Appropriation of Gifts of Property Under \$5,000 (31:95(e)) – donation to the Milford Fire
259 Department from the NH EMS Bureau
 - 260 • 1 Protexus Cordless Electrostatic Sprayer from NH EMS Bureau - \$645.91
 - 261 • 1 container of 200 Protexus tablets from NH EMS Bureau - \$200.00

262
263 Selectman Freel asked what the protexus was used for. Administrator Shannon said it's a disinfectant to use for COVID.

264
265 **Selectman Dargie made a motion to approve 4. a) 4 from the consent calendar. Seconded by Selectman Labonte. A**
266 **roll call vote was taken with Selectman Dargie yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Dan-**
267 **iels yes. All were in favor. The motion passed 4/0.**

- 268
269 **b) OTHER DECISIONS**
- 270 1. DRAFT Warrant Articles – Tonight's decision is to either exclude or include the following warrant articles for the
271 March 2020 vote. There was a discussion on articles 27, Annual Labor Day Parade, 28, Summer Band Concerts, 29, Inde-
272 pendence Day Celebration Fireworks, 30, Pumpkin Festival and 31, Memorial, Veterans & Labor Day Parades and Recog-
273 nition about giving the 2020 appropriations back to the tax-payers and putting the articles on the warrants for next year with
274 the same amounts or different amounts.

275
276 DRA said we could fund those activities with the appropriated money and not have put these articles on next year's war-
277 rants. Selectman Dargie said we spent some on band concerts but there are some monies remaining. He would like to leave
278 that one on. We also spent money on the Parades and recognition of buying flags. He's ok with taking the others off.

279
280 Paul Calabria, Finance Director said there was \$2,950 left in the band concert account. Selectman Dargie would be ok with
281 putting the balance of \$6,050 into the regular budget and moving the \$2,950 forward and adding another \$6,050. We could
282 leave the warrant article as it is for \$9,000.

283
284 Selectman Labonte wants to give the unspent money back to the tax-payers and put all the warrant articles back on. Chair-
285 man Daniels said these articles tend to pass every year. DRA said we could also put those out there with the amounts speci-
286 fied on them with a notation that the money would be spent out of the 2020 budget. Selectman Labonte asked if the war-
287 rants get defeated does the money go back to the tax-payers. Chairman Daniels said no. Selectman Dargie asked how much
288 was spent from the parade support warrant. Paul said he will get that information.

289
290 Pete Basiliere said one of the reasons to take them off the warrants is to shorten the length of the Deliberative Session.
291 Chairman Daniels said the comment he hears most every year is the length of the warrant. This is a way to shorten it. Se-

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292 lectman Freel is leaning towards putting these in the budget. People don't have a problem with smaller numbers. He agrees
293 with Chairman Daniels and Pete about the number of warrants.

294
295 Wade Campbell, Milford Resident, said they didn't choose 100% to cancel the pumpkin festival; they were slightly forced
296 into it by the State. Many events in the town were canceled because we couldn't have large gatherings. The amount of
297 warrant articles put on the warrants every year is overwhelming. It's a wasted effort to give the money back and take it
298 back again. Selectman Labonte said the country didn't choose these things were canceled because it was the proper thing to
299 do.

300
301 **Selectman Dargie made a motion in reference to RSA 32:7 V, the remaining money of the 2020 appropriations for**
302 **warrant articles, 27, 28, 29, 30, and 31 be encumbered for one additional fiscal year and that any monies that have**
303 **been expended from those five accounts in 2020 be added to the 2021 budget. The motion failed for a second.**

304
305 Chairman Daniels agrees with the motion except for putting it into the budget. If it's in the budget, it becomes part of the
306 default budget.

307
308 **Selectman Dargie made a motion to take warrant articles, 27, 29, and 30 be encumbered for one additional fiscal**
309 **year and be removed from the warrant. Seconded by Chairman Daniels.**

310
311 Selectman Freel asked if they were leaving articles 28 and 31 in because there's a balance. Selectman Dargie said yes.
312 Selectman Labonte still doesn't want to do this; it's going to be confusing. Chairman Daniels said you can add that infor-
313 mation into the voters' guide. Selectman Freel agreed. Selectman Labonte asked how the tax-payers are getting the voters
314 guides this year. Administrator Shannon said they are being mailed.

315
316 **A roll call vote was taken with Selectman Dargie yes, Selectman Labonte no, Selectman Freel yes, and Chairman**
317 **Daniels yes. The motion passed 3/1 with Selectman Labonte opposed.**

318
319 **Selectman Dargie made a motion to remove articles 14, Bridge Repair, 15, DPW vehicles, 19, Fire Apparatus, 20,**
320 **Town Facilities Renovation, 21, Ambulance Vehicle Replacement, 22, Keyes Park Expansion, and 24 Public Safety**
321 **Equipment from the warrants. Seconded by Chairman Daniels.**

322
323 Selectman Labonte feels that warrant article 24 should stay on the warrants. If the communications warrant article doesn't
324 pass, we may need this one. He feels the same way about articles 19 and 21. The voters should decide if they want to fund
325 these or not. It would be less of a tax impact if we can continue to fund these.

326
327 Selectman Freel doesn't understand why some of this isn't in the budget. Chairman Daniels said if the budget doesn't pass
328 and we are in default, what gets cut and what doesn't. We are asking voters to spend a lot of money and the last year has
329 been a hardship for many people.

330
331 Rick Riendeau, Public Works Director, said he doesn't think the bridge capital reserve needs to be funded this year. We
332 still have about \$600,000 in that account. Selectman Labonte said it's noted on the bottom of each warrant article that the
333 Board either recommended or didn't recommend the warrant article. It can also be noted in the voters' guide. Chairman
334 Daniels said it sends mixed messages to the voters; if you didn't want it, then why put it on the warrants. Selectman Dargie
335 is open for an amendment if a Board member wants to remove one and it will give us a yes vote.

336
337 Selectman Freel asked if Finance knows what we have in these funds. Paul said he will get that information. Selectman
338 Labonte is okay with removing warrant number 14 but would like to hear with the Public Works Director thinks about 15.
339 Rick said he would rather it stay on the warrant. Selectman Labonte would like to keep 15 and 19. He asked Rick about
340 article 20. Rick said that was based on the HVAC system. One bid came in very high and the other was a little over what
341 we have money for. It would be good to have a capital reserve for boilers and things.

