

Town of Milford  
CONSERVATION COMMISSION  
(603) 249-0628  
[conservation@milford.nh.gov](mailto:conservation@milford.nh.gov)



**MEMO**

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February 10, 2021

TO: Board of Selectmen

SUBJECT: Recommendation for Appointment to the Conservation Commission for Marie Nickerson

To the Board,

The Milford Conservation Commission voted at the February 2021 meeting to recommend that the Board of Selectmen appoint Marie Nickerson as a full member to the Conservation Commission.

Marie Nickerson has volunteered to become a member of the Milford Conservation Commission. Her background in horticulture will be an asset to the Commission's deliberations. Marie has attended 3 meetings and a work session which has given her an idea of the Commission's activities. Marie is a former member of the Brookline Conservation Commission. Her experience there will enable her to quickly step into and support the Milford Conservation Commission activities.

We are looking forward to her being appointed as a full member of the Milford Conservation Commission.

Respectfully,

Chris Costantino, coordinator  
Milford Conservation Commission



# Energy Efficient Investments

## Town of Milford



# The EEI & ENE Energy Advisor

*A proven process ...*



EEI was founded by ENE to service Northern New England clients (Since 2007)

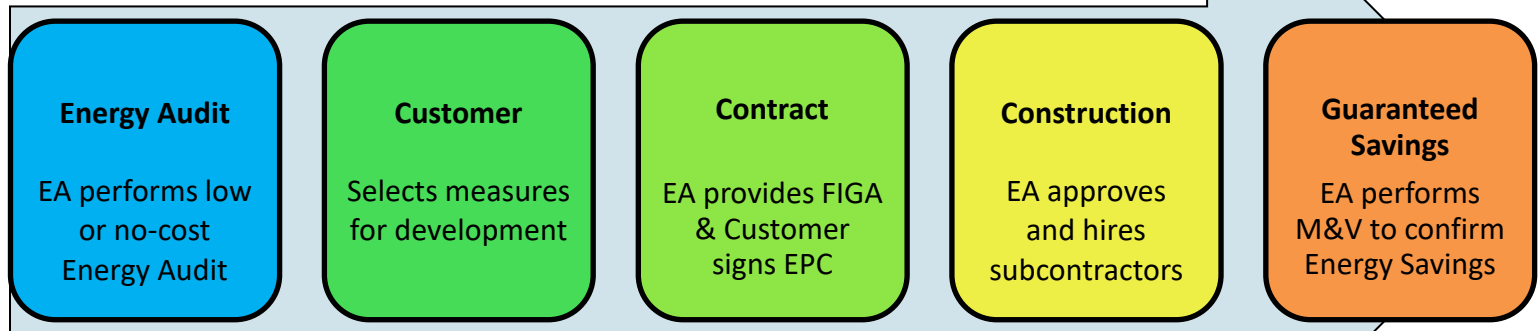
James Harrington Engineer

*Local ownership and management*

# Our Lean ESCO Approach

Similar to General Contracting with the following exceptions:

- 1) Focused on energy and operational savings
- 2) Assist in financing projects & finding grant/rebate funds
- 3) Self perform Engineering Services
- 4) Guaranteed Savings
- 5) M&V Program to ensure long term savings



*FIGA – Final Investment Grade Audit*

*EPC – Energy Performance Contract*

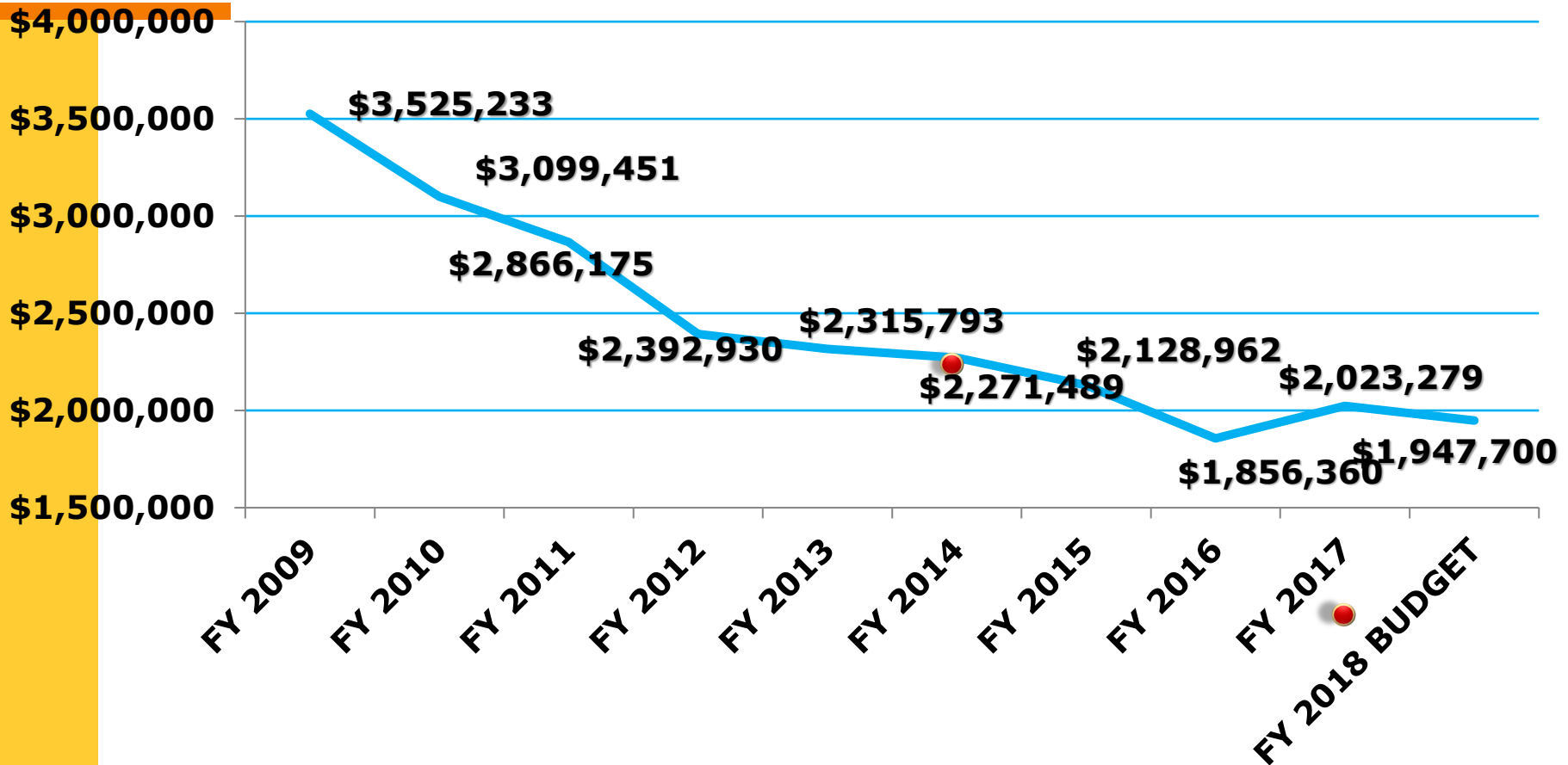
*M&V – Measurement & Verification*

# Project Success Stories

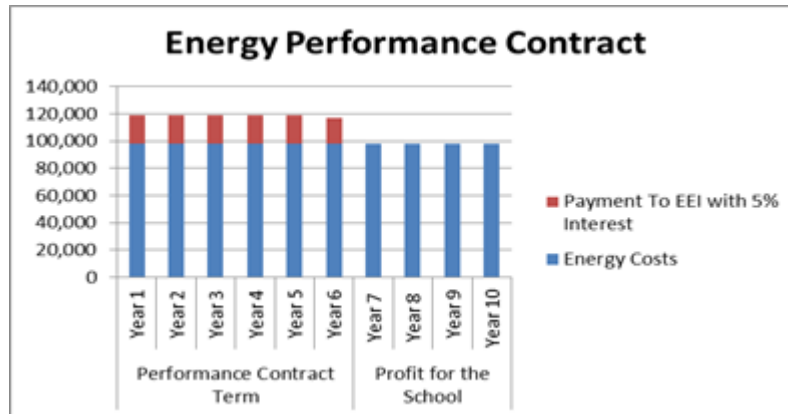
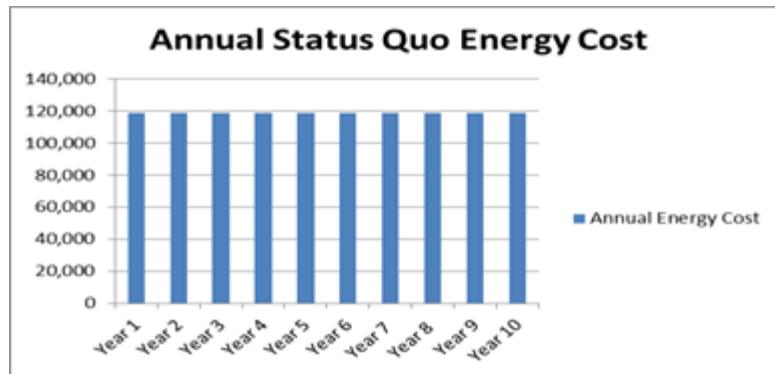
- City of Manchester, NH
- Portsmouth, NH Schools
- Keene, NH Schools
- City of Nashua, NH



