5:30 Appointment of Josh Breault to the Granite Town Media Advisory Committee - Term Expires 2024



Granite Town Media Advisory Committee

February 1, 2021

Chairman Daniels,

The Granite Town Media Advisory Committee unanimously voted to recommend that the BOS appoint Josh Breault to fill a three year term as a Full Member on our committee. Josh is a lifelong Milford resident, who works in the high tech industry. Josh attended a recent GTM meeting and expressed his interested in joining the team.

Name:Josh BreaultAddress:32 Patch Hill LaneTerm:Full Member; 3 year term expiring in 2024

Statement: "I am a lifelong resident of Milford NH and a technology professional who cares deeply about this town and providing easier access to vital information to everyone. During this pandemic GTM has provided critical coverage to town and school meetings that have allowed residents to remain engaged with the discussions and decisions being made that impact their daily lives. I want to lend my voice and skills to this most important resource and help GTM meet the needs of the town with even higher quality, and then expand to supporting beyond the critical to the cultural."

Regards,

Tim Finan Chairman, GTM Advisory Committee

5:35 Melendy Land Purchase Approval Map 42 Lot 4-1 - Conservation Member, Chris

Costantino

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Town Hall

conservation@milford.nh.gov TDD Access: Relay NH 1-800-735-2964 Town of Milford CONSERVATION COMMISSION



December 7, 2020

Board of Selectmen

RE: Recommendation to Purchase Map 52 Lot 4-1

To the Board:

The Milford Conservation Commission (MCC) has the opportunity and the funding to purchase Map 52 Lot 4-1, which is a 2½ acre parcel abutting the Granite Town Rail Trail. The Milford Conservation Commission voted to use Conservation Land Funds to purchase this property in February 2019. There has been no change to this decision while we awaited finalization of the contract by the sellers.

The MCC would like to obtain the approval of the Board of Selectmen (BOS) to proceed with arranging this purchase.

The MCC uses a list of criteria to evaluate each potential land acquisition. These are given below, together with comments relating to the proposed parcel:

"The parcel...."

- 1. ".adds to other existing protected land" ✓ it abuts the Granite Town Rail Trail (GTRT) and is an extension of another 40 acre parcel owned by the Town.
- 2. "...has outstanding natural resource conservation opportunities" \checkmark it is a highly functional wetland
- 3. "..*has significant public education or recreational opportunities*" ✓ the wetland along the GTRT provides an opportunity to observe flood storage capacity and beaver habitat
- 4. "..has important historical or archeological significance" * nothing has been noted to date
- 5. "..is on a major trail corridor" \checkmark ; it abuts and protects the GTRT boundary
- 6. "..has frontage on a significant wetland, stream or water body" ✓ this parcel abuts Compressor Brook, one of the named brooks which is protected with a 50' buffer.
- 7. "...provides access to public land or public waters" \checkmark it does not provide access; it does provide protection
- 8. "..has habitat for endangered, threatened or species of concern" ✓ the habitat is diverse to support a wide range of species. To date, no species of interest or concern have been identified
- 9. "..provides rare, unique or critical habitat" ★ The wetland is highly functional providing flood storage capacity and resources to sustain a diverse suite of species.
- 10. ".. has, contains or is part of a scenic vista from a well-traveled road" *

As shown above, this parcel meets many of the criteria that the MCC uses to evaluate the worthiness of expending our limited funds. The MCC is prepared to use \$13,000 from the Conservation Land Fund operating under the guidance of NH RSA 36-A:4.1 which states, "Said commission may acquire in the name of the city or town, subject to the approval of the local governing body, by purchase, the fee in such land or water rights within the boundaries of the municipality, or any lesser interest, development right, easement, covenant, or other contractual right including conveyances with conditions, limitations, or reversions, as may be necessary to acquire, maintain, improve, protect, or limit the future use of or otherwise conserve and properly utilize open spaces and other land and water areas within their city or town, and shall manage and control the same,"

We appreciate the BOS's support as we continue to fulfill our mission to promote the conservation, protection and sound management of Milford's natural resources for current and future generations.

Respectfully,

Andy Hughes, Chair Milford Conservation Commission

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 4/22/2019

A motion was made by Selectman Putnam to approve the (5) Solar Exemption Applications. Seconded by Selectman
 Dargie. All were in favor. The motion passed 4/0.

125 Applications for Residences in Industrial or Commercial Zone for Approval (37)

- 126 All the paperwork is in order; Marti recommends that the Board approve these applications.
- A motion was made by Selectman Putnam to approve the (37) Residences in Industrial or Commercial Zone Applica tions. Seconded by Selectman Dargie. All were in favor. The motion passed 4/0.

131 6:00 p. m. – Skate Park for Brandon "Memo" Kluz – Derek Mossey

The Brandon "Memo" Kluz Memorial Group would like to build a new feature in memory of Brandon at the Milford Skate Park. We are going to fund the entire project ourselves, with help from The Lions Club, and donations from local businesses. The feature would be a bowl in the far left corner of the skate park within the park's original footprint. The group would also like to be responsible for making repairs to the existing features, and in collaboration with Parks and Rec, create a contingency plan for adding more features in the future.

- 137 The project will be broken into the following phases:
- Phase one of the project would be to make repairs to make it safe (filling cracks and re-welding rails that are cracked)
- Phase two would be the construction of the bowl.
- Phase three would be an ongoing project to revitalize the skate park for the next generation of residents to enjoy.

Derek was also part of the Milford Riders Committee ten years ago, and their focus was keeping the skate park open.
The skate park is one of the most used parks in town and they have the manpower to fix it.

145 Chairman Daniels gave some history on the skate park; The Lions Club made the skate park 19 years ago. Riders said 146 they would take care of it. There was a point in time where someone was cutting the fence and destroying it. The park 147 was closed for a while and the Riders came in and asked to take control of it, sign in and developed rules of conduct 148 required to be part of it. He was excited to have this group come forward with their proposal.

Selectman Putnam made a motion to approve the work at the Skate Park. Selectman Dargie seconded. Selectman Dargie said he's a member of the Milford Lions Club who will be working with the group. If anyone would like to donate money for this, they can donate it to the Lions Club and they can contact him. All were in favor. The motion passed 4/0.

Administrator Bender asked Derek what their timing would be for the three phases. Derek said phase I should happen as soon as possible this summer. Phase II he would like to accomplish by next spring depending on fundraising etc. He has skate park builders that will also be involved. Phase III would be ongoing. The bowl would be is approximately 43' wide x 54' long, it will be smaller than that. They would like to raise it up two feet so no one will fall into it.

- 160 Noah Saari, a Merrimack resident feels the first phase is very crucial to the park because it's dangerous and isn't safe.
- **162 3. PUBLIC COMMENTS. -** There were no public comments at this time.

164 4. DECISIONS.

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a) CONSENT CALENDAR. Chairman Daniels asked if there were any items to be removed from the consent calendar.
 dar. Chairman Daniels had a request to remove item 4. a) 2) for discussion. Selectman Putnam moved to approve the
 consent calendar except for item 4. a) 2). Selectman Dargie seconded. All were in favor. The motion passed 4/0.

- 168 1) NH RSA (31:95(b)) Request for Acceptance and Appropriation of Unanticipated Revenues under \$10,000:
- 169 Donation to the Milford Police Department for the IPMBA Mountain Bike training \$600.00
- 170 –Donation to the K-9 Unit Special Purpose Fund \$58.89
- 171 2) Request for Approval of Keyes Field Art Wall
- 172 3) Request for Approval of Intent to Cut Map 3 Lot 10 and Right of Way on Map 3 Lot 11
- 4) Approval of Two (2) Yield Tax Levy for Excavation Map 58 Lot 1 and Map 58 Lot 2

Discussion on 4. a) 2 – Keyes Field Art Wall. Selectman Dargie stated that Eric Escobar from Wicked Ways Inc. would
like permission to paint the big receding wall at Keyes Field. He will do something nice on one side and the other side
would be an active Legal Art Wall. This area would be a legal spot for anyone of all ages to practice the art of murals,
appropriate graffiti, and large scale stenciling. There are Legal walls in Nashua and Manchester. Chairman Daniels

said the Eric would monitor the wall, meaning, if artists would like to paint at the wall, they would need to come to him

for approval. He would also like to host art lessons at the wall. He would make sure if the wall was misused that he

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 4/22/2019

- would clean it up. Selectman Putnam said that Eric painted the Milford Pumpkin Festival mural this past fall. Eric can
 be reached at his place of business or <u>www.wickedwaysinc.com</u>.
- 184 Selectman Putnam made a motion to approve 4. a) 2. Seconded by Selectman Dargie. All were in favor. The motion passed 4/0.

187 b) OTHER DECISIONS

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1) Acquisition of Land: Melendy Road, Map 52 Lot 4-1. Chairman Daniels said that we had two public hearings on this
and tonight we need to make a decision. Selectman Dargie moved that acquisition of Land for Melendy Road be approved. There was not a second motion in favor of this.

192 A motion was made by Selectman Putnam that the acquisition of Land for Melendy Road be rejected. Chairman Dan-193 iels seconded for discussion. Chairman Daniels said his reasons for not voting for this is because the owners of the 194 property have given large portions previously but the Tax Assessor indicated to them that this remaining part would be 195 taxable. He also feels that we appropriate money every year to the Conservation Commission during our voting in 196 March to buy land that they see worthy of purchasing. If we were to take this land in exchange for them not paying the 197 taxes, the Conservation Commission would end up with the land, the owners would pay nothing but the town would get 198 nothing out of it. The amount is approximately \$13,570. This is money that can be used for something for the needs of 199 the town. The town, through the Conservation Commission, can still get the land by purchasing it. In the end, the own-200 ers will not have paid anything and the Conservation Commission will do what they do normally by purchasing the 201 land. Doing it both ways, the taxpayers lose out. 202

Chris Costantino. Conservation Member and Milford resident said she didn't say anything at the two public hearings because they didn't have the Town Attorneys information regarding the tax abatement. She asked if the Board saw the e-mails that she sent about this. The Board said yes. Chairman Daniels said one of the things that didn't come up was that the statute said "you can abate the taxes for good cause". Chairman Daniels said he doesn't think that applies to this. Conservation knows the value of the land and how it protects the rail trail. There would be a little piece of land coming out that would be adjacent to it. For the length of the rail trail, it's a small piece in comparison with a large portion of wetlands.