342
343 Paul Calabria gave the balances of the Capital Reserve Accounts:

344	Bridge Repair -	\$682,000
345	DPW Vehicles -	\$120,000
346	Fire Apparatus -	\$100,000
347	Town Facilities -	\$100,000
348	Ambulance Vehicle Replacement -	\$100,000

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349 Keyes Park Expansion - \$ 59,000
350 Public Safety Communications Equipment - \$ 60,000
351

352 Selectman Labonte asked where we were on the HVAC system. Rick said we spent some money to get the engineering
353 done. Selectman Labonte would like to keep article 20. He would be okay if Ambulance wasn't funded this year. He
354 would like article 24 to stay. He asked about article 22. Arene Berry, Recreation Director said the Board authorized the
355 expenditure of the \$59,000. Once the study is complete the balance in that account will be zero. Selectman Dargie said the
356 capital reserve accounts are used as a down payment. You pay a little more on interest if you don't use those accounts.
357 Some accounts need a healthy balance.

358
359 Selectman Freel is okay with removing articles 14, 21, and 22, and 24 being removed for this year. Selectman Labonte
360 asked if the communications article didn't pass, how many emergency services would be looking to replace radios right
361 away. Eric Schelberg, Ambulance Director, said Ambulance already has a warrant article in to expend from the Public
362 Safety Communication Equipment for portable radios. We have two portable radios that will need to be replaced. Chief
363 Viola, Milford PD also has two portable radios in their budget. Rick said DPW doesn't have any radios in their budget this
364 year. Ken Flaherty, Fire Chief said if the operating budget fails, they won't have any money to replace radios because it
365 was removed from his line-item last year. Selectman Dargie withdrew his original motion.

366
367 **Selectman Dargie made a motion to remove articles 14, Bridge Repair, 21, Ambulance Vehicle Replacement, and 24**
368 **Public Safety Equipment from the warrants. Seconded by Selectman Freel. A roll call vote was taken with Select-**
369 **man Dargie yes, Selectman Labonte no, Selectman Freel yes, and Chairman Daniels yes. The motion passed 3/1**
370 **with Selectman Labonte opposed.**

371
372 **WARRANT ARTICLE 5 - WADLEIGH LIBRARY HVAC/Electrical Repair - \$995,000 BOND**

373
374 Selectman Freel clarified that there was nothing we can do about articles 5 and 13 because it's Library stuff. Chairman
375 Daniels said according to DRA it's our warrant and we can do something about it. We usually don't because the Library
376 Trustees come up with those numbers. Selectman Freel asked if there was something we could do about the number.
377 Chairman Daniels said it could be adjusted at the Deliberative Session.

378
379 Kathy Parenti, Chair of the Library Trustees, said this warrant article is for repairs and replacements that need to happen.
380 Paul Calabria asked about the donations received by the library, how much do they have to put towards the repairs. Kathy
381 Parenti said the funds pledged were for the addition that didn't happen, since that warrant article didn't pass, we don't have
382 that money. We have \$500,000 in our Library fund and we will cover whatever the warrant article doesn't pay for.

383
384 **WARRANT ARTICLE 10 - NASHUA STREET PEDESTRIAN SAFETY and SIDEWALK IMPROVEMENT**
385 **PROJECT - \$871,924 (State pays \$697,539; Town pays \$174,385)**

386
387 **Chairman Daniels made a motion to remove articles 10 and 11 from the warrants. Seconded by Selectman Labonte.**
388 It's an 80/20 match but we still are on the hook for a considerable amount of money. He feels it's a want, not a need. Se-
389 lectman Dargie is in favor of both of the projects. If they get removed he is planning to do petition warrant articles to put
390 them back on the warrants. Selectman Labonte agrees with Chairman Daniels. He said there are unknowns as far as
391 maintenance costs for the sidewalk upkeep. Chairman Daniels said we may need to buy or repair sidewalk plows sooner if
392 these sidewalks are built. Selectman Freel agrees with Chairman Daniels and Selectman Labonte. He doesn't think it's a
393 big deal walking in that area.

394
395 Lincoln Daley, Community Development Director, said these are two different projects and the Board doesn't have to vote
396 for both of them in this cycle. Both are in high-priority areas and if we don't fund them we lose state funding. Pete
397 Basiliere agrees with Lincoln and these should be considered separately. There are proposals for new buildings on
398 Ponemah Hill Road and there will be an increase in walkers and traffic. Selectman Labonte referenced sidewalk plows also
399 including snow removal.

400
401 Lincoln said sidewalks are part of our transportation network. They are important for people who don't rely on cars. He
402 brought up federal funding again. Chairman Daniels asked if there was any desire to split the two articles. Selectman Freel
403 said he would be more in favor of Nashua Street. Chairman Daniels is still opposed to this warrant article. Lincoln said
404 people don't walk in that area is because it isn't safe to walk. Wade Campbell said people use the rail roadbed to walk in-
405 stead of walking on Nashua Street.

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406 **A roll call vote was taken with Selectman Dargie no, Selectman Labonte yes, Selectman Freel yes, and Chairman**
407 **Daniels yes. The motion passed 3/1 with Selectman Dargie opposed. Article 10 will be removed from the warrants.**
408

409 **WARRANT ARTICLE 11 - OSGOOD ROAD, MELENDY ROAD, AND ARMORY ROAD PEDESTRIAN**
410 **SAFETY SIDEWALK AND BICYCLE LANE PROJECT - \$797,872 (State pays \$638,298; Town pays \$159,574)**
411

412 Selectman Labonte said he could be in favor of article 11 if it were modified to go to Adams Field. Chairman Daniels said
413 you are taking away parking. He remains opposed.
414

415 **A roll call vote was taken with Selectman Dargie no, Selectman Labonte yes, Selectman Freel yes, and Chairman**
416 **Daniels yes. The motion passed 3/1 with Selectman Dargie opposed. Article 11 will be removed from the warrants.**
417

418 **WARRANT ARTICLE 12 - RECONSTRUCTION OF TOWN ROADS - \$400,000**

419 Selectman Dargie said we should be spending about \$700,000 per year on roads. He would like to remove article 12 and
420 add \$400,000 to the operating budget for road repairs. He would also like to find out what the default budget is. Paul Ca-
421 labria said the default budget number is \$15,756,541. The Town's budget is \$15,776,568. Selectman Dargie said these are
422 only \$20,000 apart so adding \$400,000 isn't a big deal.
423