# Actual MSD Energy Expense



# Energy Savings Pay for Improvements



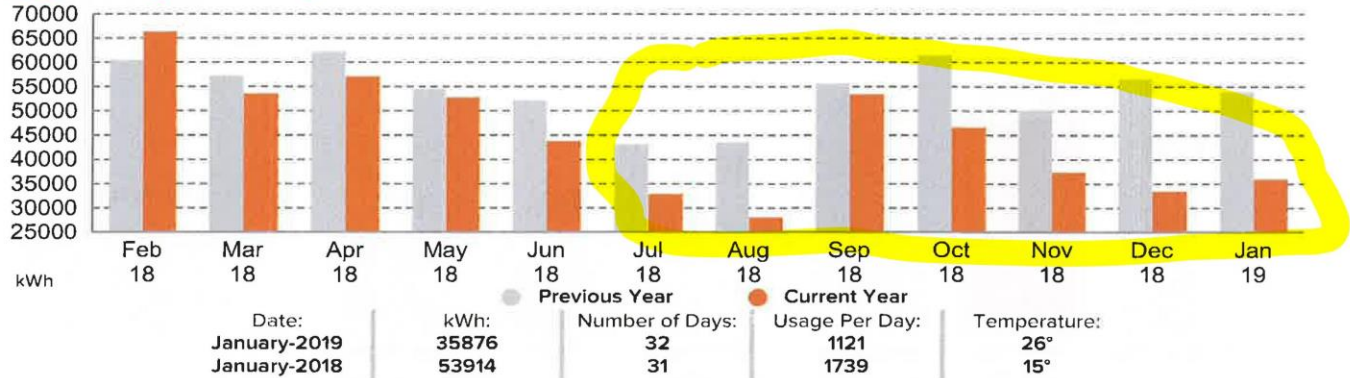
Example Sample NH High School new lights, controls, and HVAC improvements where paid for through grants and energy savings

# Actual Energy Usage from Vergennes High School This year. Down 46% from last year

New Charges/Adjustments  
due by 02/20/19

\$5,118.15

## Usage History









# How to fund projects

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- In Budget (Keene)
- Bond or Lease (Manchester Schools and Everett Schools)
- Smart Start Funding



## **Question & Answers**

***Follow-up questions can be emailed to Mike Davey  
at [MDavey@EEIServices.com](mailto:MDavey@EEIServices.com)***

**AMIGOS MEXICAN CANTINA**

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**20 SOUTH STREET MILFORD, NH 03055 (603) 673-1500**

February 10, 2021

Hi Tina,

Prior to Covid, my outdoor seating permit was for 8 seats. In meeting with the Fire Dept under the Governor's Emergency order I was granted a permit for 20. I want to purchase new outdoor tables and chairs this spring to accommodate the 20 seats on my current permit. I checked with Chief Flaherty and he told me once the emergency order is lifted, I will have to go back to my 8 seats.

Is it possible could I petition the Board of Selectman to have my outdoor seating permanently increased to 20?

Thank You,



**Mike Heeney**  
**Amigos Mexican Cantina**  
**801-5838**



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# One Park, *Infinite Possibilities*

Progress Report on Ongoing  
Feasibility Assessment for a Regional Community  
Center in the Town of Milford

2.22.21

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# Introductions

## The H. L. Turner Group

Bill Hickey, *Senior Vice President of Structural Engineering, Principal*

Dan Hall, AIA, RA, *Project Architect, Associate*

Doug Proctor, AIA, NCARB, LEED AP BD + C, *SVP of Architecture, Principal*

Jesele Zurell, *Marketing Manager*

## Ironwood

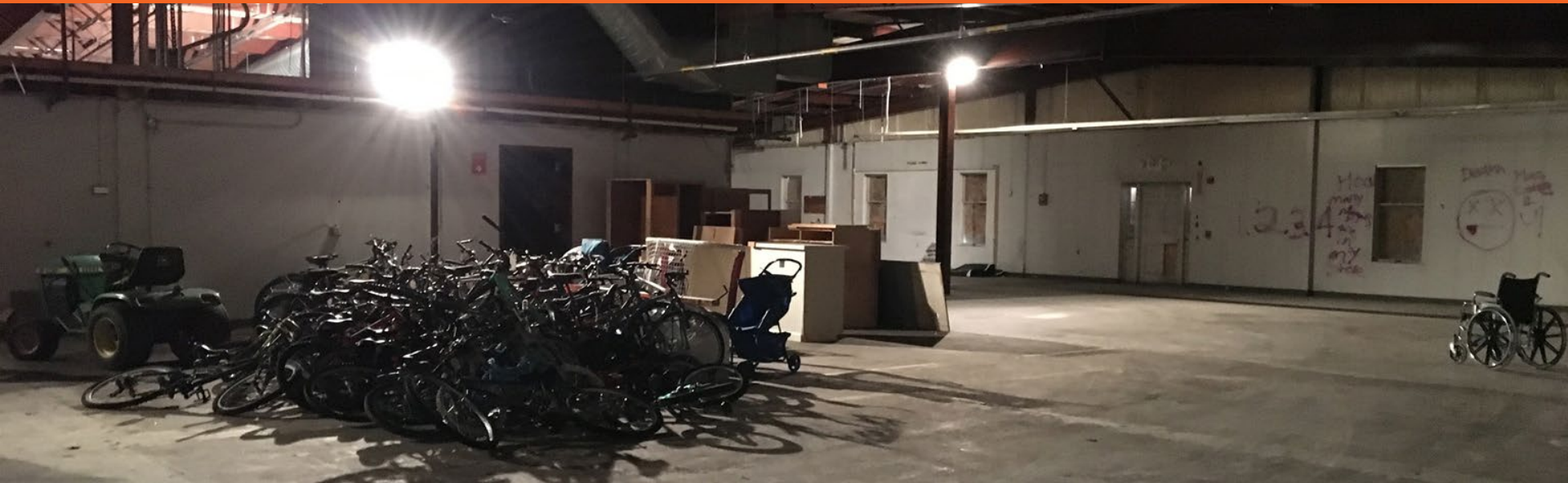
Jeffrey Hyland, PLA, ASLA, CLARB

*Firm Principal, Senior Landscape Architect*











# Ongoing Public Outreach Measures

- Two public meetings
- Stakeholder conversations with the MCAA, the Library, Granite Town Media, Milford Recreation Department, local intramural sports and dance organizations , and more scheduled for the coming weeks.
- Public survey with nearly 200 digital responses; paper copies are being distributed and responses are still coming in.

# Current Survey Stats

## Most Requested Features:

- Paved, universally -accessible walking trail
- Multipurpose space with stage, kitchen, other amenities
- Aerobics/Dance/Yoga Studio
- Arts & Crafts programming
- Seniors Lounge

## Additional Takeaways:

78% of respondents are in favor of building a new regional community center.

Widespread interest in making this a **regional** facility due to demand beyond our community. Respondents would travel up to 15 miles to access amenities.















# To Demo or Not to Demo?

- The current structure has extensive issues that would need repair, including **water damage** , **insulation issues** , **structural problems** , **security issues** , and **general defacement** .
- Support beams inhibit the repurposing of the building as a truly multi-functional space.

# New Building w/Gymnasium (28k s.f)

## Estimated Project Construction and Soft Cost Conceptual Budget

Geotechnical services.....	\$12,000.....	Telecommunication Systems.....	\$80,000.....
Architecture & Engineering Fees.....	\$462,000	Furniture & Equipment .....	\$205,000.....
Construction Manager Fees.....	\$387,000.	Miscellaneous Moving Cost.....	\$15,000..
Building Construction .....	\$7,640,000....	Miscellaneous Legal Fees.....	\$3,000.....
Site Work .....	\$710,000.....	Owner Construction Contingency .....	\$100,000....
Building Demolition .....	\$125,000.....	Facility Support Services (Monitoring) .....	\$30,000..
Utility Fee.....	\$20,000.....	Building Commissioning .....	\$70,000.....
Independent Testing Agency .....	\$10,800.	Bond Costs.....	TBD.....
Security & Access Systems .....	\$80,000....	<b>Total Project Costs (incomplete) .....</b>	<b>\$9,989,800</b>
Hazmat Abatement .....	\$40,000		