- 211 Chris said another piece of good cause is flood storage. That's one of the sections of the rail train that is under threat 212 from the brook. Having that area whether we own it, or don't own it, the water is still going to flow down. It makes it a 213 little easier if the Commission owns it to manage the property. The Melendy land owners have been very helpful and 214 have worked with us over the years with that. The Melendy land owners set out to give us a gift. The ball started rolling 215 and by giving us the 40 acres before they sold the house lots caused the house lots to be separated out which is why they 216 have the taxes that they wouldn't have had if they had held off and waited. That's a good cause. That land will allow us 217 to have parking down on Melendy road what has been a need for a while. We have tax incentives for commercial and 218 industrial developments in town, she sees this as a tax incentive, it's unanticipated funds. It wasn't \$13,000 that we were 219 going to have in our pockets anyway. She feels that we should allow the land owners to give this gift in exchange for 220 the abatement.
- Selectman Labonte understands that there are two options; you can abate the taxes and receive the gift or if we don't abate the taxes, would we buy the land through Conservation. Chairman Daniels said he believes that Conservation could buy the land for the \$13,570. Chris said they only discussed it being given as a gift. Selectman Dargie said in a previous discussion there was a discussion about working out the way it was done whether it was an abatement of taxes or just buying it. He's confident that it could be bought for the \$13,570.
- Selectman Labonte asked if it could be tabled to see if buying it through Conservation is an option. Chairman Daniels said he didn't think we needed to do that. Conservation could seek to buy it. Selectman Labonte said it would be at the risk of losing the opportunity of buying 40 acres for that amount. Chairman Daniels said it isn't 40 its 2.5 acres. Chairman Daniels believes that the Conservation Commission is interested in the land and they know the owners are interested in getting rid of it, because otherwise, they will continue to have a tax bill. If the offer were rejected, it could always be brought back to the Board for reconsideration.
- Administrator Bender said the statute after the two public hearings is that the Selectman shall vote within 7 to 14 days
 after the second public hearing. Chairman Daniels said there is a motion on the floor to reject the exchange of the land.
 The motion passed 3/1 with Selectman Dargie against the motion.
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APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 4/22/2019

Chris asked if they would need to go back to the same two public hearings if the Commission chooses to buy the property. The Board said yes.

242 2) Transfer Station Signs – Chairman Daniels said the state recently came down to look at the Transfer Station and part
243 of their requirements is that different places be identified. Tammy put up pink signs but they were paper. They would
244 like metal ones to identify the areas where people need to put their items. There are seven areas that need signs and the
245 cost would be around \$500. He feels the \$500 can be found within the budget.

Selectman Putnam made a motion to approve up to \$500 the signage for the Transfer Station as recommended by the Recycling Committee. Seconded by Selectman Dargie but he wanted to approve a slightly higher number in case it cost more. Chairman Daniels said he was confident that the cost would be around \$500. Chairman Daniels said the cost of the signs would be approximately \$68 each. It may be less through the Department of Corrections.

Selectman Labonte asked why buying signs for the Transfer Station had to come before the Selectmen for a vote when so many things in town don't. Chairman Daniels said for transparency purposes. Selectman Labonte asked if the cameras came before the Board. Selectman Putnam said he didn't see them. Selectman Labonte said the cost for the cameras were 10 times more. Selectman Dargie said they could probably just do it. Selectman Labonte said what made this go before the Board. Selectman Putnam said it's, professional courtesy between the Board and the Recycling Committee. Chairman Daniels said the Recycling Committee asked if this could be brought before the Board for approval.

All were in favor. The motion passed 4/0.

Selectman Putnam asked if the camera was moved in the break room at the Transfer Station. Administrator Bender said yes.

b) OTHER DECISIONS.

1) **N/A**

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5. TOWN STATUS REPORT – Administrator Bender

268 2019 Road Reconstruction Plan – in summary; this year our paving plan is to top coat approximately 6 miles of a. 269 roads that were previously reconstructed and reclaim a little less than 1 mile. If the Board approves the 2019 Road Plan, 270 reconstruction during the past three years will total almost 13 miles compared with the 11 miles that we projected in the 271 warrant article that voters had approved. We have slightly under three miles that have been base paved only and still 272 need top coated which will happen next year. The total funding available for the 2019 plan for road work is about 273 \$1,005,000. This includes budget line items and the balance of the road bond. The projected 2019 cost is slightly over 274 \$900,000 which gives us a balance of about \$104,000 for unanticipated cost or contingencies that will need in executing 275 the plan. We've made good progress with our road infrastructure and hope the Selectmen will consider a 2020 warrant 276 article to continue road funding construction. 277

Rick Riendeau, Public Works Director provided additional detail. Rick said the drainage problem on South, Webster
and Prospect Streets roll into the total factors of reconstruction of the roads. Garden and Cottage Streets will be reclaimed. West Street will be a mill and fill. King, George, Clinton and Ford Streets will be overlaid. Savage, Mason and
McGettigan, and Whitten Roads will be chip sealed giving us another five to seven years on the top treatments on those
roads. School Street will be overlaid in conjunction with the Fire Departments construction.

284 Selectman Dargie asked Rick to explain the difference between chip seal and overlay. Rick said overlay is asphalt 285 pavement; it gives the roads ten to twelve years. Chip seal is a surface treatment which is emulsion and stone, it gives 286 the roads five to seven years.

Selectman Labonte asked in doing chip seal vs. overlay are you not adding the rest of the structural integrity to the road that the 1 ½ inch top coat does. Are you taking strength away from the road? Rick said no, we have a 2 ½ inch base on those when we put them in. By reclaiming them, we enhanced the substructure of the soil to give it more strength. Going through two winters we haven't seen any kind of defect other than some small cracking. Chip sealing the road will get down into the cracks and prevent it from going further.

Selectman Laborte asked if the fire station bond covered the digging up of School Street. When Water Utilities does an upgrade, they put the road back to where it was and it's included in the quote. Rick said School Street wasn't part of the bond. Work was previously done down there and drainage was replaced and part of the road was paved. We are doing

it in conjunction with the work being done now so it will still look good.

5:50 - BROX Community Land Conservation Easement - Conservation Chair Andy Hughes and Conservation Member Chris Costantino

Town Hall 1 Union Square Milford, NH 03055-4240 Tel: (603) 249-0628 www.milford.nh.gov conservation@milford.nh.gov

Town of Milford CONSERVATION COMMISSION



December 22, 2020

RE: Brox Community Land Conservation Easement - paying for the Conservation Easement Stewardship Fund

Dear Selectmen,

An Alteration of Terrain Updated Permit (dated 10/26/20) was submitted by the Town for the sand and gravel operation on the property referred to as the Brox Community Land. One of the conditions of this permit is that the Town of Milford (Town) will put 75 +/- acres into a conservation easement (Plan sheet 1 of 9 note #11).

The Board of Selectmen (BoS), at their October 14, 2019 meeting, accepted the Milford Conservation Commission's (MCC) offer to facilitate this easement process. Below is a recap of our progress to date:

- The New Hampshire Fish and Game (NHFG) Department agreed to hold the easement.
- As with all such easements, there is an associated cost, known as a Stewardship Fund, payable to the easement holder on its execution. This is a one-time payment to the holder to cover the future yearly monitoring visits and management decisions in perpetuity. For this easement, that cost will be \$30K.
- In 2018 the MCC applied for and received an Aquatic Resources Mitigation (ARM) grant for \$20K to help cover the costs of this easement.
- \$5K of work was done toward the required boundary survey more below.

The following are several steps required for both a) the ARM grant payment to be secured as it is set to expire in June 2021 and b) for the conservation easement to be finalized.

- The Town must have an exterior and interior boundary survey completed and signed with boundary markers provided by the State. The MCC contracted for this work with Meridian Land Services, who began the work in October 2019 for an agreed total cost of \$20K. The work was halted when the AoT permit was rescinded in late 2019. Meridian had, at that point, performed \$5K value in services and the MCC has paid that invoice.
- 2. A Baseline Survey must be completed. This work will be done by the Commission and there is no extra cost associated with this activity.
- 3. The Town and the State will collaborate on the conservation easement language which will detail the activities allowed in this section of the parcel.
- 4. The easement must be filed and recorded by June 30, 2021 to receive the ARM grant of \$20K.

Through the ARM grant, the MCC has raised \$20K towards the \$50K cost (i.e. \$20K for boundary survey plus \$30K for Stewardship Fund) associated with this required conservation easement. Therefore, the MCC suggests that the BOS put the remaining cost of \$30K into their 2021 budget.

Very Respectfully,

Andrew Hughes, Chair, Milford Conservation Commission

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 12/28/2020

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

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

129 Chairman Daniels asked if it will come back to the Board for review before proceeding. Lincoln said yes. The final sign off 130 will include the Board. Selectman Laborte asked about a traffic light next to CVS. Lincoln said originally they didn't meet 131 the criteria to include a light. CVS contributed \$175,000 for a light and those funds will terminate in 2022. It's still TBD 132 for the design.

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

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

144 Chairman Daniels asked about the light at CVS. Lincoln said the light may not be warranted at that intersection. We have 145 funds if needed but we won't know until we evaluate it further. Chairman Daniels asked about public hearings during the 146 evaluation phase. Lincoln said yes, it will be a year-long process. Chairman Daniels asked if we were going to deal with 147 the same construction company that engineered the Oval changes. Lincoln said no.

149 Chairman Daniels asked if Lincoln was looking for approval to start the engineering phase. Lincoln said he needs the ap-150 proval to start the overall process, phases 1 through 3. Selectman Freel said if this was to be approved, we can't get the 151 \$400,000 back. Lincoln said the warrant articles were specifically for this project. Chairman Daniels said unused money 152 will go back to where ever it came from and this remaining money would go back to the tax-payers.

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

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

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

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

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

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

173 In summary: An Alteration of Terrain Updated Permit (dated 10/26/20) was submitted by the Town for the sand and gravel 174 operation on the property referred to as the Brox Community Land. One of the conditions of this permit is that the Town of 175 Milford (Town) will put 75 +/-acres into a conservation easement (Plan sheet 1 of 9 note #11). The Board of Selectmen, at

176 their October 14, 2019 meeting, accepted the Milford Conservation Commission's (MCC) offer to facilitate this easement

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 12/28/2020

process. The BOS tabled this until the second meeting in January. The Conservation Commission is suggesting that the
 Board include the remaining cost of \$30,000 in their 2021 budget.

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

- 186 Selectman Laborte repeated, it was put in front of the voters at no cost and that doesn't mean it should be taken out of the 187 profits. The Town of Milford doesn't pay for the permit. Lincoln said the contractor is paying for the AoT permit.
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189 Chairman Daniels asked how much was in the Conservation fund and how come we can't take the \$30,000 from that fund.

Andy said the town went forward to do the Gravel Extraction Project. This is a State-imposed condition as part of doing this project. We have about \$95,000 in the Conservation Land Fund and we don't believe the land fund balance should be used for this project.

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

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

Selectman Freel clarified that when the Gravel operation is in full swing, the town is making over \$100,000. Does the easement have to be in place before we get the AoT permit and start pulling gravel out again? Andy said no. For the \$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 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.

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

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

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 would not be selling gravel. Selectman Freel agrees. Selectman Laborte said we should hold off until Town Council reviews this. Chairman Daniels said there is already a contract in place and this would change the terms of the contract in the middle of it.

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

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

231 6:15 p.m. - Deliberative Session and March Election – Town Moderator, Pete Basiliere

In Summary: Pete Basiliere gave an overview of what to expect to host the Deliberative Session and Town Vote.

TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2007-01

TO: ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES
FROM: MARK BENDER, TOWN ADMINISTRATOR
SUBJ: POLICY ON PURCHASING AND PROCUREMENT
DATE: MONDAY, FEBRUARY 8, 2021

At a meeting of the Milford Board of Selectmen held on Monday, February 8, 2021, the Board of Selectmen voted to amend the following Policy regarding Purchasing and Procurement:

SECTION I: PURPOSE

The Procurement Policy of the Town of Milford, is adopted for the purpose of providing the best guarantees that tax money and public funds are spent in the most prudent fashion, as well as assuring the goods and services required by the departments of the Town are acquired in a timely manner and at the most economical price. This policy provides direction as to the steps involved in the procurement of all goods and services for the Town.

SECTION II: AUTHORITY

This Policy is adopted by the Board of Selectmen in accordance with RSA 31:39 as it relates to their management of the Town's prudential affairs and their authority over expenditures.

SECTION III: CONFLICT OF INTEREST

In accordance with RSA 95:1 no person holding a public office in the Town of Milford, either appointed or elected, shall, by contract or otherwise, except by open competitive bidding, buy real estate, sell or buy goods or services, commodities, or other personal property of a value in excess of \$250 at any one sale to or from the Town of Milford. This shall also apply to all employees of the Town of Milford.

SECTION IV: OBJECTIVES

- A. To seek competitive quotations based on the dollar limits outlined.
- B. To, wherever possible, consider the use of State contracts for goods and services.
- C. To, wherever possible, consider to use one vendor and purchase in bulk, in order to take advantage of any available discounts.
- D. To provide a procedure for the disposal of surplus property.

SECTION V: EXEMPTIONS

Select exemptions from the Procurement Policy shall be permitted as specifically authorized by the Board of Selectmen each calendar year.

SECTION VI: PROCUREMENT AUTHORITY

Authority for the procurement of goods and services shall be as outlined below.

- A) \$0 to \$7,500: A Department Head shall have full authority to approve procurement of departmental goods and services up to \$7,500 provided such good(s) or service(s) are identified within the department's annual budget.
- B) **Greater than \$7,500**: The Town Administrator shall have full authority to approve procurement of goods and services provided such good(s) or service(s) are identified within the Town's budget.

C) **Greater Than \$25,000:** Approval of the majority of the Board of Selectmen is required for the procurement of goods and services in excess of \$25,000, which are not otherwise approved in the budget, or when the low bid is not recommended by Staff.

SECTION VII: PROCUREMENT PROCESS

The process for procurement of goods and services shall be as outlined below:

- A) Less than **\$2,500**: For procurement of **\$2,500** or less there is no requirement to obtain written or verbal quotes.
- B) \$2,501 to \$10,000: For total procurement between \$2,501 and \$10,000, contact as many vendors as necessary in order to obtain at least three (3) quotations. Quotation may be written or verbal, although final procurement shall not be permitted without a written quotation. In the event less than three (3) quotations are available; evidence of the attempt to obtain them should be attached to the purchase order.
- C) \$10,001 to \$25,000: For total procurement between \$10,001 and \$25,000, contact as many vendors as necessary in order to obtain at least three (3) *written* quotations. The Department Head shall present these quotations to the Town Administrator, along with a recommendation, for their approval. In the event less than three (3) quotations are available; evidence of the attempt to obtain them should be attached to the purchase order.
- D) Greater than **\$25,001**: All procurements having an estimated cost in excess of **\$25,001** shall be bid pursuant to the competitive procurement guidelines established in this policy

Competitive Bidding and Request for Proposal requirements are provided for in Appendix A which is hereby made part of this policy.

In no instance may the Authority or Process levels be circumvented by making multiple individual purchases in succession or breaking up common service or vendor procurements. Any justified changes to an original procurement that moves procurement from one level or Authority or Process shall be acted on by the higher level.

SECTION VIII: ADDITIONAL PROVISIONS

- A) Sole Source Proposals: The Town of Milford will not entertain the solicitation of a single source vendor for supplies and/or services unless the competitive bid requirements are explicitly waived by vote of the Board of Selectmen. Absent such vote, the Town will consider a vendor if they are the only bidder, provided that the procedural steps in soliciting bids has been followed and documented.
- B) Emergency Procurements: An emergency purchase may be made by a Department Head only if the normal operations of the department are in jeopardy. This shall generally mean or relate to emergency repairs to equipment or facilities which must be kept operating to protect the health and/or safety of persons, or property.

For purposes of this paragraph only, the competitive procurement provisions of these policies may only be waived in case of an emergency by the Town Administrator, Chairman of the Board of Selectmen, or their designee (whoever is most readily available). This waiver shall only be considered when there exists a special emergency involving the health and safety of the people or their property.

C) Disposal of Surplus Property: The Department Head must present any property (non-real estate), which is considered to be surplus and valued at over \$500, to the Town Administrator with a recommended method of disposition for approval. Various possible disposition means are the sealed bid or auction process, State surplus auction, trade in usage, retained for usage as parts, or transfer to another Town Department. The Department Head may dispose of any surplus items with a value of less than \$500, as they deem appropriate.

SECTION IX: AMENDMENTS

These policies may from time to time be amended by the vote of the Board of Selectmen at a properly scheduled Selectmen's Meeting.

SECTIONX: EFFECTIVE DATE

These policies shall be effective upon a vote of the Board of Selectmen and shall replace any and all bid procedures or policies previously enacted by the Town.

SECTION XI: PURCHASE ORDERS

All purchases in excess of \$2,500 shall require a purchase order following the approval process detailed in Section VI.

SECTION XII: CREDIT CARDS

Credit cards purchases are subject to the Procurement Policy. Policies specific to the use of credit cards are covered in the "Credit Card Purchasing Policy" adopted May 14, 2012.

Appendix A

REQUEST FOR PROPOSALS

Certain professional services, such as architectural and engineering, auditing, and legal services are more appropriately solicited through a Request for Proposals (RFP). This is due to the need to consider factors other than price, such as professional qualifications, previous experience in related projects, and review of support staffs backgrounds.

When soliciting for RFP's the specifications must contain the following information: scope of services to be performed; timing; evaluation criteria; minimum qualifications of professional experience; and price.

The Town shall solicit proposals from at least three (3) vendors providing the professional service. Selection should be made by utilizing the following criteria: proposal review; interview of individual; and reference checks, including site visits if applicable.

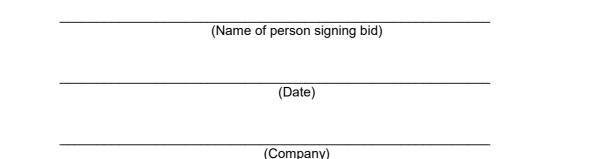
COMPETITIVE BID

- 1. The Town will maintain a contractors /vendors file according to type of good or service provided, which will be used to send specific specifications to particular vendors.
- 2. Each department shall maintain contract files in accordance with the State of NH's record retention rules. Each file shall contain the following, minimum information for the retention period, as appropriate:
 - a) Bid specifications, public notice of bid solicitation and other relevant pre-solicitation documents;
 - b) Records of recommendations, justifications, and approvals;
 - c) Lists of those vendors/individuals sent the bid specifications;
 - d) Copy of each offer or quotations and any records or documentation. Any unsuccessful offers will be maintained in the contract file;
 - e) Record of any required approvals;
 - f) Notice of bid award;
 - g) The original of the signed contract or bid award, all contract modifications, and other change orders or amendments;
 - h) Bid, performance, or other bond documents or a reference thereto.
- 3. **<u>BID SPECIFICATIONS:</u>** The Department Head shall prepare specifications for bid items, and shall submit the final specifications to the Town Administrator for approval prior to solicitation of bids. As part of the specifications, the Department Head should always include the following minimum items or requirements:
 - a) Bidders must clearly identify the product or service on which they are bidding on all envelopes.
 - b) Bidders shall provide samples with the bid when applicable. All samples will be returned to the vendors after the bid completion.
 - c) The Town's Tax Exempt Number: #xx-xxxxxxx.
 - d) The terms of the contract, including effective dates, extension terms, termination clauses, and other applicable terminology.
 - e) The party responsible for the freight and insurance charges, as well as how damaged goods will be returned and the extent of guarantees.
 - f) Where applicable, performance bonds will be required and shall always be required, as specified by RSA 447:16, for construction projects with a value greater than \$25,000.
 - g) A statement which reserves the Town's right to reject any and all bids, negotiate any contracts and waive any informalities in the bid process.
 - h) A statement, which reserves the Town's right to consider substitution of equivalent items and under what conditions. The specifications shall include a statement, which requires the

bidder to submit documentation for all substitutions and exceptions.

- i) Where applicable, the Town will hold a bidders conference to acquaint the bidders with the process, and to address any special concerns, questions or request for exceptions that may arise.
- j) Minimum quantity and quality requirements. These requirements should be specific enough to ensure the desired level of quality, but also must be flexible enough to elicit multiple bids.
- k) The following non-collusion clause shall be part of every bid specification package. A bidder must sign this statement in order for the bid to be valid.

"The undersigned certifies under penalties of perjury that this bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this section the word "person" means any natural person, joint venture, partnership, corporation or other business or legal entity."



4. <u>PUBLIC NOTICE:</u> The Town Administrator shall invite all bids by advertisement in at least one (1) newspaper of general circulation in the Town of Milford, such publication to be at least fourteen (14) days before the time of the bid opening. All bid notices must remain posted in at least two public places, one of which must be at the Town Hall, for a period of not less than two weeks (14 days). To save on advertising costs, multiple bids should be advertised in single advertisements where deemed practical.

The invitation to Bid shall include the following information:

- a. time and date of receipt of bids
- b. address to which the bid is to be delivered
- c. date by which the Town may accept the bid and contract with the vendor
- d. a general description of the good or service being purchased
- e. any and all contractual terms and conditions applicable to the purchase
- f. indicate where and when an invitation to Bid may be obtained
- g. indicate where and by what date bids must be submitted
- h. indicate where and when bids will be opened, and by whom
- i. provide a description of the good or service requested
- j. reserve the Town's right to reject any and all bids
- AVAILABILITY OF SPECIFICATIONS: The Town Administrator shall mail copies of the specifications to those firms/vendors as listed in the contract files as well as additional firms who may request a copy. The Town Administrator reserves the right to charge for copies according to size and complexity (i.e. construction drawings, etc.)