424 **Selectman Dargie made a motion to remove warrant article 12 and add \$400,000 to the operating budget for road**
425 **repairs. The motion failed for lack of a second.**
426

427 Selectman Labonte wants to keep this warrant article on the warrants. The voters should decide. This is a non-lapsing ap-
428 propriation if we don't use all of it we can use it the following year. Selectman Dargie said with a non-lapsing appropria-
429 tion you are given five years to spend the money. Selectman Labonte asked if the Public Works Director if he had a plan
430 for the \$400,000. Rick said he didn't have that information yet. We are getting into the harder projects; he could probably
431 use about \$1,000,000 just on Amherst Street. Having \$700,000 a year is a good number.
432

433 Selectman Freel is in favor of keeping this warrant article on and maybe increasing it to \$500,000 given the conditions of
434 the roads. Selectman Labonte said he isn't opposed to increasing it but for this year we should keep it at \$400,000. Select-
435 man Freel said we can back off on the amount when it's time to do the Water Department projects. Selectman Labonte
436 asked what the goal was in having surplus money left over at the end of the year. Paul Calabria said we don't budget with a
437 surplus. Selectman Labonte said last year and this year there was around \$300,000 leftover. Should we be dropping the
438 budget another \$100,000? Chairman Daniels said we will be talking about the budget over the next few weeks.
439

440 **WARRANT ARTICLE 13 - WADLEIGH LIBRARY CAPITAL RESERVE - \$150,000**
441

442 Kathy Parenti, Chair of the Library Trustees, said this warrant article is to start a capital reserve fund that we currently don't
443 have. Selectman Freel said most of the capital reserve accounts are for between \$20,000 and \$40,000, why is this one so
444 big? Kathy said they decided to start big it can be lowered at the Deliberative Session.
445

446 **WARRANT ARTICLE 14 - BRIDGE REPAIR AND/OR REPLACEMENT CAPITAL RESERVE - \$75,000 - Arti-**
447 **cle 14 will be removed from the warrants.**
448

449 **WARRANT ARTICLE 21 - AMBULANCE VEHICLE REPLACEMENT CAPITAL RESERVE - \$25,000 - Article**
450 **21 will be removed from the warrants.**
451

452 **WARRANT ARTICLE 24 - PUBLIC SAFETY COMMUNICATION EQUIPMENT REPLACEMENT CAPITAL**
453 **RESERVE - \$20,000 - Article 24 will be removed from the warrants.**
454

455 **WARRANT ARTICLE 27 - ANNUAL LABOR DAY PARADE SUPPORT - \$10,000 - Article 27 will be removed**
456 **from the warrants.**
457

458 **WARRANT ARTICLE 28 - SUMMER BAND CONCERTS SUPPORT - \$9,000**
459

460 \$6,050 expended, \$2,950 remaining.
461

462 **WARRANT ARTICLE 29 - INDEPENDENCE DAY CELEBRATION FIREWORKS - \$8,500** - Article 29 will be
463 removed from the warrants.

464
465 **WARRANT ARTICLE 30 - PUMPKIN FESTIVAL SUPPORT - \$8,000** - Article 30 will be removed from the war-
466 rants.

467
468 **5. TOWN STATUS REPORT -**

469 **a. Surplus and Encumbrances - Finance Director, Paul Calabria**

470 In Summary: We have received our 2019 preliminary audit. Our Undesignated Fund Balance at 12/31/19 is \$4,320,234.
471 This represents an increase of \$418,889 over the 12/31/18 Undesignated Fund Balance. Paul estimated that the projected
472 surplus at 12/31/20 for the Town of Milford will be \$338,000 or 2.16% of the approved budget. Coupled with the BOS
473 action on 12/14/20, this will result in a projected Surplus in 2020 for \$632,000. The projected 12/31/20 Undesignated Fund
474 Balance is \$4,952,234.

475
476 Paul asked the BOS to discuss encumbering the following items and subsequently removing them from the 2021 budget: If
477 the BOS were to make a motion to approve this request, the 2021 budget increase over the 2020 approved budget would be
478 1.9% before warrant articles.

- 479
480 1.) \$104,650 (2) Police SUV's
481 2.) \$68,503 (1) DPW Truck
482 3.) \$52,983 (1) Ambulance response vehicle
483

484 Selectman Labonte doesn't want to encumber any money to spend in the 2021 budget. If we keep encumbering items and
485 go into default budget we may not get the police vehicles. He wants the tax-payers to vote on the budget presented to them
486 and give the surplus money back to the voters.

487
488 **Selectman Labonte made a motion to not encumber any money out of the 2021 budget for these three requests. Se-**
489 **conded by Chairman Daniels.**

490
491 Selectman Dargie said a default budget is a bottom-line number we would still be able to buy the vehicles but you would
492 have to choose it over something else. It's not a no means no. Encumbering it in the previous year doesn't take it out two
493 years later. Selectman Freel agrees with Selectman Labonte. If the vehicles are needed they get them but to buy them just
494 because we have a surplus the thing to do. Selectman Labonte said all three departments had these proposed in their 2021
495 budget.

496
497 Selectman Dargie said the proposed budget is currently \$20,000 higher than the default budget. If one or more of these
498 vehicles were taken out of the proposed budget, the proposed budget would be below the default budget would almost
499 guarantee it to pass. There will be no difference as far as tax rate with it being in the proposed or paid out of encumbered
500 funds.

501
502 Rick Riendeau, Public Works Director, said he's asking for a vehicle this year because we had two go down this year. One
503 will not make an inspection next year and that one is in the budget. He didn't anticipate having two go down this year so
504 it's an unexpected expense. Selectman Labonte buying this vehicle out of surplus removes the money out of the 2021 budg-
505 et so that it still wouldn't allow two vehicles to be purchased. Rick said no, that is not how he presented it. It was one un-
506 expected for this year and one planned for next year in 2021. Selectman Labonte wanted clarification that if we were to
507 buy this from surplus, there would be no vehicle from the 2021 budget.

508
509 Chairman Daniels said this would replace the unexpected vehicle that went down but Director Riendeau would still have an
510 expected vehicle in the 2021 budget. Rick said yes. Chairman Daniels said he thinks the memo from the Finance Director
511 doesn't take into account the second vehicle. Selectman Dargie agreed.

512
513 Selectman asked if the two police vehicles would not be in the budget for next year. Chairman Daniels said that is what he
514 understands. He said that DPW is asking for one vehicle to be funded from 2020 funds and one from 2021 funds. Select-
515 man Labonte is still questioning the memo. Chairman Daniels repeated that the memo is incorrect.