# New Building w/o Gymnasium (20k s.f)

## Estimated Project Construction and Soft Cost Conceptual Budget

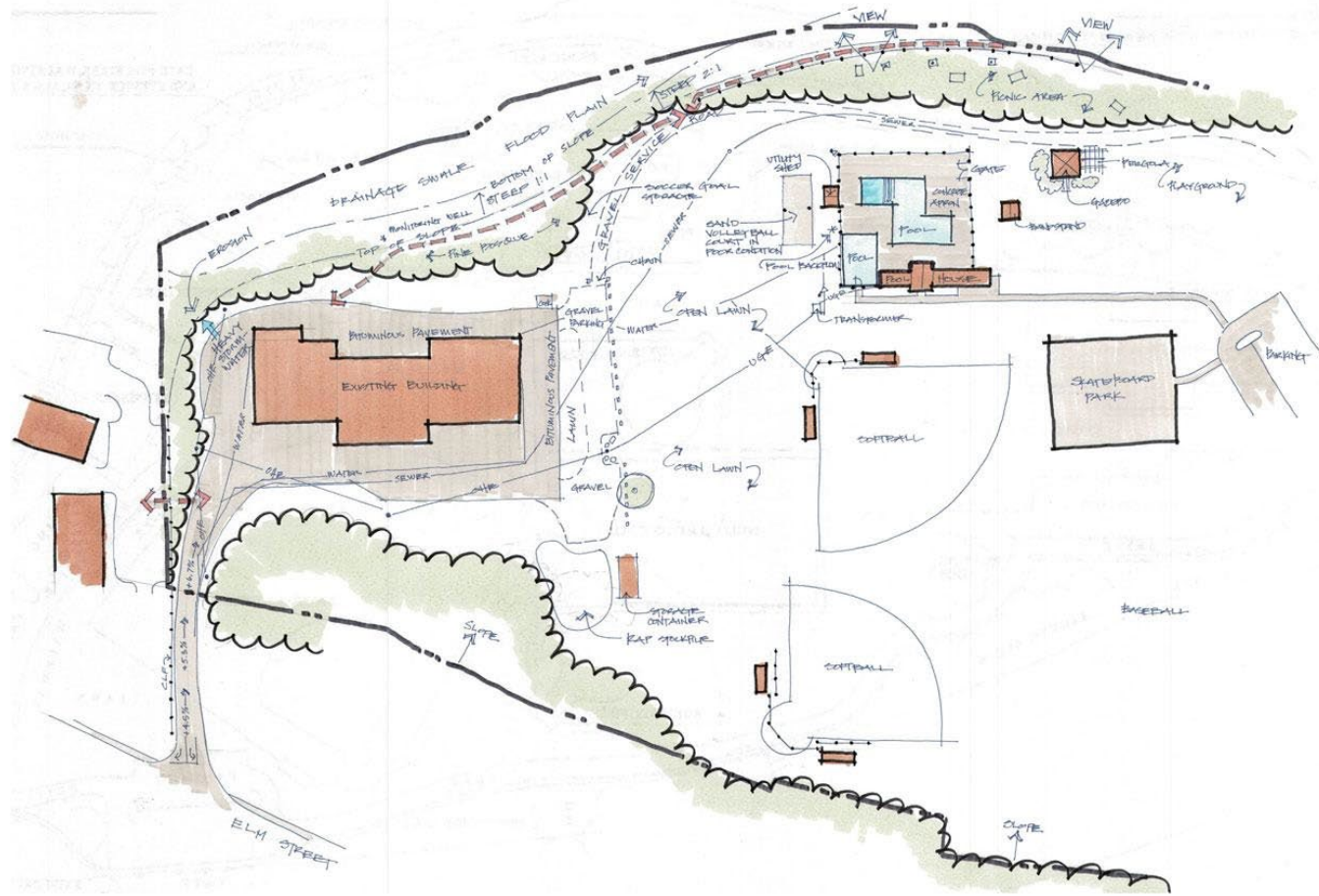
Geotechnical services.....	\$10,000.....	Telecommunication Systems.....	\$70,000.....
Architecture & Engineering Fees.....	\$356,000	Furniture & Equipment .....	\$185,000.....
Construction Manager Fees.....	\$297,000.	Miscellaneous Moving Cost.....	\$15,000..
Building Construction .....	\$5,840,000...	Miscellaneous Legal Fees.....	\$3,000.....
Site Work .....	\$710,000.....	Owner Construction Contingency .....	\$100,000....
Building Demolition .....	\$125,000.....	Facility Support Services (Monitoring) .....	\$30,000..
Utility Fee.....	\$20,000.....	Building Commissioning .....	\$60,000.....
Independent Testing Agency .....	\$9,800	Bond Costs.....	TBD.....
Security & Access Systems .....	\$70,000....	<b>Total Project Costs (incomplete) .....</b>	<b>\$7,920,800</b>
Hazmat Abatement .....	\$40,000		

# Renovation of Existing Building (36,750 sf)

## Estimated Project Construction and Soft Cost Conceptual Budget

Geotechnical services .....	\$10,000 .....	Telecommunication Systems .....	\$85,000 .....
Architecture & Engineering Fees.....	\$578,800	Furniture & Equipment .....	\$215,000 .....
Construction Manager Fees.....	\$414,000.	Miscellaneous Moving Cost.....	\$15,000.
Building Renovation/Upgrades ..	\$7,350,000	Miscellaneous Legal Fees.....	\$3,000 .....
Site Work .....	\$710,000 .....	Owner Construction Contingency .....	\$225,000 .....
Partial Bldg Demo . (Roof, Veneer)....	\$75,000	Facility Support Services (Monitoring) .....	\$30,000 ..
Utility Fee.....	\$20,000 .....	Building Commissioning .....	\$80,000 .....
Independent Testing Agency .....	\$9,800	Bond Costs.....	TBD .....
Security & Access Systems .....	\$85,000....	<b>Total Project Costs (incomplete) .....</b>	<b>\$9,995,600</b>
Hazmat Abatement .....	\$40,000		

Early analysis of the existing buildings and site finds that **two scenarios** could potentially work in the available space.



Existing Conditions Analysis

Town of Milford, NH - Community Center Feasibility Study



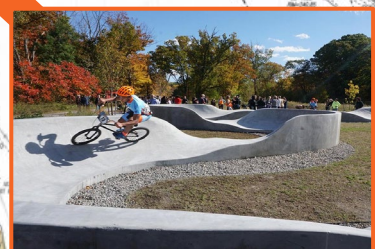
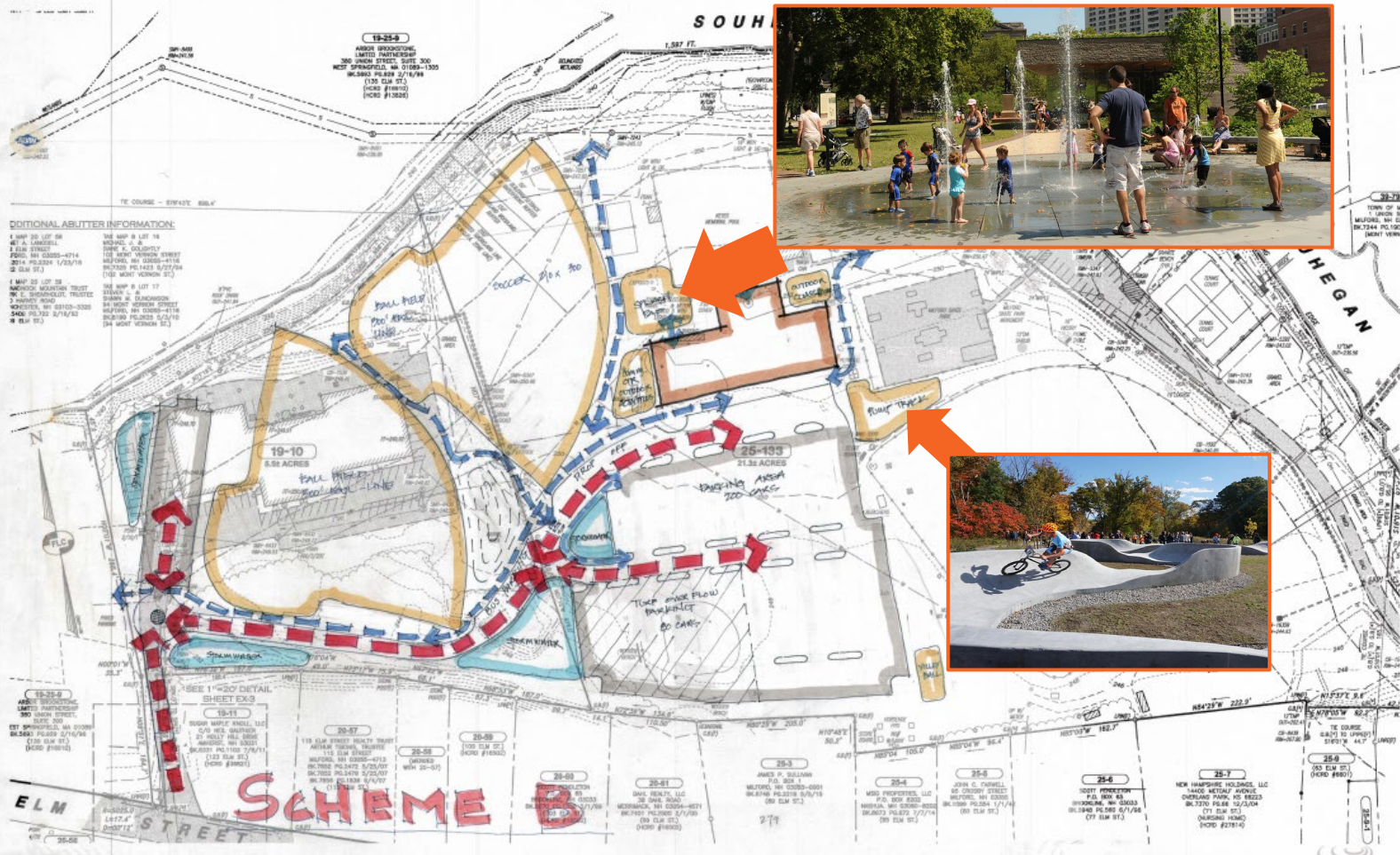
0' 25' 50' 100'



**Ironwood**  
Landscape Architecture • Planning  
WORKING TO MAKE AN IDEAL COMMUNITY REALITY







**ADDITIONAL SUBMITTER INFORMATION:**

1. MAP 20 LOT 18  
 467 A. LANDS  
 2. 5.14 ACRES  
 3. 100' WIDE STREET  
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Q&A

# Survey Link

<https://bit.ly/3q7Smo4>



**Thank you!**

## 6:20 March Election Update - Pete Basiliere, Town Moderator

To: Milford Board of Selectmen  
From: Pete Basiliere, Town Moderator  
Date: February 17, 2021  
Subject: Local Elections – Polling Place Update

I am pleased to report that, overall, the November general election held at Milford High School went very well. With the support of more than 125 volunteers, town clerk Joan Dargie and her staff, my assistant moderators, the Supervisors of the Checklist, the Board of Selectmen and town administration, the police, fire and DPW, and School District personnel, more than 9,250 citizens safely cast their ballots, whether in person or by an absentee ballot.

Looking ahead to the March 9<sup>th</sup> town and school district elections, I am making minor changes to the voting process:

### **Location**

The School Board has approved our use of the High School instead of the Middle School. Students will not be in class on Election Day.

### **Entrance**

All voters will enter Milford High School by the main entrance on West St. Voters who are wearing a face mask or face covering will be allowed into the school. Voters who cannot or choose not to wear a face mask or covering will be directed to a tent set up adjacent to *Windows on West Street*. A greeter will be present to facilitate the process.

### **ePoll Books**

The ePoll books will be set up along the right lobby wall. Voters will check-in, receive a personalized printed slip, and head to the gym to receive and cast their ballots.

### **New Voters**

Given so many new voters registered in the fall, I believe we will register about 50 new voters on Election Day. The Supervisors of the Checklist will register new voters along the left wall of the lobby, including some of the space in the hallway that goes to the cafeteria. We will not use the HS cafeteria for any part of the election.

### **Tent for Unmasked Voters**

Everyone inside the polling place must wear a face mask or covering. We will have a tent considered "within the rail" and, therefore, a part of the polling place for voters who cannot or choose not to wear a face mask or covering.