- 6. **SAMPLE BID PUBLIC NOTICE:** "The Town of Milford, New Hampshire is currently accepting bids for the (name of bid item). Bid specifications are available from the Town Administrator's Office, 1 Union Square, Milford, New Hampshire, 03055, (603) 673-2257. Sealed bids will be received until 2:00 PM, October 23, xxxx. Bids will be publicly opened and read at that time, and approved by the Town Administrator with time to be determined. The Town of Milford reserves the right to reject any and all bids if deemed in the best interest of the Town."
- 7. <u>ACCEPTANCE OF BIDS</u>: The Town Administrator shall accept all bids up to the time specified for receipt of bids in the Public Notice. All bids will be dated and time stamped by the Selectmen's Office. Any late bids will be rejected. A bidder may correct, modify, or withdraw a bid by written notice received in the Selectmen's Office before the time and date set for the bid opening.
 - a) Telegraphic bids (meaning by telegram, mailgram, or by facsimile) will be considered or accepted unless prohibited by the solicitation.
 - b) Bids must be submitted in accordance with the bid solicitation. If a bidder chooses to use its own bid form or a letter to submit a bid, the bid will be considered only if the bidder explicitly, in written form, accepts all the terms and conditions of the invitation and further that the award of the bid would result in a binding contract under the terms and conditions of the solicitations and other terms and conditions contained in the submitted bid which do not conflict with those in the solicitation.
- 8. <u>BID OPENING:</u> All bids will be opened by the Town Administrator at the time and date specified in the Public Notice. The names and quotes for all bidders recorded, and made available for public inspection. The Town Administrator may authorize a designee to open the bids. The Town Administrator shall notify all bidders of any changes in the opening time and/or date.
- 9. <u>BID CORRECTIONS</u>: After the bid opening, the bidder may not amend, correct, modify, or change in any fashion a bid, which would be contradictory to the interests of the Town of Milford or fair competition. The Town Administrator may waive minor informalities, or allow the bidder to make corrections, as long as the intent of the bid is not disturbed.
- 10 .**<u>BID AWARD</u>:** Bids meeting the specifications shall be reviewed by the Department Head in consultation with the Town Administrator and others as needed. A recommendation shall be made to the Board of Selectmen for approval, if the preferred vendor is not the low bidder.

The Town Administrator shall award the contract to the successful bidder or Board of Selectmen approved bidder and be responsible for preparing Notice of Bid Awards and submitting same to the successful bidder as well as all other bidders.

- 11. CONTRACTOR QUALIFICATIONS: To be determined responsible, a prospective contractor must:
 - a) have adequate financial resources to perform the contract, or the ability to obtain them;
 - b) be able to comply with the required or proposed delivery or performance schedules;
 - c) have a satisfactory performance record;
 - d) have a proven record of integrity and business ethics;
 - e) have the necessary organization, experience, technical skills, and support staff, or the ability to obtain them;
 - f) have the necessary production, construction, and repair equipment and parts required to fulfill the contract requirements.
 - g) provide at least two references and phone numbers.

Date

Chairman

Vice Chairman

Selectman

Selectman

Selectman

4. a) 1) Request to re-appoint Joan Dargie and Michael Thornton as Members of the Zoning Board of Adjustment - Terms Expire 2024

February 4, 2021

Mr. Gary Daniels Chairman, Board of Selectmen Town of Milford 1 Union Square Milford, NH 03055

Chairman Daniels:

As Chair of the Milford Zoning Board of Adjustment, I would like for you and fellow Board of Selectmen members to strongly consider allowing Mrs. Joan Dargie and Mr. Michael Thornton to serve our community for another term on our Board. I truly believe that these two remarkable people have helped to make Milford a better, safer, and stronger community. Joan and Mike's experience, knowledge, and commitment are greatly valued and appreciated.

Sincerely,

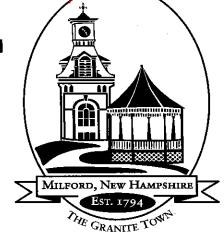
Jawn R. Ploude

Jason R. Plourde, P.E., PTP, LPA Chair, Zoning Board of Adjustment

4. a) 2) Approval of Annual Parade Permits, Memorial Day, Labor Day and Veterans Day

TOWN OF MILFORD

BOARD OF SELECTMEN Municipality of Milford, New Hampshire



Parade Permit

Be it known that Hunter Philbrick, individually and in conjunction with the Ricciardi Hartshorne Post 23 of the American Legion, 15 Cottage Street, Milford, County of Hillsborough and State of New Hampshire, in accordance with a written application for a Parade Permit submitted to the Board of Selectmen on February 9, 2021, and subject to all rules and regulations of the municipality, is hereby issued a Parade Permit for a Memorial Day Parade to be held on **Monday, May 31, 2021**, commencing at approximately **10:00 a.m.**

The assembly area for the parade shall be the West Street Cemetery, Milford, New Hampshire and the parade route shall be limited as follows: from the West Street Cemetery, to Elm Street, stopping at the bridge on Elm Street, and the Milford Oval, and then proceed to the VFW, One VFW Way.

Dispersal area for the parade shall be the VFW Post, One VFW Way, Milford, New Hampshire.

Dated:_____

Chairman, Board of Selectmen

TOWN OF MILFORD

BOARD OF SELECTMEN Municipality of Milford, New Hampshire



Parade Permit

Be it known that Hunter Philbrick, individually and in conjunction with the Ricciardi Hartshorne Post 23 of the American Legion, 15 Cottage Street, Milford, County of Hillsborough and State of New Hampshire, in accordance with a written application for a Parade Permit submitted to the Board of Selectmen on February 8, 2021, and subject to all rules and regulations of the municipality, is hereby issued a Parade Permit for a Labor Day Parade to be held on **Monday, September 6, 2021**, commencing at **1:00 p.m.**

The assembly area for the parade shall be at the Milford High School, 100 West Street, New Hampshire and the parade route shall be limited as follows: from West Street, to the Milford Oval via Elm Street, around the Oval, and then proceed to the Harley Sanford Veterans of Foreign Wars (VFW) Post 4368, One VFW Way, Milford, NH.

Dispersal area for the parade shall be the VFW Post, One VFW Way, Milford, New Hampshire.

Dated:

Chairman, Board of Selectmen

Town Hall – 1 Union Square – Milford, NH 03055-4240 – (603) 249-0600 – FAX (603) 673-2273 TDD Access: Relay NH 1-800-735-2964 website: www.milford.nh.gov

TOWN OF MILFORD

BOARD OF SELECTMEN Municipality of Milford, New Hampshire



Parade Permit

Be it known that Hunter Philbrick, individually and in conjunction with the Ricciardi Hartshorne Post 23 of the American Legion, 15 Cottage Street, of Milford, County of Hillsborough and State of New Hampshire, in accordance with a written application for a Parade Permit submitted to the Board of Selectmen on February 8, 2021, and subject to all rules and regulations of the municipality, is hereby issued a Parade Permit for a Veterans Day Parade to be held on **Thursday, November 11, 2021**, commencing at **10:45 a.m.**

The assembly area for the parade shall be the American Legion at 15 Cottage Street, in said Milford, New Hampshire and the parade route shall be limited as follows: from the American Legion on Cottage Street to the Milford Oval via Garden Street and Union Street, then onto the World War I & World War II Memorials. From there, the parade will proceed back to the American Legion on Cottage Street.

Dispersal area for the parade shall be the American Legion at 15 Cottage Street, Milford, New Hampshire.

Dated:

Chairman, Board of Selectmen

Town Hall – 1 Union Square – Milford, NH 03055-4240 – (603) 249-0600 – FAX (603) 673-2273 TDD Access: Relay NH 1-800-735-2964 website: www.milford.nh.gov

5. 1) Town Report and Voters Guide Update – Tina Philbrick (VERBAL)

Town Status Report - February 8, 2021

2. Milford Transfer Station – The transfer station is currently taking aluminum, steel and tin cans, glass bottles and glass jars only (no caps or covers please), corrugated cardboard and clean mixed paper and magazines. We shall begin taking plastics again in February. We have hoppers outside the recycle center where residents can separate cans and bottles with plastics to be added. Additional information will be posted on the Town website when it becomes available. If anyone has any questions or concerns, please contact the Town Administrator's Office or the Transfer Station.

9. Approval of Final Minutes January 25, 2021

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DRAFT

MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

January 25, 2021

3 This meeting was conducted pursuant to the State of New Hampshire Emergency Order #12 pursuant to Executive Order 4 2020-04, temporary modification of public access to meetings under RSA 91-A. As such, the meeting was conducted 5 online using these connection instructions that were listed on the posted meeting agenda: "The Public is encouraged to par-6 7 ticipate remotely, call in on your phone @ 1-646-558-8656 and enter the meeting ID# 858 3608 0860 and the password is 8 680611 or join the Zoom Meeting @ https://zoom.us/j/82635714048. Please try to log in 5 minutes before the meeting's 9 scheduled start time in case you run into any technical difficulties". 10

11	PRESENT:	Gary Daniels, Chairman (Zoom)
12		Paul Dargie, Vice Chairman (Zoom)
13		Laura Dudziak, Member (Zoom)
14		Chris Labonte, Member (Zoom)
15		David Freel, Member (Zoom)
16		

John Shannon, Town Administrator (Zoom) Tina Philbrick, Executive Assistant (Zoom)

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

18 Chairman Daniels declared that an emergency exists and he was invoking the provisions of RSA 91-A: 2, III (b). Federal, 19 state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to the community in 20 its continuing efforts to combat the spread of COVID-19. In concurring with their determination, he also finds that this 21 meeting is imperative to the continued operation of Town government and services, which are vital to public safety and 22 confidence during this emergency. As such, this meeting will be conducted without a quorum of this body physically pre-23 sent in the same location. Information for accessing this meeting can be found on the Town web site in the red banner. 24

25 Chairman Daniels welcomed members of the public accessing this meeting remotely. Even though this meeting is being 26 conducted in a unique manner under unusual circumstances, the usual rules of conduct and decorum apply. Public com-27 ments will be limited to five minutes per person. Any person found to be disrupting this meeting will be asked to cease the 28 disruption. If the disruptive behavior continues thereafter, that person will be removed from the meeting. 29

30 All votes that are taken during this meeting must be done by Roll Call vote. Members who called in from home were asked 31 to state their name and state whether there was anyone in the room with them during this meeting, which is required under 32 the Right-to-Know law. 33

34 Roll call attendance: Selectman Dargie, yes, (zoom) no one is present. Selectman Dudziak, yes (zoom) Daughter Mol-35 ly is in and out. Selectman Labonte ves, present in the BOS room, Selectman Freel, yes, no one is present, and 36 Chairman Daniels yes, (zoom) no one is present.

2. APPOINTMENTS: (Approximate times) 38

40 5:30 p.m. - BROX Community Land Conservation Easement - Conservation Chair, Andy Hughes and Conserva-41 tion Member, Chris Costantino.

In summary: In summary: An Alteration of Terrain Updated Permit (dated 10/26/20) was submitted by the Town for the 42 43 sand and gravel operation on the property referred to as the Brox Community Land. One of the conditions of this permit is that the Town of Milford (Town) will put 75 +/-acres into a conservation easement (Plan sheet 1 of 9 note #11). The Board 44 45 of Selectmen, at their October 14, 2019 meeting, accepted the Milford Conservation Commission's (MCC) offer to facilitate 46 this easement process. The Conservation Commission is suggesting that the Board include the remaining cost of \$30,000 in 47 their 2021 budget.