516
517 **A roll call vote was taken with Selectman Dargie no, Selectman Labonte yes, Selectman Freel yes, and Chairman**
518 **Daniels yes. The motion passed 3/1 with Selectman Dargie opposed.**

DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 12/28/2020

519 **Selectman Dargie made a motion to encumber one DPW truck for \$68,503 but still leave a second truck in the bud-**
520 **get for 2021. Seconded by Chairman Daniels.**

521
522 Selectman Freel asked if this were to fail, does DPW have enough money in their budget for the two vehicles that they
523 need. Chairman Daniels said if this were to fail, whether the budget passed or not there would only be one vehicle. Paul
524 Calabria said yes, the 2021 budget has only one DPW vehicle in it. Chairman Daniels said what we are voting on is to re-
525 place the truck that's down. Selectman Freel asked what kind of truck was down. Rick said it's a one-ton dump truck. We
526 had that truck and a half-ton pickup that went down this year and won't pass inspection. Selectman Freel asked about the
527 cost of repair. Rick said he would get those numbers to him, they were higher than what he would want to spend on an 18-
528 year-old vehicle.

529
530 Selectman Labonte said a majority of what the vehicle does is trash and he feels it could wait. Selectman Freel said if you
531 add \$70,000 to the budget, it's still inline and no one will know that it's for a truck. He agrees with Selectman Freel to just
532 add it to the budget. Selectman Labonte isn't looking to add it to the budget. It brought up the surplus and doesn't want to
533 keep adding to the proposed budget going forward.

534
535 Chairman Daniels asked what the budget would be if we added all this plus an additional truck. Paul said four are already
536 in the budget, adding another \$74,000 would bring it up another half percent from a 3.4% increase to a 3.9% increase over
537 the 2020 approved budget.

538
539 Selectman Labonte said if we encumber no money and we don't add anything to the 2021 budget, as it stands right now
540 what is the increase over the 2020 budget. Paul repeated, it was 3.4%. Selectman Labonte said encumbering money some-
541 times doesn't project what the actual increase is. He repeated that it should be put in front of the voters. The budget
542 shouldn't be increased for the second truck.

543
544 Selectman Freel asked would there be an issue with work if you didn't get the DPW truck next year. Rick said they would
545 do what they have to do. If needed we grab another truck and make it work. Selectman Freel asked what kind of vehicle
546 was already in the budget. Rick said one ton.

547
548 **A roll call vote was taken with Selectman Dargie yes, Selectman Labonte no, Selectman Freel no, and Chairman**
549 **Daniels no. The motion failed 2/2. Chairman Daniels asked if the money has to be encumbered at a specific time.**
550 **Paul Calabria said by December 31st.**

551
552 **b. Fund Balance Analysis - Finance Director, Paul Calabria**
553 In summary: Paul said he would have more information at the first meeting after the budget is approved in 2021 and once
554 we talk about voting to reduce taxation in the fall if that happens.

555
556 He had one more encumbrance item; the Assessing Department, out of the unspent 2020 budget is looking to have \$6,700
557 document scanning services/preservation. There was \$10,000 in the budget and she only spent \$3,300 on it. Selectman
558 Dargie asked if she put money in next year's budget for this. Paul said yes she wants to add to it.

559
560 **Selectman Dargie made a motion to encumber \$6,700 in the Assessing budget for document preservation. Seconded**
561 **by Chairman Daniels.**

562
563 Selectman Labonte said he doesn't know enough about this to vote on this and it wasn't in the packet. Selectman Freel
564 doesn't understand what preservation is. Paul explained that it was documentation conversion from paper to digital. She put
565 \$5,000 in the 2021 budget for document conversion. She would use the \$6,700 plus \$5,000 to do the additional conversion.

566
567 Chairman Daniels said if she couldn't do the amount she expected this year due to COVID, why would we expect to do
568 more next year. Paul said the vaccine is starting to hit and hopefully by the second half of 2021 she is hoping more will get
569 done. Selectman Labonte said if we don't encumber the money we may be able to shuffle money around in the 2021 bud-
570 get.

571
572 **A roll call vote was taken with Selectman Dargie yes, Selectman Labonte no, Selectman Freel no, and Chairman**
573 **Daniels no. The motion failed 1/3 with Selectman's Daniels, Labonte and Freel opposed.**

574
575 **6. DISCUSSIONS:**

DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 12/28/2020

576 **a. Municipal Budget Committee Warrant Article Discussion -**

577 In Summary: George Hoyt asked the Board to include a warrant article to form a Municipal Budget Committee for the
578 Town of Milford.

579
580 Chairman Daniels said the statute allows the town to create a municipal budget committee. The committee would take over
581 what the School Board, Selectmen, Library Trustees, Village Districts and Water Commissioners do with their budgets. The
582 members would be elected by the citizens, not appointed by the Moderator.

583
584 George Hoyt, Milford Resident, referenced the page in the BOS package that explained what a municipal budget committee
585 was. He feels that a budget committee should be voted in by the people, and not an appointed position. Hampton has a
586 municipal committee and it's worked well for them.

587
588 Chairman Daniels said the Municipal Association said that all government entities that have budgets would give their au-
589 thority to this committee. There would be twelve members elected for three-year terms. There would be one member of the
590 Board of Selectmen, School Board, and any other entity that would be taking over their budgets.

591
592 Administrator Shannon said for clarification, it's three to twelve members and they are either voted on by the town or ap-
593 pointed by the moderator and that is the decision that needs to be put before the voters.

594
595 Pete Basiliere, Town Moderator, asked what problem was this trying to solve. George Hoyt said it was an idea that he
596 wanted to bring forward. He is for making the town more democratic in any way that he can. Pete said there aren't any
597 problems with the Budget Advisory Committee and the work that it does for the Select Board or the School Board. Often
598 these boards are in close agreement and the voters do have a choice. If you think that the Budget Advisory Committee is
599 unrepresentative then you should say so. As Moderator, he has had difficulty filling the School Budget Committee in the
600 last couple of years during a time of great turmoil. He doesn't have a problem if you want to make this elected position but
601 has serious concerns about the impact that a municipal budget committee would have on the way we operate our town.
602 Milford has always had the Board create the budget and then manage it after it's approved; it's always worked fine for us.