As in November, the tent will be between the main lobby entrance and the *Windows on West St.* restaurant. This location means voters with mobility difficulties may exit the gym by the right corner door, leading to the accessible parking spaces on West St.

We will be using the MFD's tent. The tent has sides and will have lights and a propane heater, while mats will cover the grass/snow.

### **Observers**

Space will be set aside in the lobby and gym for the public to observe the election process.

### **Golf Carts**

I will arrange for a golf cart with a masked driver for masked riders to use.

**Communication**

MPD will be using its portable electronic signs to remind voters of the polling place location. The signs will alert drivers to possible Election Day delays on West St. and Osgood Rd. Nixle event alerts will remind voters of the polling place and potential traffic delays.

We will also have signs on the Oval, notices on the town and school district websites, and social media postings.

**Election Workers**

We will have plenty of workers, given we now have more than 125 volunteers and will need about 25 per shift.

**Closing**

The steps described above are not chiseled in granite. Refinements will occur right up to the day before the election.

I look forward to meeting with you and receiving your input,

(s) *Pete Basiliere*

Town Moderator

#### 4. a) 1) NH RSA (31:95(b)) Request for Acceptance and Appropriation of Unanticipated Revenues under \$10,000

Board of Selectmen  
Agenda Date: 2/22/21

##### Acceptance and Appropriation of Unanticipated Revenues Under \$10,000 (31:95(b))

Source	Amount	Purpose
HealthTrust	\$ 1,000.00	Donation to the Milford Administration Department for the Town Wellness Campaign Special Purpose Fund. See attached memo.
HealthTrust	\$ 500.00	Donation to the Milford Fire Department for the Town Wellness Campaign Special Purpose Fund. See attached memo.
HealthTrust	\$ 500.00	Donation to the Milford Police Department for the Town Wellness Campaign Special Purpose Fund. See attached memo.

##### Acceptance of Gifts of Property Under \$5,000 (31:95(e))

None at this time.



## Fire Department MEMORANDUM

**TO:** Finance/Board of Selectmen

**FROM:** Jodie Gaffney, Milford Fire Department

**DATE:** 02/05/2021

**SUBJECT:** Health Trust

The Milford Fire Department received a check in the amount of \$500.00 from Health Trust for the Wellness Committee. I received this check as a Wellness Coordinator for the Town of Milford for the 2021 year.  
Please accept this check and deposit into the Wellness Campaign Account# 48274-55900.

Regards,

A handwritten signature in black ink, appearing to read "Jodie Gaffney".

Jodie Gaffney  
Administrative Assistant  
Milford Fire Department

# TOWN OF MILFORD

## OFFICE OF THE SELECTMEN

**TO:** Board of Selectmen  
**FROM:** Tina M. Philbrick, Executive Assistant  
**DATE:** February 11, 2021  
**SUBJ:** Coordinator Reward Money



Members of the Wellness Committee attended a Wellness Seminar in January and as coordinators for the town, received incentive monies to be spent at their discretion on wellness activities to benefit town employees. This is the amount allocated for the Police Department Representative.

Please deposit check #77563 in the amount of \$500 into account number 48274-55900.

Thank you

Handwritten signature of Tina M. Philbrick.

Tina M. Philbrick  
Executive Assistant

# TOWN OF MILFORD

## OFFICE OF THE SELECTMEN

**TO:** Board of Selectmen  
**FROM:** Tina M. Philbrick, Executive Assistant  
**DATE:** February 5, 2021  
**SUBJ:** Coordinator Reward Money



Members of the Wellness Committee attended a Wellness Seminar in January and as coordinators for the town, received incentive monies to be spent at their discretion on wellness activities to benefit town employees.

Please deposit check #77662 in the amount of \$1,000 into account number 48274-55900.

Thank you

Tina M. Philbrick  
Executive Assistant

#### 4. a) 2) Request to re-appoint Tim Finan as a Full Member of the Planning Board - Term Expires 2024



### Milford Planning Board

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To: Gary Daniels, BOS Chair  
John Shannon, Town Administrator

CC: Lincoln Daley, Community Development Director  
Darlene Bouffard, OCD Administrative Assistant

From: Douglas Knott, Planning Board Chair

Date: February 4, 2021

Subject: Planning Board Renewal of Full Member

The Milford Planning Board, at its meeting on February 16, 2021, made the motion to endorse the renewal of Tim Finan as a Full Planning Board member until March 31, 2024. Tim has served as a Planning Board member for many years. This action is being taken to renew Tim's term set to expire March 31, 2021. Please contact Lincoln Daley should you have any questions regarding this recommendation.

DK/djb



**4. a) 3) Request to re-appoint Chris Costantino as an Alternate Member of the Conservation Commission  
- Term Expires 2024**

Town of Milford  
CONSERVATION COMMISSION  
(603) 249-0628  
[conservation@milford.nh.gov](mailto:conservation@milford.nh.gov)



INTEROFFICE MEMORANDUM

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February 10, 2021

TO: Board of Selectmen

SUBJECT: Renewal of Alternate Member Chris Costantino

Ms. Chris Costantino requests that the BOS renew her membership on the Conservation Commission.

Chris has served on the Conservation Commission for several years. Her interest in the natural world has guided her efforts to familiarize herself with the rich diversity of our town's natural resources and how to care and manage them. Her critical thinking has been important in our deliberations as we work to permanently protect town lands and wisely manage our natural resources.

We recommend that the Board of Selectmen renew Chris' term of service to the Town and the Conservation Commission.

Respectfully,

Andy Hughes, Chair  
Milford Conservation Commission

**4. a) 4) Request to re-appoint Andy Hughes and Andrew Seale as Full Members of the Conservation Commission - Terms Expire 2024**

Town of Milford  
CONSERVATION COMMISSION  
(603) 249-0628  
[conservation@milford.nh.gov](mailto:conservation@milford.nh.gov)



INTEROFFICE MEMORANDUM

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February 10, 2021

TO: Board of Selectmen

SUBJECT: Renewal of Member Andy Hughes

Mr. Andy Hughes requests that the BOS renew his membership on the Conservation Commission.

Andy has served on the Conservation Commission for several years; the last four years as chair. His interest in the natural world has guided his efforts to familiarize himself with the rich diversity of our town's natural resources and how to care and manage them. His critical thinking has been crucial in our deliberations as we work to permanently protect town lands and wisely manage our natural resources.

We recommend that the Board of Selectmen renew Andy's term of service to the Town and the Conservation Commission.

Respectfully,

Chris Costantino, coordinator  
*for the Milford Conservation Commission*

**Town of Milford**  
CONSERVATION COMMISSION



## MEMO

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February 12, 2021  
To: Board of Selectmen

**Re:** (Re) Appointment of Andrew Seale to the Conservation Commission

The Conservation Commission requests that the Board of Selectmen re-appoint Andrew Seale to the Conservation Commission. Andy has been a valuable addition to the MCC over the last 15 years both on and off the Commission. His schedule permits him to recommit to regular attendance to the MCC meetings. The MCC is looking forward to having Andy seated back at the deliberations table.

Respectfully,

Chris Costantino  
Milford Conservation Commission, coordinator

#### 4. a) 5) Request for Road Acceptance of Holden Lane



### TOWN OF MILFORD, NH OFFICE OF COMMUNITY DEVELOPMENT

1 UNION SQUARE, MILFORD, NH 03055

TEL: (603) 249-0620

WEB: WWW.MILFORD.NH.GOV

**To:** Board of Selectmen  
John Shannon, Town Administrator

**Cc:** Rick Riendeau, Director of Public Works

**From:** Lincoln Daley, Community Development Director

**Date:** February 18, 2021

**Subject:** Request for Road Acceptance of Holden Lane

Upon the recommendations of Rick Riendeau, Director of Public Works and myself, I respectfully request the Board of Selectmen consider the acceptance of Holden Lane off of Boynton Hill Road and to sign the attached Road Acceptance form.

The road to be accepted is as described in the Town Road Acceptance Form prepared by Office of Community Development's suggested wording for vote of acceptance. All required documentation and the As-Built plan have been submitted and approved. Staff recommends the inclusion of one condition involving the establishment of the 1 year maintenance road security.

Thank you for your attention to this matter.

Department of Community Development  
Department of Public Works

Subject: Acceptance of New Town Road  
To: Milford Board of Selectmen  
From: Director of Public Works  
Director of Community Development  
Date: 2/10/2021

This is a request for the Board of Selectmen to accept the below named road as a town road and the following information is submitted for your consideration.

1. Road/Street Name: **Holden Lane**
2. As-Built Road Plan Entitled: Holden Lane, As-Built Plan
3. As-Built Road Plan Date: **12/03/2020**
4. Subdivision Plan Entitled: **Consolidated & Open Space Subdivision Plans, Autumn Oaks, Tax Map 45, Lots 3, 17, and 18, and Tax Map 40 Lot 104-4, Mile Slip & Boynton Hill Roads, Milford, NH**
5. Date Plan Approved by Planning Board: **5/19/2015**
6. Date of aforementioned Plan Signature: **9/15/2015**
7. Date Plan Recorded at HCRD: 11/18/2015
8. HCRD Plan Number: **38697**
9. This Road's pavement is **22** feet wide and the right-of-way is **50** feet wide.
10. **Holden Lane** is **633.54** feet long, with the length measurement beginning at 0+00

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station/intersection and running through 10+00 station/intersection.

11. A Maintenance Bond in the form of a surety/letter of credit, in the amount of \$ 27,700.00 is required for (a/an) **one** year period.



**Town Road Acceptance Form**  
Department of Community Development  
Department of Public Works

- Original Roadway Deed attached and dated 12/12/2012.
- Affidavit is attached from a Title Attorney on behalf of the Developed/Owner citing that the roadbed is clear of all encumbrances and is dated 11/25/2019.
- Bounds have been set as of 12/3/2020 and are shown on As-Builts.