49 Chairman Daniels asked about a time-table on this. Chris said the grant expires June 1, 2021. Chairman Daniels asked 50 where we were on the AoT permit. Lincoln Daley, Community Development Director, said the permit has been submitted 51 to the state for review. It's between DES and Fish and Game and they are hoping for some resolution by next month. 52

53 Rick Riendeau, Director of Public Works, said the permit date was extended by 30 days because the wildlife portion of Fish 54 and Game didn't get back to DES with their recommendations. Chairman Daniels asked if surveying was seasonal. Chris 55 said it's year-round. We haven't talked to Meridian because we don't have any direction in which to move forward. 56

57 Selectman Dargie asked for a recap on the grant. Chris said the Commission received a grant for \$20,000 which will cover 58 the survey cost, and there is a one-time \$30,000 cost to cover the stewardship easement fund which will be held by NH Fish 59 and Game to do their annual monitoring. Lincoln said there is some flexibility but the easement is part of the AoT permit and there may need to be some negotiation and time allocated to the survey work. It would be good for the Board to act on 60 61 it soon.

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Chris said they can go ahead with the survey operating under the assumption that the boundaries won't change. Selectman
 Dargie asked if we could work a deal with North East Sand and Gravel to get them to pay the \$30,000 and they can recoup
 their money with some of the sand they are digging out.

67 Selectman Laborte said there is not supposed to be any cost to the tax-payers. Taking the money from revenue is still tak-68 ing money from the tax-payers. Administrator Shannon said the language didn't cover easements. Selectman Laborte said 69 the easement is a condition of the permit; you can't get the permit without the easement. Lincoln said there was an appeal 69 of the permitting process which caused legal fees. The point being, there are unknown costs that arose during the permit 71 process. The suggestion of using some of the revenues to help assist the town is paying for some of the processes that were 72 unknown at the time of the permit would be beneficial.

Selectman Dargie asked again about working a deal. Lincoln said they can reach out to the contractor. Selectman Laborte asked where we were in revenue expectations that we expect to get from the pit and how much we are down compared to what we were originally told we would get. Lincoln said he would get that information to him.

Chairman Daniels said we will get some answers and revisit this at the next meeting.

80 5:40 p.m. – Deliberative Session Update – Pete Basiliere, Town Moderator

Pete said the Deliberative Session will be in person at Milford High School on Saturday, January 30th at 9:00 in the café. Masks are required for the meeting. Those who will not or can't wear a mask will be housed in Windows on West Street, this will be an enclosed space with a monitor to watch the proceeding. Voters can use a microphone to speak and an assistant moderator will check them in.

Those wearing a mask will be set up in the café and spaced 6' apart. If needed, we will use an adjacent classroom. This will also have a microphone to use. Everything will be broadcasted. Zoom access will be provided for employees of the district as well as nonresident experts that may need to participate in the meeting. Residents of Milford will not have access to zoom. We can't check in registered voters on zoom or allow them to vote.

91 Chairman Daniels asked if requested, how secret ballot voting is handled. Pete said he has a locked ballot box, row by row 92 participants will receive a slip and they can put them into the box. The same will be done in Window's on West Street for 93 the people who choose not to wear masks.

95 Selectman Dargie asked about food. Pete said people will have time to go get lunch or have someone bring them lunch and 96 they will have to eat it outside of the building. Tina Philbrick, Town Assistant said she will provide brown bag lunches to 97 the Board, BAC, BOS, and Department Heads that are attending. 98

99 Selectman Laborte asked how non-resident speakers get on the list. Pete said to contact Tina Philbrick.

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

4. DECISIONS – Selectman Dargie made a motion to approve the consent calendar. Seconded by Selectman
 Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Laborte yes, Se lectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.

106 a) CONSENT CALENDAR.

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- 107 1. Approval of Intent to Cut Wood or Timber, Map 51 Lot 23
- Request for Approval to Re-appoint as Full Members to the Recreation Commission John Murphy, Lena LaBour, and
 Patricia Nickerson with terms expiring March 2024.
- Request for Acceptance and Appropriation of Unanticipated Revenues under \$10,000 (31:95(b)) Fourth of 5 payments for the land purchase for the Keyes Expansion Project from the O'Connor Trust Fund \$5,000.
- 112 4. Acceptance of Donation from Faye Riche to the (Conservation) Granit Town Rail Trail \$500.
- **b) OTHER DECISIONS** Draft Warrant Articles

116 Warrant Article 6 – TOWN OPERATING BUDGET

Paul Calabria, Finance Director said we are updating the DRA portal while we are working on these warrants tonight. The default budget number is now \$15,507,826. We previously included the four vehicles that the staff had asked to be encum-

bered. They are now removed as they should not have been in the default budget. The number before the change was

\$15,756,541. Selectman Freel asked if those vehicles were included in the regular operating budget for 2021. Paul said
 yes.

- Selectman Dargie moved to approve the language regarding the default budget to \$15,507,826 as presented in the
 Town Operating Budget warrant article. Seconded by Selectman Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Laborte yes, Selectman Freel yes, and Chairman Daniels yes.
- 126 All were in favor. The motion passed 5/0.
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Selectman Labonte asked if the difference between the budget and default are just the vehicles. Paul said the difference isn't just the vehicles, the default budget is last year's budget plus or minus retired debt, retirement cost, health insurance increases, etc. Selectman Labonte said that usually our default budget isn't that far off from the actual budget and we've had years when the default budget is more than the operating budget. Paul said he looked back over the last six years and there were two years where the default budget was a little higher but one year it was \$145,000 less, another was \$188,000 less and one year it was \$121,000 less.

- Selectman Freel said previously Selectman Laborte wanted the Administration to lower the budget by \$150,000, he asked if this was reflected in the current 2021 operating budget. Chairman Daniels said a list was submitted that identified \$161,127 that could be removed from the budget which now includes another \$3,000 from the Town Clerk's budget which brings the total to \$164,127.
- Selectman Freel made a motion to reduce the operating budget to \$15,664,508. Seconded by Selectman Labonte. A
 roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel
 yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.

Selectman Laborte asked if the Town was okay with doing these reductions. Administrator Shannon said yes. Selectman Dargie said he would not be in favor of making these changes, these things were in the budget for a reason but he will vote in favor of it. Selectman Freel asked if removing a police vehicle will hurt the Police Department. Chief Viola said we need the vehicle and would like to have it but we would rather keep personnel. The maintenance budget went up which is the cost of having older vehicles. We will make due like we've done in the past.

Pete Basiliere asked if the values for the operating budget and the default budget different than what was posted in the warrant for the meeting. Administrator Shannon said yes. We have been updating numbers constantly since the package was posted last Friday. Pete said he thought the warrant was already posted and you would have to make an amendment at the Deliberative session to change these numbers. Tina said the warrants have not been posted yet, according to the RSA they have to be posted tonight. Wade Scott Campbell asked what the cuts were to make up the \$164,127. Chairman Daniels read the list:

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157	Item	Amount of Decrease
158	Ambulance Response Vehicle	\$58,427
159	Police SUV	\$49,170
160	Fire Wages-pt & temp-call	\$12,500
161	DPW Parks	\$10,000
162	DPW Cemetery	\$10,000
163	Recreation Park Rangers	\$6,580
164	Comm Dev Pro Services	\$4,000
165	Ambulance Uniforms	\$3,500
166	Town Clerks Office	\$3,000
167	Comm Dev GIS Support	\$2,000
168	MPD Uniforms	\$1,600
169	Assessor Part-Time and Temp	\$1,000
170	MPD Training	\$1,000
171	Admin Envir. Consultants	\$1,000
172	Assessor Tax Map Updates	\$250
173	Assessor books and periodicals	\$100
174	Total	\$164,127
175		

DRAFT MINUTES OF BOARD OF SELECTMEN MEETING - 1/25/2021

Paul Calabria said we started with the budget in July and reviewed it with the Board and BAC in October, it was already lean. When we are tasked with removing more, we have to go after some big items. Selectman Laborte said since we run a bottom-line budget can expenses be removed from areas that we may not need to expend money out of and used for other things that may be needed. Paul said yes.

- Selectman Freel thought it would be done differently. For the last few years there has been a surplus of over \$150,000, if we need the vehicle, is there a way to take it from a different spot that had a surplus. Paul said they look at run rates and make their determinations from that data and prior year budgets. If you need to access the fund balance during the year because you have a budget shortfall, it will require an emergency meeting which is a big deal. It's common to be spending 97% and 98% of the budget and it's reasonable. He and Tina will be here tonight until everything is complete, uploaded into the DRA portal, and posted at the High School and Town Hall.
- Chairman Daniels said with this reduction the budget will go from 3.7% over the 2020 budget to 2.6% over the 2020 budget. Administrator Shannon wanted to clarify for Selectman Freel that some of the surpluses from last year was because of
 COVID and us not hiring in certain positions.

192 Warrant Article - PUBLIC WORKS WHEEL BUCKET LOADER PURCHASE – (\$146,118) \$120,000 Paid From 193 Capital Reserves, net purchase price \$26,118;

The language was simplified as follows: Shall the Town vote to purchase a Hitachi wheel bucket loader for the sum of
\$146,118, with \$120,000 to come from the DPW Vehicles & Heavy Equipment Capital Reserve Fund; with the remaining
\$26,118 to come from general taxation. Majority Vote Required.

Paul said this doesn't need 60% because it's a purchase, not a lease. Selectman Laborte questions the language of \$26,118
coming from general taxation. He asked how much this would raise the budget. Administrator Shannon said per the last
discussion we had on this at our Thursday meeting, \$19,000 was going to be a credit and DPW was going to take \$7,118
from their budget. The budget that was just approved would not be going up.

Selectman Dargie said he understands that the intent is not to spend that money, but this creates the authorization to do it.
Paul said yes. At this point, there was additional discussion on the clarification of the language. Paul said this was the cleanest way to put the language in.

Chris Anton, DPW Highway Manager, said that of the \$19,000, two payments have already been paid from the 2020 fiscal year. Three payments came out of the 2021 fiscal year. He already made two payments this year and the third payment will be made next week. The only thing we need to show on this purchase is the \$7,118 coming out of our DPW budget.

Chairman Daniels said everything needs to be accounted for. This is the way that DRA said it needs to be worded. The \$26,118 is coming from general taxation, some of it already came up and some more will come from the budget. That together with the \$120,000 in capital reserve will equal the total of \$146,118.

- Selectman Laborte is confused because the tax impact for this is \$1.55 per \$100,000 but on the operating budget it's \$5.73, why are they so close when the operating budget is over \$15,000,000. Paul said the \$5.73 is over last year's budget as stated at the bottom of the warrant article.
- Chris Anton said you have a tax impact when you pass the budget so why are we having an additional tax on the wheel loader on the \$26,118 when the \$19,000 and the \$7,118 are both coming out of the budget. Does this mean it's being taxed twice? Paul said no. Selectman Freel asked how we can make it less confusing. Tina suggests that a simplified explanation be put in the voter's guide so that everyone could understand what we are trying to do.
- Administrator Shannon said we will do our best to make sure explanations are in plain English so everyone understands the
 warrant articles. The DRA goes by the laws as they are written.
- Rick Riendeau, DPW Director said it's simple, the total purchase price is \$165,000, the municipal discounts and the Chap pell family discounts and other special discounts that come with it were \$37,882. Minus the capital reserve amount of
 \$120,000 which leaves a balance of \$7,118 which I will find in my DPW budget.