603
604 Selectman Freel said you already have five elected Board members, and an advisory committee, adding another Board just
605 makes it more than what it needs to be. He agrees with Pete. He wouldn't support this the way it is.

606
607 George said he feels that if a committee's recommendation is going to be listed on the ballot and it has a significant impact
608 on how warrant articles are going to be voted on by the people, he thinks that committee should be an elected position and
609 not appointed because of their influence in the budget process.

610
611 Chairman Daniels asked if there was an elected committee, would you expect them to attend all Selectmen, School Board,
612 Library Trustee, and Water Commission meetings so that they are up to date on things. As Selectmen, we talk about budg-
613 etary things throughout the year. How would they get educated to the point where the elected Boards are already educated?
614 George, they can enact bylaws that have an attendance policy.

615
616 Selectman Freel asked how many towns in New Hampshire have Municipal Budget Committees. George will research and
617 get the information to Selectman Freel.

618
619 Michael Thornton, Milford resident, asked if there's been any cost savings or financial streamlining and efficiencies
620 achieved by such Boards. George said they can change budgets like at Library which you can't do with an advisory com-
621 mittee. They have more authority in the budgeting process.

622
623 Selectman Labonte said there are towns in New Hampshire that have this. Pete said think about tonight's meeting where
624 various departments want to encumber monies; the Select Board is responsible for developing and implementing the budg-
625 et. With a Municipal Budget Act, you will lose that dual role responsibility. People who don't have the responsibility for
626 making things happen and balancing an entire budget will be lost. This committee could be making decisions on cost alone
627 without understanding the implications. It's not a decision to be taken lightly. We have been very successful with what we
628 have already in place and they work well together.

629
630 George said it should be up to the voters to decide what direction they want their budget committee to take. Pete said
631 George could put in a petition warrant article. He advised the Board to strongly look at this because they will find that the
632 negatives far outweigh the positives. The number that the Budget Committee puts forward at the Deliberative session can't

633 be amended by the voters more than 10%. People sometimes vote in favor of a Municipal Budget Act because they think
634 they can control cost, unfortunately, the people developing the budgets are not the ones responsible for delivering the ser-
635 vices.

636
637 Chairman Daniels told George if he wanted to go forward with this warrant he could draw up a petition warrant article with
638 the correct number of signatures so it could be on the warrant.

639
640 **b. Review of Board of Selectmen’s Rules of Procedures**

641
642 Selectman Labonte asked to table this until the next meeting because of the time. Chairman Daniels said preferred to do it
643 now. Chairman Daniels said there are places on the agenda for “items not on the agenda” These sections are reserved for
644 public comments. If someone on the Board wants to talk about something that isn’t on the agenda, they can contact either
645 him or Tina to get it on the agenda and properly address it.

646
647 Selectman Labonte said some of those discussions can be put under 6 a). Discussions. Chairman Daniels said 6 a) is usual-
648 ly for specific requests. We can talk about them but if it’s something that needs a decision made, it can go up under 4 b).
649 other decisions. Selectman Labonte said if it was a Thursday afternoon and one of us was asked a question or had a ques-
650 tion, how would we be able to ask it without having to wait an additional two weeks. Chairman Daniels said to go to the
651 Town Administrator who is in charge of the day to day operations. It depends on what the question is. If it's critical or
652 time-sensitive we can always call another meeting.

653
654 Selectman Labonte would like to amend rule 8 when Selectman materials are available. He would like the packets to be
655 available on Thursdays instead of Fridays. If he gets it on Friday, the only time he can ask town staff questions is on Mon-
656 day. He doesn’t feel he has enough time for review.

657
658 Chairman Daniels said that causes a problem. We set the agenda on Wednesdays, the public has until the end of Wednes-
659 day and the Board and Departments have until the end of Thursdays to add things. Tina does a great job trying to get it out
660 as early as possible on Fridays. Selectman Labonte interrupted and said he would like it brought back 24 hours so everyone
661 still has the same amount of time.

662
663 Administrator Shannon referenced Rule 28, Public Complaints and Suggestions to Board of Selectmen already exists and
664 tells you how that should be handled. He’s available 24/7 and has handled issues on the weekends before so if there are
665 questions, anyone can call him or staff, you don’t have to wait until Mondays. It would also make it easier if he could re-
666 ceive things in writing by e-mail so they don’t fall through the cracks, it makes it easier to track and he can pass it on to the
667 correct department.

668
669 Selectman Freel thanked Administrator Shannon and Tina for everything they do. He understands the deadlines. We meet
670 every two weeks; why not make the deadlines earlier. It would be nice to get the package earlier; weekends are busy with
671 family and things. Selectman Labonte still wants people to have the same amount of time, just a day earlier. He doesn’t do
672 emails. Nothing said he had to be tech savvy and e-mail everything.

673
674 Administrator Shannon said we will do whatever the Board decides, as far as information, you can drop off a letter anytime,
675 and it doesn’t have to be in an email, he can type or write it into whatever form he can.

676
677 Chairman Daniels said before making any input, he would rather have Tina involved in the conversation. Deadlines have
678 been a problem with the Board and the Departments as well as things being added at the last minute. Moving it forward
679 gives even less time to get things ready to go on the agenda. Selectman Labonte said as elected officials they should be
680 entitled proper time to review items.

681
682 **7. PUBLIC COMMENTS: -**

683
684 **8. SELECTMEN'S REPORTS/DISCUSSIONS.**

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

686
687 Chairman Daniels asked who posts the minutes for the various committees and commissions. Town Administrator Shan-
688 non said he would have to ask Tina. Chairman Daniels asked all Board representatives to make sure their committees are

DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 12/28/2020

689 up to date with posting their minutes and make sure your agenda is posted for all meetings. All meetings should be on the
690 Town calendar.

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

692
693 **9. APPROVAL OF FINAL MINUTES - Selectman Dargie moved to approve the minutes of December 14, 2020, as**
694 **amended. Seconded by Selectman Freel. A roll call vote was taken with Selectman Dargie yes, Selectman Labonte**
695 **yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 4/0.**

696
697 **10. INFORMATION ITEMS REQUIRING NO DECISIONS.**

698 a. Treasurer’s Report – October 2020 and November 2020

699 **11. NOTICES.** Notices were read.