The aforementioned information and documents have been review and certified by:

- 1. Director of Public Works: [Signature] Date: 1-29-21
- 2. Director of Community Development: [Signature] Date: 2/18/21

Acceptance Date of Road Documents by the Milford Board of Selectmen: \_\_\_\_\_

Board of Selectmen: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

*Note: Distribution after Acceptance: Ambulance Director, Police Chief, Fire Chief, Planning, WWTF, DPW, and Building.*

**Town Road Acceptance Form**  
Department of Community Development  
Department of Public Works

Recommended Wording of Vote of Acceptance:

Holden Lane –from its intersection with Boynton Hill Road at Sta. 0+00.00 and terminating at Sta. 10+00.00 as per As Built Plan of Holden Lane prepared for SAN-KEN Homes dated December 3, 2020, and Subdivision Plan entitled 'Consolidation and Open Space Subdivision Plans – Autumn Oaks Tax Map 45, Lots 3, 17, & 18, land of SAN-KEN Properties dated December 22, 2014, final revision November 2, 2015, recorded as Plan #38697, said roadway being approximately 50 feet wide and approximately 633 feet in length. Roadway deed of Holden Lane and all associated road and drainage easements have been conveyed to the Town of Milford, NH and recorded at the Hillsborough County Registry of Deeds: [Book 9350 Page 1139] [Book 9345 Page 2565] [Book 9313 Page 1828] [Book 9211 Page 899]

Conditions for final acceptance:

Finalization of the one year maintenance bond for Holden Lane with the Department of Public Works and Community Development Office.

J. McCord - T&E  
Town Dands and Roads Researcher

2/18/2021  
Date

Date of Selectmen's Meeting: \_\_\_\_\_

Motion of Acceptance made by: \_\_\_\_\_

Motion Seconded by: \_\_\_\_\_

Voted in: \_\_\_\_\_  
Affirmative Negative

\_\_\_\_\_  
Chairman, Board of Selectmen

\_\_\_\_\_  
Date

A copy of the minutes reflecting this vote will be added once approved.



## History:

- 12/12/2012  
San-Ken Homes purchased foreclosed 174-acre parcel of land in Milford that was branded "Autumn Oaks", previously known as Boynton Hill Estates.
- 09/15/2015  
Subdivision Agreement San-Ken Homes and Town of Milford (Book 8808 Page 2167)
- 06/07/2016  
Amended Subdivision Agreement (Book 8873 Page 549)
- Date  
Road accepted by the Board of Selectmen

## Plans

- 12/22/2014  
Plan # 38694 Consolidation and Open Space Subdivision Plans – Autumn Oaks (Tax Map 45, Lot 3)
- 11/18/2015  
Plan # 38697 – revision of Plan # 38694 Consolidation and Open Space Subdivision Plans – Autumn Oaks (Tax Map 45, Lot 3) DWR 179
- 09/17/2020  
Plan # 40685 Easement Plan DWR 64
- 12/3/2020  
Holden Lane As-Built

## Deeds

- 12/17/1955  
Robert J. and Patricia C. Sweeney to Robert R. Sweeney [Book 1456 Page 108]
- 11/13/2000  
Robert R. Sweeney to Boynton Hill Development LLC [Book 6316 Page 175]
- 10/27/2005  
Boynton Hill Development LLC to Mitchell Brook Development [Book 7572 Page 1876]
- 12/12/2012  
Mitchell Brook Development to San-Ken Homes [Book 8504 Page 2966]
- 12/27/2017  
San-Ken Homes to Town of Milford, NH Warranty Deed (Autumn Oaks – Open Space Deed) [Book 9039 Page 1417]
- 11/21/2019  
San-Ken Homes to Town of Milford, NH Warranty Deed (Autumn Oaks – Open Space Deed) [Book 9235 Page 6]
- 9/1/2020  
Easement Deed Quitclaim Covenants to PSNH d/b/a Eversource Energy [Book 9345 Page 2565]

## Easements

- 09/20/2019  
Declaration of Common Access, Ingress, and Egress Easement and Maintenance Covenants for Lots 45-3-31 and -32, Autumn Oaks, Subdivision of San-Ken Homes [Book 9211 Page 899]
- 06/29/2020  
Declaration of Common Access, Ingress, and Egress Easement and Maintenance Covenants for Lots 45-3-33 and -34, Autumn Oaks, Subdivision of San-Ken Homes [Book 9313 Page 1828]
- 9/1/2020  
Easement Deed Quitclaim Covenants to PSNH d/b/a Eversource Energy [Book 9345 Page 2565]
- 09/17/2020  
Declaration of Common Access, Ingress, and Egress Easement and Maintenance Covenants for Lots 45-3-36 and -37, Autumn Oaks, Subdivision of San-Ken Homes [Book 9350 Page 1139]

## Resources

- 6/24/2020  
*Real estate developer Kenneth Lehtonen of San-Ken Homes created a 54-lot community on a foreclosed 174-acre parcel of land in Milford that he branded "Autumn Oaks." Milford was a reasonable real estate gamble when he launched the project four years ago, but Lehtonen never imagined home prices reaching the half-million-dollar mark. "[Milford's real estate] actually has grown, and values have grown higher than we could have expected," he says, noting only a handful of lots remain.*  
(<https://www.businessnhmagazine.com/article/milfordrsquos-economic-evolution>)

- 12/28/2020  
*Hi Jerry,  
My middle sons name is **Holden** and that's how I came up with the name. My first boy is Mason and there was already a road name with that. The rest of my children are getting their names on our next project in Pembroke. Thanks*

*Kenny Lehtonen, Vice President  
SAN-KEN HOMES, Inc.  
586 Turnpike Road | New Ipswich, NH 03071  
Office: 603-878-2856 | Cell: 603-966-6769  
Fax: 603-878-4294 | [www.san-ken.com](http://www.san-ken.com)  
Check out our latest development, Autumn Oaks located in Milford, NH!  
>>> <http://autumnoaksnh.com/> <<<*



## **5. Town Status Report – February 22, 2021**

**Board of Selectmen Meetings** –Starting on March 8, 2021, Board of Selectmen Meetings will be moving back to the Hybrid format. People may attend in person at Town Hall or by Zoom. For anyone attending in person, all social distancing and mask requirements will be in place. Information will be posted on the Town website for each meeting. If anyone has any questions or concerns, please contact the Town Administrator's Office.

## 9. Approval of Final Minutes - January 20, 2021 (special meeting)

DRAFT

### MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING – Special Meeting

January 20, 2021

This meeting was conducted pursuant to the State of New Hampshire Emergency Order #12 pursuant to Executive Order 2020-04, temporary modification of public access to meetings under RSA 91-A. As such, the meeting was conducted online using these connection instructions that were listed on the posted meeting agenda: "The Public is encouraged to participate remotely, call in on your phone @ 1-646-558-8656 and enter the meeting ID# 858 3608 0860 and the password is 680611 or join the Zoom Meeting @ <https://zoom.us/j/85836800860>. Please try to log in 5 minutes before the meeting's scheduled start time in case you run into any technical difficulties".

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

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

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

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

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

**Roll call attendance: Selectman Dargie, yes, no one is present. Selectman Dudziak, yes no one is present. Selectman Labonte yes, no one is present. Selectman Freel, yes, no one is present, and Chairman Daniels yes, no one is present.**

#### 2. APPOINTMENTS: (Approximate times) N/A

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

#### 4. DECISIONS –

##### CONSENT CALENDAR.

1. N/A

##### b) OTHER DECISIONS –

a. Release of non-public Information concerning the First Responders Communication Network

Chairman Daniels said the breakdown for the First Responders Communication Network \$2,400,000 warrant article will be released to the public once the non-public minutes are unsealed. All information will be available to the public prior to the deliberative session. Information will be posted on the Town's web site.

**Selectman Labonte made a motion to unseal the minutes of November 9, 2020, November 23, 2020, and December 28, 2020, all in accordance with RSA 91-A:3,II(e)) Legal. 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.**

b. DRAFT Warrant Article Votes and Reconsideration

Chairman Daniels said that the Board still needed to take some votes on several warrant articles.

#### **WADLEIGH LIBRARY MAINTENANCE AND UPKEEP CAPITAL RESERVE**

Selectman Freel moved to recommend the warrant article for the Wadleigh Library Maintenance and Upkeep Capital Reserve. Seconded by Selectman Dudziak. **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.**

#### **NASHUA STREET PEDESTRIAN SAFETY and SIDEWALK IMPROVEMENT PROJECT – by petition**

**DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 1/20/2021**  
**Special Meeting**

64 Selectman Dargie moved to recommend the Nashua Street Pedestrian Safety and Sidewalk Improvement Project.  
65 Seconded by Selectman Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Se-  
66 lectman Labonte no, Selectman Freel no and Chairman Daniels no. The motion failed 2/3 with Selectman Daniels,  
67 Selectman Labonte and Selectman Freel opposed.

68  
69 **OSGOOD ROAD, MELENDY ROAD, AND ARMORY ROAD PEDESTRIAN SAFETY SIDEWALK AND**  
70 **BICYCLE LANE PROJECT – by petition**

71 Selectman Dargie moved to recommend the Osgood Road, Melendy Road, and Armory Road Pedestrian Safety  
72 Sidewalk and Bicycle Lane Project. Seconded by Selectman Dudziak. A roll call vote was taken with Selectman  
73 Dargie yes, Selectman Dudziak yes, Selectman Labonte no, Selectman Freel no and Chairman Daniels no. The mo-  
74 tion failed 2/3 with Selectman Daniels, Selectman Labonte and Selectman Freel opposed.

75  
76 Chairman Daniels will write the majority reports for the last two warrants and Selectman Dargie will write the minority  
77 reports.

78  
79 **DPW VEHICLES AND HEAVY EQUIPMENT CAPITAL RESERVE**

80 Selectman Dudziak moved to reconsider her vote on the DPW Vehicles and Heavy Equipment Capital Reserve. The vote is  
81 now 0/5 with no one supporting it.