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Selectman Freel asked why we don't just do a warrant to spend the capital reserve and spend the money the way it needs to be done. Rick agreed. Selectman Dargie said the DRA requires that we do these warrants the way they are written which is showing the gross appropriation. This warrant article meets all the DRA requirements.

Selectman Dargie made a motion to approve the language as shown. Seconded by Selectman Dudziak. A roll call
 vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Laborte yes, Selectman Freel yes, and
 Chairman Daniels yes. All were in favor. The motion passed 5/0.

Selectman Dargie moved to recommend the public Seconded by Selectman Dudziak. A roll call vote was taken with
 Selectman Dargie yes, Selectman Dudziak yes, Selectman Laborte yes, Selectman Freel yes, and Chairman Daniels
 yes. All were in favor. The motion passed 5/0.

244 Warrant Article - PUBLIC WORKS SNOW PLOW UNIT 5 YEAR LEASE-PURCHASE

Selectman Dargie said over the past few years there were 18 different DPW warrant articles presented. Of the 18, three passed with more than 60% votes, three passed with 50% to 60%, and eight failed. DPW is supported much less than Fire or Ambulance. He feels we risk failing at this warrant article if we leave it at 60%. Especially if it isn't supported 5/0 by the Selectmen. He would like to use the language that doesn't use the capital reserve, includes a non-appropriation clause, and uses a 50% vote.

Selectman Dargie moved to recommend the language requiring only the 50% majority vote on the Public Works
 Snow Plow Unit. Seconded by Selectman Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectman
 Dudziak yes, Selectman Laborte no, Selectman Freel no, and Chairman Daniels no. The motion failed 2/3 with Selectman Daniels, Selectman Laborte and Selectman Freel opposed.

Selectman Laborte said it isn't in what passed or failed, it's what the voters wanted to spread out for money. He doesn't want to do this without capital reserve. We don't know why the previous DPW warrant articles failed. He feels that his warrant article is overpriced. If you want it to pass, you should lower the price.

Mike Thornton, Milford resident, said we should capital reserve because that is why we set it up. He doesn't think we should use the language that requires only a 50% vote. Rick said if you are using \$120,000 in capital reserve for the loader, there isn't any left to use on this snowplow unit.

Selectman Freel agrees with Selectman Labonte. We should save up more capital reserve to use for this type of vehicle in a couple of years. Selectman Dargie said he was on the original capital reserve committee and this issue of capital reserve causing a 60% vote never came up. This is new this year. We may not have setup up these accounts if we knew this was coming down the road. He would be in favor of canceling capital reserves for DPW equipment.

Selectman Dudziak asked if Selectman's Labonte and Freel would be in favor of this warrant article if we did propose using capital reserve and there was a 60% vote. Selectman Freel said he would be in favor. Selectman Labonte isn't in favor either way. He thinks we should use the capital reserve. He has a problem with the price of this warrant article and the fact that it doesn't identify what type of truck.

Eric Schelberg, Ambulance Director, said he also worked on the capital reserve committee and the idea behind setting these up was that they were to be built up so that you could purchase vehicles outright after so many years. Rick repeated that there was \$120,000 in the DPW capital reserve account and we already applied it to the loader, there isn't any money left. This warrant article wasn't written to use the capital reserve. He has no problem putting the words "6 wheel snowplow unit" in the warrant article.

281 Selectman Freel asked at what point we say, "it's too much"? Go for what is most important this year and not the stuff that 282 isn't 100% necessary.

Selectman Dudziak called the question. Seconded by Selectman Dargie. A roll call vote was taken with Selectman
Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All
were in favor. The motion passed 5/0.

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A roll call vote on the motion was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte no,
 Selectman Freel no, and Chairman Daniels no. The motion failed 2/3 with Selectman Daniels, Selectman Labonte
 and Selectman Freel opposed.

Selectman Laborte made a motion to add in the words "6 wheel" in the warrant article. Seconded by Selectman
Freel. A roll call vote was taken with Selectman Dargie no, Selectman Dudziak no, Selectman Laborte yes, Selectman Freel yes, and Chairman Daniels yes. The motion passed 3/2 with Selectman Dargie and Selectman Dudziak
opposed.

Selectman Laborte made a motion to lower the warrant article amount from \$200,000 to \$180,000. Seconded by Selectman Freel.

Selectman Freel asked if DPW could purchase a vehicle for \$180,000 and get what they need. Rick said it's a tough market right now. Sometimes they can buy one off the lot and get close to what they are looking for. He's in the neighborhood of the \$180,000 but didn't want to limit himself. If it's \$183,000, what does he do? Just because the warrant article is \$200,000, doesn't mean he will spend that entire amount. He always goes a little higher to give them some extra room. We have never overspent on any of our equipment. Trucks take a long time to order and we can't order until we have the money. Selectman Labonte said there are ways around everything.

Mike Thornton asked if this was a 6 wheel, plow/sander unit that is integrated and cannot be used as a dump truck. Rick
 said it's the integrated unit but it can be used as a dump truck. All our trucks are versatile.

Selectman Freel called the question. Seconded by Selectman Dudzkak. A roll call vote was taken with Selectman
Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All
were in favor. The motion passed 5/0.

A roll call vote on the motion was taken with Selectman Dargie no, Selectman Dudziak no, Selectman Laborte yes,
 Selectman Freel yes, and Chairman Daniels yes. The motion passed 3/2 with Selectman Dargie and Selectman
 Dudziak opposed.

Selectman Dargie moved to approve the language associated with the red language vote in the Public Works Snow Plow Unit warrant article. Seconded by Selectman Dudziak.

Selectman Dargie read the warrant article. He said that the original one had capital reserve in it. Tina said this warrant never had capital reserve in it. There were only two warrant articles referencing capital reserve and they were the Fire Truck and the DPW Loader. She doesn't know why this was re-written but it never had capital reserve included in it. We only had \$120,000 in capital reserve and this was in the Loader warrant article only.

A roll call vote on the motion was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Laborte yes,
 Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.

Selectman Dargie moved to recommend the Public Works Snow Plow Unit warrant article as amended. Seconded
 by Selectman Dudziak. A roll call vote on the motion was taken with Selectman Dargie yes, Selectman Dudziak yes,
 Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.

333 Warrant Article - FIRE RESCUE TRUCK #1 REPLACEMENT

Chairman Daniels said this is for the language that requires a 60% vote. Selectman Dargie said in the past, there have been four fire department and ambulance warrant articles in the last eight years. They all passed with more than 60% of the vote and they were all supported 5/0.

339 Warrant Article - FIRST RESPONDERS COMMUNICATIONS NETWORK

Chairman Daniels made a motion to use \$700,000 from the fund balance to reduce the price of the First Responders
 Communications Network. Seconded by Selectman Dudziak.

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Chairman Daniels said we are now at 8.9% in the fund balance and this will reduce it to 7.5% which is still within the limits that the DRA recommends. Communications has been a priority for the past two years and we can use these funds for emergency purposes and he feels that this is an emergency.

Selectman Freel asked if this will be put in the warrant article so that people can see what is being done. Chairman Daniels
 said yes. Chairman Daniels read the proposed change:

351 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 and to authorize the issuance of not more than 352 353 \$1,700,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the municipal officials to issue and negotiate such bonds or notes and to determine the rate of interest thereon; with \$700,000 to 354 355 come from the unassigned fund balance? This article adopts the recommendation of the consultant engaged to study dis-356 patch operations as approved by voters in March 2019. The project establishes a First Responders Communications Net-357 work replacing MACC Base and allows connectivity by neighboring towns if they choose to participate and borrowing not 358 more than \$2,400,000 in bonds, bond anticipation notes, or notes therefore in accordance with the Municipal Finance Act 359 (RSA 33), the article further authorizes the Selectmen to issue and negotiate bonds or notes with a term not to exceed 15 360 years and to determine the rate of interest and other conditions in their judgment. This is a non-lapsing warrant article. This 361 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. 362

Selectman Laborte said he feels this is a tactic to try to get the voters to approve that warrant article. He would rather give the voters back the \$700,000 on top of the \$644,000 already approved. This is conditional, if it doesn't pass, you don't get it. He feels it's deceitful.

Selectman Dargie referenced a fund balance analysis and asked Paul what his opinion was about going below the NHGFOA recommendation of 8% to 17%. Paul said he's okay with 7.5%. If anything catastrophic happened, for either the town or school, it would be covered by FEMA, state money, or the town's insurance.

Keven Federico, Milford resident, said he disagrees with Selectman Labonte, this isn't deceitful. By taking \$700,000 out of fund balance it's this Board's statement of how serious they are taking the communications warrant article year and how much they are supporting it and they want it to pass. This is a 15-year issue and it will continue to be an issue. He appreciates the motion made to take a step forward to show the tax-payers of Milford how serious that the Board takes this article.

Selectman Freel said he doesn't think it's deceitful. One could make an argument of why we can take \$700,000 out of fund balance for this and not to just buy a fire truck outright. Removing money from this fund should only be done when necessary. He thinks this would help offset the cost and it's a good idea. He asked if we've received any additional numbers on what the actual cost will be for Communications. Captain Frye said the architect said he would have a number by Saturday.

Selectman Laborte believes that numbers are still missing. He doesn't see a difference; if you give the \$700,000 back to the voters it will offset the same amount of money. If this doesn't pass do we just wait until the next Selectmen's meeting and give \$700,000 back to the tax-payers then?

Chairman Daniels said if the motion fails, the \$700,000 will remain in the fund balance. He made the motion because he believes the vast majority of the Board feels that this is the highest priority item and we've been working on it for two years. This is a way to get it resolved so we can go on with life.

Selectman Labonte said at the end of the day, you are still pushing for \$2,400,000. The tax-payers will see that they are going to get \$700,000 back or not if they don't vote for it. Captain Frye said the only number missing from this is the building. Everything else was sent to the Board last week. Selectman Labonte asked that it be resent, he hasn't seen any-thing. Chairman Daniels said those numbers were sent out to all the Board. Captain Frye said that was part of their release. Chairman Daniels agreed. Selectman Labonte said the videos from the meetings are not released either. Administrator Shannon said he will speak to Community Media about them.

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Selectman Dudziak called the question. Seconded by Selectman Freel. A roll call vote on the motion was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Laborte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.

A roll call vote was taken on the motion with Selectman Dargie yes, Selectman Dudziak yes, Selectman Laborte no, Selectman Freel yes, and Chairman Daniels yes. The motion passed 4/1 with Selectman Laborte opposed.

404 Selectman Laborte referenced an e-mail from Jeff Marshall and asked if he can get the answers before Saturday. Chair-405 man Daniels said the staff was working on it.