700
701 **12. NON-PUBLIC SESSION. A motion made by Selectman Dargie to enter into a non-public session in accordance**
702 **with (RSA 91-A:3, II(e)) Legal, seconded by Selectmen Freel. A roll call vote was taken with Selectman Dargie yes,**
703 **Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. The motion passed 4/0.**

704
705 **13. ADJOURNMENT: Selectman Dargie moved to adjourn at 10:30. Seconded by Selectman Freel. A roll call vote**
706 **was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and**
707 **Chairman Daniels yes. All were in favor. The motion passed 5/0.**

708

709

710

711

712 _____
Gary Daniels, Chairman

713

714

715

716

717 _____
Paul Dargie, Vice Chairman

718

719

720

721

722 _____
Laura Dudziak, Member

Chris Labonte, Member

David Freel, Member

Budget & Bond Public Hearings Agenda

Monday, **January 11**, 2021, 6:30 pm, ZOOM Access only

I. Meeting Opening

- BOS Chairman gives opening remarks and briefly explains the purpose of the Budget and Bond Public Hearing
- BOS Chairman introduces Board Members and staff, and then thanks members of the Budget Advisory Committee for their efforts (BAC members are in the audience)
- BOS Chairman thanks the audience for attending & gives direction for microphone usage etc.
- BOS Chairman introduces the Water & Sewer Commissioners (BOC) and the Water Utilities Superintendent

II. Bond Hearing(s)

- BOS Chairman opens the Bond Hearing, gives a brief explanation of what a bond article is, and turns the meeting over to whoever is presenting any Town Bond article(s) [if any]
- The floor is opened for discussion on the Bond issue(s)
- BOS Chairman turns the meeting over to the Water Utilities Director to discuss Water and Waste Water Bond. When complete, the Water Utilities Director turns the meeting back to the BOS Chairman.
- BOS Chairman turns the meeting over to the Library Trustees Chairman to discuss Library Bond. When complete, the Library Trustee Chair turns the meeting back to the BOS Chairman.
- BOS Chairman turns the meeting over to the Fire Chief to discuss Fire Department Bond. When complete, the Fire Chief turns the meeting back to the BOS Chairman.
- BOS Chairman closes the Bond Hearing and turns the meeting over to the TA

III. Town Operating Budget Hearing

- BOS Chairman gives a brief and general explanation of what the Operating Budget is, and opens the Town Operating Budget Public Hearing
- TA presents the Operating Budget
- The floor is opened for discussion on the Town Operating Budget
- BOS Chairman closes Town Operating Budget Public Hearing and turns it over to the BOC Chairman or Director.

IV. Water and Sewer Operating Budget Hearings

- BOC Chairman/Director opens Budget Hearing on Water Utilities Operating Budgets
- The floor is opened for discussion on the Water Utilities Operating Budgets
- BOC Chairman closes the Water Utilities Budget Hearing and turns meeting back to BOS Chairman

V. Warrant Article Presentations & Discussions

- BOS Chairman gives a brief and general explanation of what a Warrant Article is, and introduces the first Warrant Article presenter (if any)
- Each WA is presented in turn by the BOS Chairman or appropriate staff member
- As each WA is presented the audience is given opportunity to give input and/or ask questions

VI. Meeting Adjournment

- BOS Chairman asks for any final questions, announces the dates and times for Deliberative Session (Saturday, January 30th at 9 am) and Town Vote (Tuesday, March 9th 6 am to 8 pm), thanks everyone for attending the Budget and Bond Public Hearing, and adjourns the meeting.
- If needed, the Board will resume the regular BOS meeting to complete agenda items.

Town of Milford Warrant & Financials

DRAFT

January 11, 2021

To the inhabitants of the Town of Milford in the County of Hillsborough, in the State of New Hampshire, qualified to vote in Town affairs:

You are hereby notified that the Budget & Bond Hearing Meeting of the Town of Milford will be held, in accordance with "Senate Bill 2" (RSA 40:13), in said Milford, on Monday, the eleventh (11th) day of January 2021, as a ZOOM meeting at six-thirty o'clock (6:30 p.m.) in the evening to discuss bond and budget hearing Articles to be presented at the Deliberative Session.

Join Zoom Meeting

<https://us02web.zoom.us/j/82635714048?pwd=dHkyc1FuS1FycGRLe0o1QlVlVZjhVZz09>

Meeting ID: 826 3571 4048

Passcode: 496614

Dial by your location

+1 646 558 8656 US (New York)

ARTICLE 1 – ELECTION OF OFFICERS

ARTICLE 2 – BALLOT VOTE – ZONING CHANGES

WARRANT ARTICLE 3 - FIRST RESPONDERS COMMUNICATIONS NETWORK - \$2,400,000 BOND

Shall the town vote to raise and appropriate, an amount not to exceed \$2,400,000 for upgrades and replacement of the emergency services dispatch center and related infrastructure/equipment? This article adopts the recommendation of the consultant engaged to study dispatch operations as approved by voters in March 2019. The project establishes a Milford Emergency Communications Dispatch Center replacing MACC Base and allows connectivity by neighboring towns if they choose to participate and borrowing not more than \$2,400,000 in bonds, bond anticipation notes, or notes therefore in accordance with the Municipal Finance Act (RSA 33), the article further authorizes the Selectmen to issue and negotiate bonds or notes with a term not to exceed 15 years and to determine the rate of interest and other conditions in their judgment. This is a Special Warrant Article in accordance with RSA 32. Note: As this is for the issuance of long-term debt, this vote under state law requires a 60% affirmative vote to pass. **The Board of Selectmen recommends this article (0-0). The Budget Advisory Committee recommends this article (0-0). The article has no tax impact in 2021 however; beginning in 2022 this article has an estimated tax impact of \$12.38 on an assessed valuation of \$100,000.**

WARRANT ARTICLE 4 - SEWER WASTEWATER TREATMENT FACILITY (WWTF) SECONDARY CLARIFIERS REPLACEMENT MECHANISMS - \$1,750,000.00 BOND

Shall the Town vote to raise and appropriate the sum of \$1,750,000.00 for the replacement of WWTF Secondary Clarifier mechanisms, in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Selectmen to issue and negotiate such bonds or notes to determine the rate of interest and other conditions in their judgement? The mechanisms will replace aging equipment to ensure uninterrupted essential operations at the WWTF. This is a Special Warrant Article in accordance with RSA 32 and is paid for by the wastewater user fees. Note: As this is for the issuance of long-term debt, this vote under state law requires a 60% affirmative vote to pass. **The Board of Commissioners recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0).**