82  
83 **TOWN FACILITIES RENOVATION AND MAJOR REPAIR REPLACEMENT CAPITAL RESERVE**

84 Selectman Dudziak moved to reconsider her vote on Town Facilities Renovation and Major Repair Replacement capital  
85 reserve warrant article. The vote is now 0/5 with no one supporting it.

86  
87 **Chairman Daniels moved to take DPW Vehicles and Heavy Equipment Capital Reserve off the warrant. Seconded**  
88 **by Selectman Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman La-**  
89 **bonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.**

90  
91 **Chairman Daniels moved to take the Town Facilities Renovation and Major Repair Replacement Capital Reserve**  
92 **off the warrant. Seconded by Selectman Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectman**  
93 **Dudziak yes, Selectman Labonte yes, Selectman Freel yes and Chairman Daniels yes. All were in favor. The motion**  
94 **passed 5/0.**

95  
96 Selectman Freel asked for more information about the Keyes Park Expansion Committee Project Capital Reserve. Select-  
97 man Dargie gave an overview of the project. Currently, there is a \$59,000 study looking into a long term plan for Recrea-  
98 tion in Milford at Keyes field. The project has been delayed. The account will have zero dollars in it once the study is  
99 complete. They have outdoor exercise equipment that needs to be installed and a walking path needs to be put in next to the  
100 river and they need additional money to do this.

101  
102 Chairman Daniels opposes this because even with the delays with COVID, the project can move forward with the study. He  
103 doesn't feel more money is needed at this time. Selectman Dargie said Milford traditionally short changes non-emergency  
104 functions like the Library and Recreation. Adding \$25,000 to recreation is a modest amount to contribute to an area that  
105 traditionally hasn't received much. Selectman Labonte asked if DPW could help with some of the projects. Administrator  
106 Shannon will check with Recreation and DPW.

107  
108 **Selectman Freel moved to reconsider his vote on the Keyes Park Expansion Committee Project Capital Reserve**  
109 **warrant article. The vote is now 2/3.**

110  
111 **Fire Rescue Truck Replacement - 7-Year Lease/Purchase - \$689,700 (Annual Lease Payment \$86,214: \$100,000**  
112 **Paid from Fire Apparatus Replacement Capital Reserve the Total Purchase Price (\$689,700)**

113 Two versions of this warrant article were presented. The original one using \$100,000 from the Fire Apparatus Replacement  
114 Capital Reserve and requiring a 60% affirmative vote to pass and the other one not using any monies from the capital re-  
115 serve account and only requiring a 50% majority vote to pass.

116  
117 Selectman Dargie is in favor of language that doesn't use capital reserve and only requires a majority vote to pass. He has  
118 concerns about this article not passing. Selectman Freel fees we should be using the capital reserves for the purpose that

**DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 1/20/2021**  
**Special Meeting**

119 they were established although he does agree with the majority vote instead of 60%. Selectman Dargie said several vehi-  
120 cles in the last eight years passed between 50% and 60% but would not have passed if they required a 60% vote.  
121 Paul Calabria, Finance Director said according to DRA, although we would need a 3/5 majority to withdraw from the capi-  
122 tal reserve account, we could go with the majority option and then use the capital reserve monies to pay off the last year of  
123 the lease. The problem with that is that you have to make sure there is money in the capital reserve account to do this. You  
124 will still be paying interest on the ladder truck for the first 6 years and interest rates are still low at this time. If the town  
125 continues to support the capital reserve program, we can use it for the final year's payment.  
126

127 Chairman Daniels questions the language of "raise and appropriate \$100,000 from the Fire Apparatus Replacement Capital  
128 Reserve Fund as a down payment to reduce the lease/purchase price" he said we already raised and appropriated that mon-  
129 ey. Paul said it's the language that the DRA recommends to withdraw money from the capital reserve account. Chairman  
130 Daniels still thinks it's wrong. Paul said it's written that way because we are appropriating the money from the trust funds.  
131

132 Selectman Freel feels that you are saving this money for several years you should be using that money. Why can you just  
133 take the money out in the 2<sup>nd</sup> year instead of waiting until the 7<sup>th</sup> year? Paul said we have to commit the town to long term  
134 debt with this article with 60%. If we go with the majority only, you can't use your capital reserves until you know you are  
135 going to own the vehicle.  
136

137 Selectman Dargie wants to have a warrant article next year to zero out that capital reserve and return the money to the tax-  
138 payers. He would just like to do a normal warrant article and fund 100% of the purchase price. Using the capital reserve  
139 makes it a 60% vote and it's risky. Selectman Freel said the Budget Advisory Committee is for capital reserve accounts.  
140

141 Selectman Labonte is in favor of capital reserve accounts. He feels that going for a 60% vote means that you have proven  
142 your need. He feels that a 51% vote isn't adequate on long term debt. Not utilizing capital reserve puts more of a burden  
143 on the tax-payers by increasing their lease payments every year by increasing the interest. By using capital reserve on year  
144 seven he feels that you have now paid interest on that capital of \$100,000 for six years. Getting rid of interest is a way to  
145 save money. If this warrant article goes on without the capital reserve language in it, he won't vote for it.  
146

147 Paul said that Selectman Dargie pointed out that there is a fatal flaw with the majority vote and using capital reserves. The  
148 voters vote depending on how their circumstances are, no matter how much we educate them. He would be in favor of do-  
149 ing it with the capital reserve because of the fatal flaw and how those laws are written. Language is being presented to  
150 change this language, but it hasn't happened yet. Until it's changed, we should either use the capital reserve for the last  
151 year's payment or do away with them and return them to the tax-payers. Selectman Labonte still doesn't agree with it.  
152

153 Chairman Daniels suggests that someone bring in language at the next meeting for using capital reserve as the year's pay-  
154 ment on the ladder truck. Selectman Dargie said that language has already been provided in the document that they have in  
155 front of them, it's written in purple. He is in favor of using the purple language version for all three articles.  
156

157 **Selectman Dargie made a motion to use the language that changes the warrant article for the fire rescue warrant**  
158 **article to a majority vote only. Seconded by Selectman Dudziak.**  
159

160 Selectman Freel is still leaning towards using the capital reserve for this warrant. Chief Flaherty, Fire Department, said  
161 he's in favor of whatever the Board will support 5/0 because historically a 5/0 vote is what the tax-payers make their deci-  
162 sions on. Having a split vote may cause the warrant article to fail.  
163

164 Paul said because there was no action taken by the Board to buy some vehicles out of surplus knowing that we need vehicle  
165 replacement, he favors the 50% option and using the capital reserve for the final payment. Selectman Labonte repeated that  
166 he won't support the truck without the capital reserve language.  
167

168 Administrator Shannon asked the Fire Chief what would happen if he doesn't get this truck this year. Captain Flaherty  
169 said they would have to delay purchasing other apparatus later on. We are also trying to reduce manpower by putting two  
170 trucks into one. We are up for an ISO audit this year and not having the truck could adversely affect our rating.  
171

172 Selectman Freel clarified that using the capital reserve six years from now can't be written into the warrant article this year.  
173 Paul said yes. Selectman Freel repeated that he still wants to see the capital reserve money used for this warrant this year.  
174 Chairman Daniels agreed.

**DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 1/20/2021**  
**Special Meeting**

175 **A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte no, Selectman**  
176 **Freel no and Chairman Daniels no. The motion failed 2/3 with Selectman Daniels, Selectman Labonte and Select-**  
177 **man Freel opposed. The language will not be changed.**  
178

179 Selectman Dargie asked to skip over the Public Works Snow Plow Unit Warrant article because it's basically the same dis-  
180 cussion.

181  
182 **PUBLIC WORKS WHEEL BUCKET LOADER PURCHASE**  
183

184 Selectman Dargie explained that the original warrant article requires a 60% vote and uses a capital reserve and is a three-  
185 year lease purchase. The second warrant article referenced (in purple) authorizes the purchase of the loader we are current-  
186 ly leasing and we get credit for this winter's payment towards the purchase. This uses the capital reserve account of  
187 \$120,000 as a one-time payment and the balance is also just a one-time payment, not a three-year lease purchase, and would  
188 only need a 50% vote. Overall, we are buying the existing one with a discount of \$19,000. The balance of the \$7,118  
189 would be from the current year's expenditure.

190  
191 **Selectman Dargie made a motion to change the Public Works Wheel bucket Loader warrant article with alternate**  
192 **language to reflect a 50% majority vote. Seconded by Selectman Dudziak.**  
193

194 Selectman Labonte referenced the purchase policy and asked if we could do this with a single point purchase. The purchase  
195 policy states that we have to have three quotes. Administrator Shannon said the unit they are currently leasing is a Hitachi,  
196 that's why it's specified. Selectman Labonte asked if the town can spend \$146,000 by getting a single quote. Selectman  
197 Dargie said we can always override the existing three quote policy. Sole sourcing does exist. Administrator Shannon said  
198 he would clarify that information and get it to the Board for next Monday's meeting.  
199

200 Selectman Dargie said it makes it easier for Tina if we are in a position we think we might end up in. She needs to post  
201 these articles Monday night after changes are made after the meeting. Administrator Shannon asked if it could be passed on  
202 the contingency that it's legal within the town's policy to not have three quotes in this one instance.  
203

204 Selectman Labonte said it would be contingent on if it's the same Hitachi loader even in the red warrant article wording.  
205 The \$19,000 would still be eligible to come off that warrant article providing that it's that vendor.  
206

207 Selectman Freel needed more clarification on what we are looking to do with this warrant article. Paul said that Director  
208 Riendeau came to him with this alternative language which was reviewed with the DRA. The purchase price is \$146,000.  
209 We are looking to withdraw the entire \$120,000 from the capital reserve account, we are getting credit for the \$19,000 from  
210 Chappell Tractor, some of which we've already used this year, and the remaining \$7,118 is coming from taxation. In the  
211 red writing, we were only using \$80,000 from the capital reserve account and we were going to enter into a lease for the  
212 remaining \$60,000. It requires a 60% vote. Using the second option there will be no lease or interest needed and it's a one-  
213 time small payment. Selectman Freel said he would be in favor of the second option.  
214