Selectman Dargie moved to recommend warrant article 3 as amended. Seconded by Selectman Dudziak. A roll call
 vote was taken on the motion with Selectman Dargie yes, Selectman Dudziak yes, Selectman Laborte no, Selectman
 Freel yes, and Chairman Daniels yes. The motion passed 4/1 with Selectman Laborte opposed.

Selectman Dudziak would like to change her vote to yes on the warrant article for - KEYES PARK EXPANSION
 COMMITTEE PROJECT CAPITAL RESERVE. The vote will now be 3/2 in favor. Chairman Daniels said he would
 write the minority report.

415 5. TOWN STATUS REPORT - N/A

417 **6. DISCUSSIONS:**

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a. Fund Balance Discussion - Paul Calabria, Finance Director said this is no longer necessary with the Board's action on
 the First Responders Communications Network warrant article.

421 b. Town of Milford Policy on Electronic and Telephone Communication (Social Media)

Selectman Laborte referenced section J. c) conducting a political activity or private business. If something is posted on a town Facebook page saying vote yes on a warrant article, is it considered a political activity? Chairman Daniels said we use social media to inform the town's people of what is going on including using the voters guide to profile candidates for Town elections. If you were going to change the definition it would to not endorse or work against candidates.

428 Selectman Laborte said last year a flyer was put out with private funds and in his opinion, it had misleading and inaccurate 429 information on it. It's still on the town's website today. He referenced another flyer put out recently and asked if it was put 430 out by a private entity.

432 Selectman Dudziak said she reviewed the policy and the flyer and it isn't in violation of the policy, it isn't political. It's 433 governed by section 6, town posted information. There hasn't been an issue in the past when other departments have posted 434 this type of information. You are not taking a position on a candidate to vote for. It doesn't make sense that a warrant arti-435 cle supported by most of this Board and all of the Budget Advisory Committee can't be promoted on a town social media 436 page.

438 Tim Finan, Milford resident, was the original writer of that policy ten years ago. What is appropriate or not appropriate on 439 social media changes daily. He reviewed the old minutes and based on what was said by Selectman Dudziak and Select-440 man Labonte, the general discussion was to make sure candidates running for Selectmen were not advocated by any departments in general. Promoting warrant articles is a different story because once an article is voted on; it is the position of 441 442 the town. Advocating for a warrant article that the majority of the Board supported is no different than supporting any pos-443 iting the town takes, like closing town hall due to COVID. It's the position of the town and not political. If an article 444 wasn't supported by the Board and some department went forward to support it, that would go against the stated position of 445 the town.

Selectman Freel said this is a fine line. He's not sure we should be setting a precedence of allowing departments to do this. Selectman Laborte said he doesn't have a problem if all this information is put up on facebook pages as long as it's factual, take the opinion out of it. He said he brought this up last year and it didn't go anywhere. He asked who put the flyer up to vote yes on warrant article 3.

Chief Viola said someone from the PD, but it's his decision what goes up. He doesn't understand what the issue is because
this has been done in the past. It was done last year. He thinks the Fire Department had a flyer when they were putting together the building addition.

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DRAFT MINUTES OF BOARD OF SELECTMEN MEETING - 1/25/2021

456 Selectman Laborte asked who made the flyers. Captain Frye said CTA did. Selectman Laborte said a private company 457 trying to get our work going forward is advertising on our website and is trying to get us to vote yes so they can gain mon-458 ey.

Captain Frye said a design company designed the flyers and paid for them, it wasn't paid for by CTA, they just gave them to us. It was done for public safety. Selectman Laborte repeated that there were things put out last year. Selectman Dudziak asked if Selectman Laborte is suggesting that the flyer being put out this year is not factual? Selectman Laborte said he didn't know, there hasn't been enough number released for him to answer that question. He said the information from last year in his opinion wasn't correct.

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- Selectman Dudziak said he was insinuating that the flyer isn't factual and he indicated that he didn't have a problem with anything put out there as long as it was factual information. To her, you are suggesting that this flyer is not based on facts. Selectman Laborte said he's referring to the "vote yes on 3" that is inappropriate. Further in the policy, it discusses the use of titles and town images is prohibited. If CTA got the flyer, it wasn't the town so that is someone else using our logo, correct. Chairman Daniels said he wouldn't say it was correct, that they would just it without our permission to do that. Selectman Dudziak agreed.
- 473 Kevin Federico, Milford resident, said whether it's factual or not factual is just the opinion of people throwing their opin-474 ions around. Since the social media policy came out 10 years ago in the history of the last 7 to 10 years has been that when 475 the Fire Department supports a new fire truck, they put it on facebook. When the ambulance service supports a new ambu-476 lance, they put it on facebook. When the library supports a \$5,000,000 renovation, they put it on facebook with all of the designs and supporting documentation that the supporting companies have given to them. You are not setting a precedent, 477 what you would be doing by changing anything at this point is going against the precedent that has already been set. De-478 479 partments don't support people but if it has a majority vote of the Board, the Board supports it, the town supports it, and 480 there is a majority and minority for everything and both should be able to be posted.
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- 482 Mike Thornton, said he understands that a private contractor is posting information that lets them draw profit. Administra-483 tor Shannon said he keeps hearing about information not being posted, if you go on the town's web site under deliberative, 484 there are three documents all related to the numbers on this flyer. Minutes have also been released with all the numbers 485 associated with these flyers. Selectman Labonte asked about videos. Administrator Shannon said he would get hat infor-486 mation from Chris Gentry.
- Chief Viola said the flyers were approved by us. We didn't pay for anything. It was meant to bring the facts out for the voters to see. Selectman Freel said he would want to know if his departments support this article before going into the voting booth. People should know if the departments are or are not in favor of something. He just wants to make sure that we are following the law. Maybe they don't say "vote yes" but we support this, it all means the same thing.
- Selectman Laborte repeated that he has no problem putting the information up, he just didn't want a repeat of in his opinion, what happened last year. He has a problem of saying "vote yes".
- Selectman Dudziak made a motion that the flyer posted on the social media page for warrant article 3 indicating
 vote yes, does not violate the town's policy on Electronic and Telephone Communication. Seconded by Selectman
 Dargie.
- 501 Captain Frye said the information on the flyers is nothing new than what we've been saying all along. CTA didn't pay for 502 these flyers to be made. They were around when the previous flyers were made and they took it upon themselves to ask if 503 we wanted help with the flyers. The designer donated their time and donated their print materials. 504
- Selectman Freel asked if there was a way to reword this so it can be just okayed by us? He questions the legality of it. Chairman Daniels said the question is, do you feel that it's inappropriate that the flyer has been posted. Selectman Labonte said it's also about employees using themselves as spokespersons for the department. Administrator Shannon said it's not a question of legality, this is a town policy and the Board doesn't even sign off on it.
- Selectman Dudziak called the question. Seconded by Selectman Dargie. A roll call vote was taken with Selectman
 Dargie yes, Selectman Dudziak yes, Selectman Laborte yes, Selectman Freel yes, and Chairman Daniels yes. All
 were in favor. The motion passed 5/0.

513 Selectman Laborte asked if the brochures/flyers say who they were created by on them since they were not created by the 514 Town of Milford. Chairman Daniels said it would be up to the Board to decide.

A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Laborte no, Selectman
 Freel yes, and Chairman Daniels yes. The motion passed 4/1.

Selectman Labonte made a motion that any information put out by the Town of Milford states who it was used by. Tina Philbrick, Milford resident, said she didn't think it would be fair to tell a private entity that is giving us flyers for free, what they can and can't put on their flyers. If they don't want to put their name on them, they shouldn't have to. We already have these flyers so in her opinion, they are grandfathered. Selectman Labonte said if this was the company that has a bid in with the Town of Milford that has a chance to proffer from its passage, he doesn't feel it's appropriate. Tina said it wasn't that company that made those flyers, someone made them for them. There was no second on Selectman Labonte's motion so it failed.

527 c. Selectman Rules of Procedures – Tabled from January 11, 2021

Administrator Shannon referenced rule 15 which reads that the Board recommends or not recommend it doesn't say anything about doing vote totals which we do. Does anyone want to make that adjustment? Selectman Dargie noted that Administrator Shannon has an outdated copy. This was already changed. The last sentence reads "The Board of Selectmen does not recommend this article (x-x) (yes-no)" and the yes or no should be added to all the articles.

Administrator Shannon referenced rule 29 deals with how you call out town staff in public forums, like criticism of their performance; it should be in a non-public session and not in public. He just wanted to mention that this happens sometimes. Part of his job is to advocate for his staff and pass on their concerns. He wants to make sure this is done in the proper place. Chairman Daniels said it's also statutory language.

538 Chairman Daniels thought we should add virtual meetings under meetings of the Selectmen. We are currently operating 539 under emergency orders and there are bills that would allow Boards to choose whether to continue doing virtual meetings 540 going forward. 541

Selectman Laborte said he understands where Administrator Shannon is coming from, but it works both ways and the he
expects to be treated the same under the same rule 29.

Selectman Dargie said in regards to virtual meetings after the Governor's emergency orders are done, you will have to follow the laws on having regular meetings. Chairman Daniels said there is a bill going through legislator that would allow governing Boards to continue virtual or hybrid meetings after the state of emergency is removed. We usually have fewer people at regular Board meetings and we have about 40 at this zoom meeting. Selectman Dargie feels we should wait on this until we know what RSA's are enacted.

551 7. PUBLIC COMMENTS: - Jennifer Segrest, Milford resident, wants to know why there are so many warrant articles and 552 what's required during this economic downturn we are experiencing right now. There are struggling families in town with 553 people either unemployed or underemployed. She's asked the Selectman to consider these people when they make their 554 decisions.

556 She is also concerned that the Selectmen haven't discussed the emergency executive order that allows towns and school 557 districts to postpone their Deliberative sessions. She also questioned item 1 on the consent calendar, Approval of Intent to 558 Cut Wood or Timber, Map 51 Lot 23, she didn't understand the heading on the fourth page.

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560 Marti Noel, Assessing Director said that is for the Board to allow the tax collector to send a warrant, it's not "the warrant". 561 Administrator Shannon said what Jennifer was referring to was the top of the page where the letterhead will go once this is approved. It's an example that will be replaced with town letterhead. Tina said it's a boilerplate form that gets changed with 562 its complete. Marti said page 4 will be replaced by the final version from the tax collector when she submits the final war-563 564 rant. Tina said the Board doesn't sign that page, it's a reference page, they sign two pages before that. Jennifer was still 565 confused. She asked if the Selectman usually have any issues with the town employees changing things that they've al-566 ready approved. Marti said page four will not be changed. The three pages before that are used for the tax collector to create a tax warrant. The last page was submitted as an addendum and it won't make any difference. 567

David Wilson, a Milford resident, mirrored Jennifer's concerns about postponing the Deliberative session. Other towns
 like Amherst have changed their dates. He feels it would be better for Milford to postpone when it's warmer to get a better
 turn-out.