WARRANT ARTICLE 5 - WADLEIGH LIBRARY HVAC/Electrical Repair - \$995,000 BOND

Shall the Town vote to raise and appropriate the sum of \$995,000 for the purchase of a New Wadleigh Library HVAC Replacement in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Library Trustees to issue and negotiate such bonds or notes, to determine the rate of interest and other conditions in their judgment? Work includes replacement of HVAC chiller, new controls, heat recovery, and new fan coil units. Most of the existing system is over 20 years old and does not heat/cool effectively. The new system should address existing issues and provide significant energy savings. This is a Special Warrant Article in accordance with RSA 32. Note: As this is for issuance of long-term debt, this vote requires, under State law, sixty percent (60%) affirmative vote to pass. The Board of Library Trustees recommends this Article (0-0). **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has no tax impact in 2021 however; beginning in 2022 this article has an estimated tax impact of \$7.11 on an assessed valuation of \$100,000.**

WARRANT ARTICLE 6 - TOWN OPERATING BUDGET - \$15,776,568 (preliminary)

Shall the Town vote to raise and appropriate an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth in the budget for the purposes set forth herein, totaling \$15,776,568. Should this Article be defeated, the default budget shall be \$15,756,541 which is the same as last year with certain adjustments required by previous actions of the Town, or by law; or the governing body may hold one special meeting in accordance with RSA 40:13 X and XVI, to take up the issue of a revised operating budget only. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This article has an estimated tax impact of \$0.057 over the 2020 Budget or (\$5.73 on an assessed valuation of \$100,000).**

WARRANT ARTICLE 7 - WASTEWATER DEPARTMENT OPERATING BUDGET - \$2,288,406

Shall the Town vote to raise and appropriate the sum of \$2,288,406 to operate and maintain the Wastewater Treatment Facility and the Sanitary Sewer Collection System, said appropriation to be offset by income received from wastewater

user charges, or take any other action relative thereto? Should this Article be defeated, the default budget shall be \$2,218,206 which is the same as last year, with certain adjustments required by previous actions of the Town, or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13 X and XVI, to take up the issue of a revised operating budget only. This warrant article is paid for by the wastewater user fees. **The Board of Commissioners recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0).**

WARRANT ARTICLE 8 - WATER DEPARTMENT OPERATING BUDGET - \$1,589,652

Shall the Town vote to raise and appropriate the sum \$1,589,652 to operate and maintain the Water Department, said appropriation to be offset by income received from the water user charges, or take any other action relative thereto? Should this article be defeated, the default budget shall be \$1,548,984, which is the same as last year, with certain adjustments required by previous actions of the Town, or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13 X and XVI, to take up the issue of a revised operating budget only. This warrant article is paid for by the water user fees. **The Board of Commissioners recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0).**

WARRANT ARTICLE 9 - RECONSTRUCTION OF TOWN ROADS - \$400,000

Shall the town vote to raise and appropriate the sum of \$400,000 to reconstruct roads as detailed using Cartograph Data by the Department of Public Works. This will be a non-lapsing appropriation per RSA 32:7, VI. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$23.81 on an assessed valuation of \$100,000.**

WARRANT ARTICLE 10 - WADLEIGH LIBRARY MAINTENANCE AND UPKEEP CAPITAL RESERVE - \$150,000

Shall the Town vote to establish a Library Maintenance and Upkeep Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of future library building repairs, renovations, improvements for the benefit of the Town, and to raise and appropriate the sum of \$150,000 to be placed in this fund, and to appoint the Library Trustees as agents to expend from this fund?. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$8.93 on an assessed valuation of \$100,000.**

WARRANT ARTICLE 11 - FIRE RESCUE TRUCK #1 REPLACEMENT - 7-YEAR LEASE/PURCHASE - \$689,700 (Annual Lease Payment \$86,214; \$100,000 Paid from Fire Apparatus Replacement Capital Reserve the Total Purchase Price (\$689,700))

Shall the Town vote to authorize the Board of Selectmen to enter into a 7-year lease/purchase agreement in the amount of \$689,700 for the lease-purchasing of a fire rescue truck with appropriate equipment for Fire Department operation (it will replace the current 1987 E ONE Rescue Truck) and to raise and appropriate \$100,000 from the Fire Apparatus Replacement Capital Reserve Fund as a down payment to reduce the lease/purchase price. Furthermore, to raise and appropriate \$86,214 for the first years payment for this purpose. With the passage of this article, future payments will be included in the operating budget. This is a Special Warrant Article in accordance with RSA 32. Note: As this is for the issuance of long-term debt, this vote under state law requires a 60% affirmative vote to pass. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This article has an estimated tax impact of \$5.31 on an assessed valuation of \$100,000.**

WARRANT ARTICLE 12 - PUBLIC WORKS SNOW PLOW UNIT 5 YEAR LEASE-PURCHASE - \$42,530 (Annual Lease Payment \$42,530; Total Purchase Price (\$200,000))

Shall the town vote to authorize the Board of Selectmen to enter into a 5-year lease/purchase agreement, subject to a fiscal funding clause that will protect the Town in the event of non-appropriation, for the purpose of lease/purchasing a snow plow unit/dump truck with the appropriate equipment for Highway Department operation (it will replace the 2002 International plow / dump unit), and to raise and appropriate the sum of \$42,530 for the first year's payment for this purpose? The total purchase price of this vehicle is \$200,000 Dollars. If this article passes, future years' payments will be included in the operating budget. This is a Special Warrant Article in accordance with RSA 32. **Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$2.52 on an assessed valuation of \$100,000.**

WARRANT ARTICLE 13 - DPW VEHICLES AND HEAVY EQUIPMENT CAPITAL RESERVE - \$40,000

Shall the Town vote to raise and appropriate the sum of \$40,000 to be placed in the DPW Vehicles and Heavy Equipment Capital Reserve Fund? Expenditures from this fund will require a vote at town meeting. The \$40,000 adds to the DPW Vehicles and Heavy Equipment Capital Reserve approved by voters in 2018. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$2.38 on an assessed valuation of \$100,000.**

WARRANT ARTICLE 14 - SOCIAL SERVICES - \$40,000

Shall the Town vote to raise and appropriate the sum of \$40,000 for the purpose of providing funding to Social Service agencies for Milford residents as proposed by the Social Services Committee and submitted to the Board of Selectmen? This is a Special Warrant Article in accordance with RSA 32. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$2.38 on an assessed valuation of \$100,000.**