215 Selectman Labonte asked if the \$7,118 was an addition to the budget. Paul said yes. Selectman Labonte asked how old the  
216 loader was. He's assuming it isn't new. Selectman Freel said if it's coming from Chappell's, they wouldn't be charging  
217 more than it's worth. Chris Anton, DPW Highway Manager, said it's a new loader, last year's model. The total purchase  
218 price is \$165,000 minus dealer and manufacturer's discount brought it down to \$146,118 minus the \$19,000 rental agree-  
219 ment which brings it down to the \$127,118 purchase price. We were able to get the vehicle through the generosity of Chap-  
220 pell's.  
221

222 Selectman Labonte still favors the warrant article in red at the 60% vote and only using \$80,000 from the capital reserve  
223 account.  
224

225 **A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte no, Selectman**  
226 **Freel yes and Chairman Daniels no. The motion passed 3/2 with Selectman Daniels and Selectman Labonte op-**  
227 **posed.**  
228

229 Selectman Dargie asked to re-vote on recommending this article due to the language change.  
230



**DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 1/20/2021**  
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231 **Selectman Dargie made a motion to recommend the Public Works Wheel bucket Loader warrant article using**  
232 **\$120,000 from the capital reserve account. Seconded by Selectman Dudziak.**  
233

234 Selectman Freel asked if this uses all the capital reserve from this account. Chairman Daniels said yes. He voted against  
235 the new language because he is confused about some of the language. Selectman Labonte said this has now increased  
236 DPW's budget by \$17,000 and has allowed the \$19,000 to be spent elsewhere from the rental. One could say you were  
237 now more than \$12,000 up on the budget. Selectman Freel said he didn't see it that way.  
238

239 Paul said the Town Administrator can have this discussion with Director Riendeau and that should this warrant article pass  
240 as is, we would ask him not to spend those funds. Selectman Dargie said that isn't how he reads it. He interprets this as we  
241 would still spend the \$19,000 and it gets counted towards the purchase. It still comes out of the regular town budget, it's  
242 still being spent. Selectman Freel agreed; we were renting it regardless.  
243

244 Selectman Dargie said on the first warrant article the payment was \$22,980 and that payment is being replaced by \$7,118 so  
245 the payment is going down, he is questioning the estimated tax impact. Chairman Daniels said the cash that is being used is  
246 \$26,118 which is \$7,118 plus the rental amount of \$19,000. At this point, there was major confusion and interpretation  
247 from several Board members.  
248

249 Selectman Labonte presumes that the rental started in 2020. Chris said yes, two months payment was in 2020, moving  
250 forward will be three months of payment in the 2021 budget. The \$7,118 that they are talking about isn't in addition to the  
251 budget; it will be absorbed through the DPW budget they are not asking to increase the budget.  
252

253 Selectman Labonte said you already made two payments for the lease in 2020 and there will be three more payments in  
254 2021. Are you saying that the remainder of the rental money is where you are going to come up with the additional  
255 \$7,118? Chris said there are multiple areas where it can be pulled from; he isn't saying he will directly take it out of the line  
256 item Selectman Labonte is referring to. Out of a \$3,000,000 budget, they should be able to find \$7,118 to off-set this pur-  
257 chase and pay cash for it. Chris said they could use the funds that are leftover and apply them to this so that it's zero out.  
258 Selectman Labonte said if we are not going to rent it anymore we should remove the rental amount from the budget moving  
259 forward. Paul said the warrant article for the budget goes in after Deliberative and we can't reduce it and make it contin-  
260 gent on the passing of the bucket loader article.  
261

262 Selectman Freel said you are going to rent the loader regardless, if the tax-payers vote yes Chappell's is going to take the  
263 rental price off the purchase price of the loader, he doesn't see the negative on that.  
264

265 Chris tried to simplify this for the Board: If you have \$19,000, three months payments will cost \$11,400, we have enough  
266 room to pay the difference and that would zero it out for the 2021 budget season. Selectman Labonte said it's an increase  
267 in DPW's budget of \$7,118. Chris repeated, they are not asking to increase the budget by \$7,118.  
268

269 Chairman Daniels clarified that the \$7,118 would be found within DPW's \$3,000,000 budget. Chris said yes it would be  
270 found within the 2021 budget, they are not asking for an increase. Selectman Labonte said if you are buying the rental we  
271 should be reducing the rental for 2021. Chris said that their equipment rental is not solely for this operation. Other equip-  
272 ment is rented throughout the year that is also including in this.  
273

274 Chairman Daniels said the language in the warrant article is misleading. The language implies that we are using \$19,000 to  
275 reduce the price. Selectman Labonte wants to reduce the 2021 rental amount for DPW. Chris said if it's reduced now and  
276 the loader fails, you have no money for rental cost needed for the winter of 2021. Selectman Labonte agreed.  
277

278 Selectman Freel said the idea is to use an additional \$40,000 of the capital reserve and try to get this done in one year in-  
279 stead of a three-year lease program. He doesn't understand why it's this hard to understand. Does all this information have  
280 to be included in the warrant? Paul said yes it does. Selectman Freel is still for the warrant article.  
281

282 Selectman Labonte wants to know what clarification we are waiting for on Monday. Selectman Freel said that DPW won't  
283 spend that money in their budget. Selectman Labonte also wants clarification on the purchase policy for sole source. Ad-  
284 ministrator Shannon repeated that he will get that for the Board.  
285

**DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 1/20/2021**  
**Special Meeting**

286 Chairman Daniels said he isn't sure he's in favor of eliminating competition in the bidding. He asked if there was a reason  
287 that Hitachi needs to be there. Selectman Labonte said yes, it's the only way you will get the \$19,000 back. If you put it  
288 out to bid and someone else came in cheaper than \$19,000 than Hitachi that would be the only way this would be advanta-  
289 geous. Chris repeated there are two factors; the generous discount that was extended by the Chappell family combined with  
290 the municipal discount will not be matched by another vendor. The second is that the \$19,000 is also the generous donation  
291 from the Chappell family to be 100% applied which will also not be able to be applied by another other vendors. He will  
292 get as many quotes as you want, but they will not be lower than this one.

293  
294 Selectman Freel agrees with Chris Anton, it sounds like a very good deal, and knowing the Chappell family he doesn't think  
295 that they would ever take advantage of this town. Chairman Daniels said they will have Administrator Shannon check on  
296 the purchase policy to make sure there are no problems in going this way.

297  
298 Selectman Dargie thinks it would be okay to remove the word Hitachi from the warrant article so if you wanted to go get  
299 quotes you could. Selectman Labonte said the problem with that is that the \$19,000 wouldn't apply because it only applies  
300 to the Hitachi. Chris said that is correct. Selectman Dargie said we will get the same quote from them whether the word  
301 Hitachi is in the warrant article or not.

302  
303 Administrator Shannon said section VIII letter A in the procurement policy reads: Sole Source Proposals: The Town of  
304 Milford will not entertain the solicitation of a single-source vendor for supplies and/or services unless the competitive bid  
305 requirements are explicitly waived by a vote of the Board of Selectmen.

306  
307 Selectman Labonte isn't opposed to the loader. If someone were to take a stance on staying with the 60% vote, wouldn't it  
308 be uniformed to stay with the original language? What is the difference from a Finance point of view? Paul said it's just in  
309 the majority needed to pass the article. Both are using capital reserve but the second one buys the vehicle this year so we  
310 don't need the 60% because we are not leasing it over three years.

311  
312 Selectman Labonte questioned the tax impact being lower on the original warrant article. Paul said the lease amount is  
313 lower. Tina Philbrick, Milford resident, asked how much interest we would have to pay back on the first warrant article  
314 with the three-year lease. Paul said they are projecting about 2% for a total of less than \$5,000 over three years.

315  
316 Selectman Labonte is staying with the first option with the 60% vote. You are saving 18 cents by going with the 60% vote  
317 option. Selectman Dargie said only in the first year, you still have a tax impact over the next two lease payment years.

318  
319 **A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte no, Selectman**  
320 **Freel yes, and Chairman Daniels yes. The motion passed 4/1.** Selectman Dargie will do a majority report and Select-  
321 man Labonte will do a minority report if needed.

322  
323 Kathy Parenti, Library Trustee Chair, said there was confusion about the Library warrant article. Their estimate comes in at  
324 \$1,200,000 and we are only asking the town for \$995,000. Do we need to indicate that the Trustees will cover anything  
325 above that or can we leave it as it is? Paul said the DRA said they can amend the warrant article at the Deliberative session  
326 because the net is not changing. The municipal budget act requires that all appropriations are shown in a gross state. You  
327 would have to show the \$1,200,000 and the expenditure from the trust fund of \$205,000 to get down to the \$995,000 net  
328 amount that you are asking the tax-payers to bond. He is working with DRA on the language.

329  
330 **5. TOWN STATUS REPORT – N/A**

331 **6. DISCUSSIONS: N/A**

332 **7. PUBLIC COMMENTS:** - There were no public comments at this time

333 **8. SELECTMEN'S REPORTS/DISCUSSIONS.**

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

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

336 **9. APPROVAL OF FINAL MINUTES – N/A**

337 **10. INFORMATION ITEMS REQUIRING NO DECISIONS.**

338 **11. NOTICES.** Notices were read.

339 **12. NON-PUBLIC SESSION. N/A**

**DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 1/20/2021**  
**Special Meeting**

340 **13. ADJOURNMENT:** Selectman Freel moved to adjourn at 8:35 pm. Seconded by Selectman Dargie. A roll call  
341 vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and  
342 Chairman Daniels yes. All were in favor. The motion passed 5/0.