Selectman Freel is not in favor of changing the dates for Deliberative and voting. Paul Calabria said all departments would be held accountable to hold their spending and they would have to hold off on any bigger purchases. Chairman Daniels said currently under our fiscal year, the town must go a quarter without a budget. Extending out to May would cause them to go five months without a budget. Not everyone will be happy with whatever we chose to do. The Town Moderator does everything he can to keep the safety of the townspeople first and foremost.

Captain Frye said the Town Moderator has a good grip on how to keep people safe and the voting in November went very
well. Arene Berry, Recreation Director said that the town of Amherst has not made the decision yet to change their voting
date, it's being discussed and voted on tomorrow night.

583 Pete Basilier, Town Moderator, said Mont Vernon and Amherst will be postponing.

585 8. SELECTMEN'S REPORTS/DISCUSSIONS.

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

588 State Representative Maria Periz asked if there was any way we can make accommodations for people who don't feel com-589 fortable going to the elections in March, like a drive-thru or something. Chairman Daniels said they are working closely 590 with the Town and School Moderator and they will do something similar to the elections last November which worked out 591 well.

b. OTHER ITEMS (that are not on the agenda). Chairman Daniels wanted to discuss the purchasing policy ie: purchasing without specific authority. For example, if you had a \$30,000 vehicle that requires the Boards approval to purchase that but you could get \$7,000 as a trade-in, which now brings it below the \$25,000 requirement, do you still need Board approval. Should you be looking at the \$30,000 or the \$23,000.

598 Selectman Laborte said you are always going to have a purchase price using discounts and or trade in's. and there is a dollar amount already in there but it needs clarification. Selectman Freel would support language for the "gross" amount of 600 the purchase with a \$25,000 cap.

Administrator Shannon referenced section 8. (c). Disposal of Surplus Property: The Department Head must present any
 property (non-real estate), which is considered to be surplus and valued at over \$500, to the Town Administrator with a
 recommended method of disposition for approval. Various possible disposition means are the sealed bid or auction process,
 State surplus auction, trade-in usage, retained for usage as parts, or transfer to another Town Department. Selectman Freels
 suggestion would solve the problem that we are discussing. Chairman Daniels agreed.

608 Selectman Laborte said over the years the purchase, what the check was cut for was under one level but what the trade-in, 609 (gross price) was still above that. Chairman Daniels asked Selectmen Freel if he wanted to make a motion about the gross 610 amount. We can make the recommendation this time and vote on final approval next time so people will have time to re-611 view the policy.

613 Selectman Freel made a motion support language for the "gross" amount of the purchase with a \$25,000 cap. Se-614 conded by Selectman Labonte.

Selectman Freel said he would hope we would try to get the best trade-in or value amount as possible. Chairman Danielssaid he feels that the department heads are working in the best interest of the town.

A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Laborte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.

Selectman Freel said there is a guard rail that was damaged on Mountain View Court and asked if it will be replaced soon.Rick said he would take care of it.

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9. APPROVAL OF FINAL MINUTES - Selectman Dargie moved to approve the minutes of January 11, 2021, and
January 11, 2021, Budget and Bond Hearing. Seconded by Selectman Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Laborte yes, Selectman Freel yes, and Chairman Daniels yes.
All were in favor. The motion passed 5/0.

629 10. INFORMATION ITEMS REQUIRING NO DECISIONS.

630 a. N/A

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631 **11. NOTICES**. Notices were read.

12. NON-PUBLIC SESSION. A motion made by Selectman Dudziak to enter into a non-public session at 8:50, in
 accordance with (RSA 91:A:3,II (a)) Personnel and (RSA 91:A:3,II (b)) Personnel. Seconded by Selectmen Dargie. A
 roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel
 yes, and Chairman Daniels yes. The motion passed 5/0.

ADJOURNMENT: Selectman Dargie moved to adjourn at 9:00 pm. Seconded by Selectman Dudziak. A roll call
 vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Laborte yes, Selectman Freel yes, and
 Chairman Daniels yes. All were in favor. The motion passed 5/0.

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644	Gary Daniels, Chairman
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649	Paul Dargie, Vice Chairman
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David Freel, Member

Chris Labonte, Member

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654 Laura Dudziak, Member

1 2		MINUTES OF THE MILFORD BOARD OF SELECTMEN BOARD MEETING, JANUARY 30, 2021
3 4	PRESENT:	Gary Daniels, Chairman
5		Paul Dargie, Vice Chairman
6		Laura Dudziak, Member
7		Chris Labonte, Member
8		David Freel, Member
9		John Shannon, Town Administrator
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12	CALI	TO ORDER: Chairman Daniels called the in-person meeting to order at 4:30 PM in the
13	Milfor	d High School Cafeteria at the conclusion of the annual Deliberative Session.
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15		nan Daniels stated that the main purpose of the meeting was to allow board members to
16		
17	on the	ballot.
18	A. C.	
19		a discussion of various warrant articles, the following changes were declared by board
20	memb	ers:
21	Articl	a 5 Library HVAC repair Selectmen Laborte abanged his yete to Not Recommended
22 23		e 5 – Library HVAC repair – Selectman Labonte changed his vote to Not Recommended. vote total is 4-1 with Selectman Labonte in the negative.
23 24		ole total is 4-1 with Selectinan Laborite in the negative.
25	Article	e 9 – Road Repair – Selectmen Freel and Labonte changed their votes to Not Recommend-
26		ew vote total is 2-3 with Selectmen Daniels, Freel, and Labonte in the negative.
27		on vote total 16 2 5 with belocation Damois, 1 root, and Euconte in the negative.
28	Article	e 10 - Fire Rescue Truck replacement - Selectman Labonte changed his vote to Not Rec-
29		nded. New Vote total is 4-1 with Selectman Laborte in the negative.
30		C
31	Article	e 11 – Wadleigh Library Capital Reserve – Selectmen Daniels, Freel, and Labonte changed
32	their v	votes to Not Recommended. New vote total is 2-3 with Selectmen Daniels, Freel, and La-
33	bonte	in the negative.
34		
35		e 12 - Public Works Snow Plow - Selectman Labonte changed his vote to Not Recom-
36	mende	ed. New vote total is 4-1 with Selectman Labonte in the Negative.
37	τ.	
38		noted that we needed to make sure that the phrase "6 Wheel" is included in the title for
39		nt article 12, as the members felt that it might not have been clear during the deliberative
40	sessio	n discussion that that change was needed.
41	The d	efault budget was discussed. Chairman Daniels stated that it was his opinion that the de-
42 43		budget was not properly calculated and that it should be lower than what was presented at
44		liberative session. He identified several items that potentially were incorrect.
45	the de	noerative session. The identified several items that potentially were incorrect.
46	Chairr	nan Daniels moved and Selectman Freel seconded a motion to decrease the default budget
47		warrant by \$100,000, going from 15,507,826 to \$15,407,826. The motion passed 3-1 with
48		men Daniels, Freel, and Labonte voting in favor and Selectman Dargie voting in the nega-
49		Selectwoman Dudziak did not vote as she had left the meeting shortly before the vote was
50	held.	
51		
52	Select	man Freel moved and Selectman Dargie seconded a motion to adjourn. The motion passed
53	4-0. T	The meeting was adjourned at 5:00 PM.

MINUTES OF BOARD OF SELECTMEN BOARD MEETING - 01/30/21

Gary Daniels, Chairman	Paul Dargie, Vice Chairman
Laura Dudziak, Member	Chris Labonte, Member
Dave Freel, Member	

10. Treasurer's Report - December 2020

TREASURER'S REPORT TOWN OF MILFORD, NEW HAMPSHIRE 12/31/2020 (unaudited)

	CHECKING ACCOUNT	TOWN CLERK ACCOUNT	ESCROW ACCOUNT	NHPDIP ACCOUNT	DISBURSEMENT ACCOUNT	BAR HARBOR ACCOUNTS	INVESTMENT ACCOUNT	TOTAL
Beginning Balance as 12/01/20	(107,519.90)	16,780.93	211,556.33	2,293,958.91	6,791.48	10,676.34	4,183,156.57	\$ 6,615,400.66
Receipts:								
Taxes and Interest	15,848,710.06		-	-	533,421.94	-	-	\$ 16,382,132.00
Water & Sewer User Fees	316,181.80	-	•	-	36,676.72	-	•	\$ 352,858.52
Other Revenues	1,172,739.82	431,698.25	-	-	764.50	-	-	\$ 1,605,202.57
Ambulance	-	-	-	-	49,453.95	-	-	\$ 49,453.95
Recreation	-	-	-	-	983.00	-	-	\$ 983.00
Escrow Deposit	-	-	-	•	-	-	-	s -
Escrow Transfers	-	· •	-	-	-	-	-	\$ -
Interest Income	-	-	18.66	0.16		0.44	1,738.30	\$ 1,757.56
Investment Transfers	10,920,000.00	-	-	175,000.00	-	-	23,199,000.00	\$ 34,294,000.00
TAN Deposit	-	-	-	-	•	-	-	· S -
Bond Proceeds	-	-	-	-	-	-	-	\$ -
								# 52 (0(207 (0
Total Receipts:	\$ 28,257,631.68	\$ 431,698.25	\$ 18.66	\$ 175,000.16	\$ 621,300.11	<u>\$</u> 0.44	\$ 23,200,738.30	\$ 52,686,387.60
Disbursements:								
Accounts Payable Warrants	(1,084,124.22)	(89,943.56)	-	-	(14.45)	-	-	\$ (1,174,082.23)
Payroll Warrants	(483,389.77)	-	-	-	•	-	-	\$ (483,389,77)
Milford School District Appropriation	(2,330,648.00)	•	· · · -	-		•	-	\$ (2,330,648.00)
Hillsborough County Appropriation	(1,807,051.00)	-	-	-	-	-	-	\$ (1,807,051.00)
Escrow Transfers	•	-	-	-	-	•	-	5 -
Investment Transfers	(22,440,000.00)	(321,000.00)	-	(2,465,000.00)	(613,000.00)	-	(8,455,000.00)	\$(34,294,000.00)
TAN Disbursement	-	-	-	-	-	-	•	<u>s</u> -
Suntrust Disbursement	-	-	-	-	-	-	-	\$ -
Bank Charges	(1,440.97)		-	-	-	-	-	\$ (1,440.97)
Voided Checks	83,000.76	· _	-	-	-	-	•	\$ 83,000.76
Forder Chipolito	,							
Total Disbursements:	\$ (28,063,653,20)	\$ (410,943.56)	\$ -	\$ (2,465,000.00)	\$ (613,014.45)		\$ (8,455,000.00)	\$(40,007,611.21)
Tom Photomore						· ·		
					/			
Ending Balance as of 12/31/20	\$ 86,458.58	\$ 37,535.62	\$ 211,574.99	\$ 3,959.07	\$ 15,077.14	\$ 10,676.78	\$ 18,928,894.87	\$ 19,294,177.05

yulte Fetath allen WHITE

2021

TOWN TREASURER.

2020 TREASURERS REPORT.via; MONTHLY TREASURERS REPORT (2); Finance: 1/22/2021;3:25 PM