WARRANT ARTICLE 15 - INFORMATION TECHNOLOGY INFRASTRUCTURE CAPITAL RESERVE - \$40,000

Shall the Town vote to establish a Capital Reserve Fund under the provisions of RSA 31:1 for the purpose of improvements to the towns Information Systems, and to raise and appropriate the sum of \$40,000 to be placed in this fund, and to appoint the Board of Selectmen as agents to expend from this fund. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$2.38 on an assessed valuation of \$100,000.**

WARRANT ARTICLE 16 - NON-EMERGENCY COMMUNITY TRANSPORTATION BUS SERVICES - \$32,000

Shall the Town vote to raise and appropriate the sum of \$32,000 for the purpose of providing the Town's share of funding to the Souhegan Valley Transportation Collaborative (SVTC) in order to continue operating a regional, non-emergency, wheelchair-accessible transportation service providing rides within the designated service area to seniors, people with disabilities, and the general public? This is a Special Warrant Article in accordance with RSA 32. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$1.90 on an assessed valuation of \$100,000.**

WARRANT ARTICLE 17 - FIRE APPARATUS REPLACEMENT CAPITAL RESERVE - \$25,000

Shall the Town vote to raise and appropriate the sum of \$25,000 to be placed in the Fire Apparatus Replacement Capital Reserve Fund? Expenditures from this fund will require a vote at town meeting. The \$25,000 adds to the Fire Apparatus Replacement Capital Reserve approved by voters in 2017. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$1.49 on an assessed valuation of \$100,000.**

WARRANT ARTICLE 18 - TOWN FACILITIES RENOVATION AND MAJOR REPAIR REPLACEMENT CAPITAL RESERVE - \$25,000

Shall the Town vote to raise and appropriate the sum of \$25,000 to be placed in the Town Facilities Renovation and Major Repair Replacement Capital Reserve Fund? Expenditures from this fund will require a vote at town meeting. The \$25,000 adds to the Town Facilities Renovation and Major Repair Replacement Capital Reserve approved by voters in 2017. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$1.49 on an assessed valuation of \$100,000.**

WARRANT ARTICLE 19 - KEYES PARK EXPANSION COMMITTEE PROJECT CAPITAL RESERVE - \$25,000

Shall the town vote to raise and appropriate the sum of \$25,000 to be placed in the Keyes Park Expansion Committee Project Capital Reserve Fund? The purpose of this fund is for the design, development and construction of improvements to Keyes Memorial Park, as outlined in the Keyes Memorial Park Expansion Committee Report, (December 20, 2016 and

as amended). The Board of Selectmen has authority to expend from this fund. The \$25,000 adds to the Keyes Park Expansion Committee Project Capital Reserve approved by voters in 2017. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$1.49 on an assessed valuation of \$100,000.**

**WARRANT ARTICLE 20 - PUBLIC WORKS WHEEL BUCKET LOADER LEASE-PURCHASE - \$22,980
(Annual Lease Payment \$22,980; \$80,000 Paid From Capital Reserves; Total Purchase Price (\$145,000))**

Shall the Town vote to authorize the Board of Selectmen to enter into a 3-year lease/purchase agreement in the amount of \$145,000 for lease-purchasing one Caterpillar (or similar) Wheel Bucket Loader and to raise and appropriate \$80,000 from the DPW Vehicles & Heavy Equipment Capital Reserve Fund as a down payment to reduce the lease/purchase price. Furthermore, to raise and appropriate \$22,980 for the first year's payment for this purpose. With the passage of this article, future payments will be included in the operating budget. **Board of Selectman recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$1.37 on an assessed valuation of \$100,000.**

WARRANT ARTICLE 21 - ASSESSING REVALUATION CAPITAL RESERVE - \$15,000

Shall the Town vote to raise and appropriate the sum of \$15,000 to be placed in the Assessing Revaluation Capital Reserve Fund? **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$.89 on an assessed valuation of \$100,000.**

WARRANT ARTICLE 22 - AMBULANCE DEPARTMENT PORTABLE RADIO REPLACEMENT FROM THE PUBLIC SAFETY COMMUNICATION EQUIPMENT REPLACEMENT CAPITAL RESERVE - \$13,927

Shall the Town vote to raise and appropriate \$13,927 to replace Portable Radios for the Ambulance Department with \$13,927 to come from the Public Safety Communication Equipment Replacement Capital Reserve to replace Portable Radios for the Ambulance Department. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article does not have a tax impact.**

WARRANT ARTICLE 23 - SUMMER BAND CONCERTS SUPPORT - \$9,000

Shall the Town vote to raise and appropriate the sum of \$9,000 for the purpose of holding the annual summer evening Band Concerts (bands, sound system, crossing detail)? This is a Special Warrant Article in accordance with RSA 32. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$.54 on an assessed valuation of \$100,000.**

WARRANT ARTICLE 24 - MEMORIAL, VETERANS & LABOR DAY PARADES AND RECOGNITION SUPPORT - \$6,500

Shall the Town vote to raise and appropriate the sum of \$6,500 for the purpose of town support relative to the observance of Memorial, Veterans and Labor Day Parades? These funds shall be used to cover parade costs incurred by Public Works, Police Department and other Town departments, and to purchase flags to be placed on the graves of veterans on Memorial Day. Departmental support costs and materials associated with the provision of these services will be charged against this appropriation. This is a Special Warrant Article in accordance with RSA 32. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$.40 on an assessed valuation of \$100,000.**

WARRANT ARTICLE 25 - BLIND EXEMPTION

Shall the town, pursuant to RSA 72:27-a, vote to increase the Exemption for the Blind (RSA 72:37) amount from \$15,000 to \$30,000. The minimum exemption amount of \$15,000 was established by statute in 2003. The town of Milford has never increased this exemption amount, despite the increase in property taxes since that time and the diminishing effect this exemption has had over time in assisting the Blind. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$ on an assessed valuation of \$100,000.**

WARRANT ARTICLE 26 - GRANITE TOWN RAIL TRAIL REVOLVING FUND

Shall the town vote to establish a Granite Town Rail Trail Revolving Fund pursuant to RSA 35-B:2 II. Any monies received for Granite Town Rail Trail facilities shall be allowed to accumulate from year to year and shall not be considered to be part of the General Fund unassigned fund balance. The Treasurer shall have custody of all monies in the fund and shall pay out the same only upon order of the Milford Conservation Commission and no further legislative body approval required. These funds may be expended only for trail management purposes as stated in RSA 35-B. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This article has no tax impact.**

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