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\_\_\_\_\_  
Gary Daniels, Chairman

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Chris Labonte, Member

\_\_\_\_\_  
Paul Dargie, Vice Chairman

\_\_\_\_\_  
David Freel, Member

\_\_\_\_\_  
Laura Dudziak, Member

## 9. Approval of Final Minutes - February 8, 2021

DRAFT

### MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

February 8, 2021

This meeting was conducted pursuant to the State of New Hampshire Emergency Order #12 pursuant to Executive Order 2020-04, temporary modification of public access to meetings under RSA 91-A. As such, the meeting was conducted online using these connection instructions that were listed on the posted meeting agenda: "The Public is encouraged to participate remotely, call in on your phone @ 1-646-558-8656 and enter the meeting ID# 885 2406 5826 and the password is 394988 or join the Zoom Meeting @ <https://zoom.us/j/88524065826>. Please try to log in 5 minutes before the meeting's scheduled start time in case you run into any technical difficulties".

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

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

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

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

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

**Roll call attendance: Selectman Dargie, yes, (zoom) no one is present. Selectman Dudziak, yes (zoom) Daughter Molly is in and out. Selectman Labonte yes, present in the BOS room, Selectman Freel, was not present yet, and Chairman Daniels yes, (zoom) no one is present.**

#### 2. APPOINTMENTS: (Approximate times)

##### 5:30 p.m. – Appointment of Josh Breault to the Granite Town Media Advisory Committee – Term Expires 2024

Josh is a lifelong resident of Milford NH 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. He feels that his voice and skills will help GTM meet the needs of the town.

**Selectman Labonte made a motion to appoint Josh Breault as a Full Member of the Granite Town Media Advisory Committee. 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.**

##### 5:35 p.m. – Melendy Land Purchase Approval, Map 52 Lot 4-1 – Chris Costantino, Conservation Commission and Andy Hughes, Conservation Chair.

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 the finalization of the contract by the sellers.

Selectman Freel asked how much money was in the Land fund and how much will they be paying for the 2.5 acres. Chris said they have around \$99,000 in the land fund. Andy said the land value \$13,000. Selectman Freel asked how the money is acquired in the land fund. Andy said it comes from warrant articles on town vote. We didn't ask for a warrant article this year.

**DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 2/08/2021**

63 **Selectman Dargie made a motion to authorize the Conservation Commission to purchase Map 52 Lot 4-1. Seconded**  
64 **by Selectman Dudziak.**

65  
66 Chairman Daniels asked how much land in the town is currently in conservation. Andy said about 1,100 acres and the town  
67 is around 15,000 acres, around 7 % to 8%. Chairman Daniels asked if there was a cap on how much of the town should be  
68 conservation land. Andy said it varies but he doesn't know. Chris said she thinks it's around 30% that should be protected.  
69 Some of the land that is in conservation is protected in one form or another like an easement. Some are owned by the land-  
70 owner not the town and they pay taxes on it because it's still in current use.

71  
72 **A Roll Call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman**  
73 **Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.**

74  
75 **5:50 p.m. – BROX Community Land Conservation Easement – Conservation Chair, Andy Hughes and Conserva-**  
76 **tion Member, Chris Costantino.**

77  
78 **Selectman Dudziak made a motion to take the BROX Community Land Conservation Easement off the table. Se-**  
79 **conded by Selectman Dargie. A Roll Call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Select-**  
80 **man Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.**

81  
82 In summary: In summary: An Alteration of Terrain Updated Permit (dated 10/26/20) was submitted by the Town for the  
83 sand and gravel operation on the property referred to as the Brox Community Land. One of the conditions of this permit is  
84 that the Town of Milford (Town) will put 75 +/-acres into a conservation easement (Plan sheet 1 of 9 note #11). The Board  
85 of Selectmen, at their October 14, 2019 meeting, accepted the Milford Conservation Commission's (MCC) offer to facilitate  
86 this easement process. The Conservation Commission is suggesting that the Board include the remaining cost of \$30,000 in  
87 their 2021 budget.

88  
89 Andy said NH Fish and Game is waiting for the permit to be reissued. Chairman Daniels asked the Town Administrator if  
90 he had an update. Administrator Shannon said the easement isn't in the contract. Administrator Shannon said we are meet-  
91 ing with NH Fish and Game next week to get more information. Our 30-day extension is up on February 19<sup>th</sup>. DES is  
92 waiting on Fish and Game.

93  
94 Selectman Labonte asked if this becomes a cost of the permit, it wasn't supposed to cost anything. The easement is a condi-  
95 tion of the permit; you can't get the permit without the easement. Administrator Shannon said the language in the contract  
96 didn't cover easements.

97  
98 Selectman Dargie suggested working out a trade with the contractor where they would pay for the easement in return for  
99 materials from the gravel operation. Administrator Shannon said they haven't brought that up to the contractor yet.

100  
101 Selectman Labonte read some of the contract, and he feels that easements would be part of the contractor's responsibility.  
102 Administrator Shannon said the contractor paid for the permit for \$18,000 but he repeated, the contract doesn't mention  
103 easements.

104  
105 Selectman Labonte repeated, you can't get the easement without the permit. Chris said the old permit was issued before the  
106 easement was completed; it has to be done at some point. Chairman Daniels asked if the AoT is approved do we do the  
107 easement right after. Administrator Shannon said that is his understanding.

108  
109 Lincoln Daley, Community Development Director said the easement was negotiated as part of the initial permit. There will  
110 be new discussions as part of the new permit.

111  
112 Selectman Freel said he is for just getting this done, pay for it, and be done. We are not selling anything unless we get this  
113 done.

114  
115 **Selectman Freel made a motion to spend the \$30,000 for the easement conditional upon approval of the AoT permit.**  
116 **Seconded by Selectman Dargie.**

117

**DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 2/08/2021**

118 Selectman Labonte asked where the \$30,000 would come from. Selectman Freel said from the sale of the gravel. Select-  
119 man Labonte asked for it to be reviewed by the town Counsel to see if the expense falls under the contractor. There was  
120 some conversation as to if the contract was still active, and it was determined that it is.

121  
122 Selectman Dargie asked if the revenue from selling the gravel be unanticipated, which we can spend, or anticipated reve-  
123 nue, which we can't spend so the \$30,000 would have to come out of the budget. Paul Calabria, Finance Director said we  
124 put \$10 in as a placeholder for revenue for the gravel operation so it would be anticipated revenue.

125  
126 Selectman Dargie asked Paul if he thought they could find \$30,000 in the budget for this. Paul said he is uncertain at this  
127 time. Administrator Shannon mentioned two positions that are not filled yet, maybe some of the money can come from  
128 those. Paul said he doesn't want to commit to anything at this point.

129  
130 Selectman Freel said if we get the AoT permit and easement we will make \$30,000 back within this current year. He would  
131 like to add an amendment to his motion to make sure that the contractor doesn't have to pay for the easement and then we  
132 can move forward.

133  
134 Selectman Labonte wants to table this and check with legal counsel first. Selectman Freel said we keep talking about the  
135 same thing over and over, it would be nice to move on. Selectman Labonte said it's the state that is holding this up, not us.  
136 Chairman Daniels asked if the \$30,000 had to be paid all at once or could it be done in payments. Chris said Fish and  
137 Game didn't give them that answer. It was her job to let the Board know that this expense was coming.

138  
139 Chairman Daniels asked if money could be taken out of the fund balance. Paul said no. If money comes in, it would go  
140 into the general account under the gravel account. There is currently \$10 in that account as a place holder. It lapses each  
141 year. We received \$135,128, we budgeted \$150,000 that year. We received nothing in 2020. Selectman Labonte said we  
142 paid for sand in October. Administrator Shannon said we got about ½ a days' worth of sand from the pit and then someone  
143 called DES about the sand that had already been screened to prepare for winter and they told us we could take anymore  
144 because the AoT permit wasn't good.

145  
146 Chairman Daniels asked how long before we can get this going again. Administrator Shannon said we should know by the  
147 19<sup>th</sup> if we are approved or not. He doesn't know how long it will take North East to get up and running. The surveying will  
148 still need to be done before everything is finalized.

149  
150 Selectman Labonte said in 2019 we made \$135,000 and budgeted for \$150,000. The purpose for the money coming in was  
151 to be a revenue source to offset taxes. This is still pulling \$30,000 out of revenue and costing the tax-payers something.  
152 Selectman Freel said from what he knows, the easement will not be paid by the contractor. It has to be done by the people  
153 who own the land. Their contract covers permits, that's it.

154  
155 Lincoln unfortunately there were unanticipated costs that arose as part of the warrant article that was approved by the town,  
156 one being the easement and two being the legal cost to defend the AoT permit to the state. Selectman Labonte asked at  
157 what point do we keep sinking money into this when we are not getting much gain out of it. Lincoln said because of the  
158 wording of the permit and the delays caused by the state, this caused delays in the overall project. Had there not been de-  
159 lays, the town would have seen more revenue. The 75 acres of the easement was part of the on-going discussions with NH  
160 Fish and Game and DES as part of the initial AoT permit. This was unanticipated to us, it was offered as part of offsite  
161 mitigation for the overall project. Unfortunately, there is a cost associated with it which we were not initially aware of. Had  
162 the permit not been delayed or voided, the town would have been in a bigger and better position. The town has since re-  
163 submitted the application to the state and the goal is to capture the revenue like was initially approved.

164  
165 Selectman Labonte said he met with the contractor previously and he was told that because they hit hard till it would cut  
166 them back quite a bit on expected yardage. He asked if anyone had the projected loss from that. Lincoln said he hadn't veri-  
167 fied that discussion or the possible loss. He will follow-up with the contractor. Administrator Shannon said nothing was  
168 mentioned to him about this.

169  
170 Selectman Freel asked how long the permits were good for. Lincoln said initially it was a three to five-year time frame.  
171 This new permit should cover the same amount of time. Selectman Freel asked if the permit needs to be renewed each  
172 year. Lincoln said no, it's not an annual fee; the permit covers the time frame for the permit. Selectman Freel said after eve-  
173 rything is done, you are talking over \$375,000 to \$500,000 in revenue, he feels that \$30,000 is worth it.

174



**DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 2/08/2021**

175 Chairman Daniels said if we go forward with the motion, where does the \$30,000 come from. We can't take it out of the  
176 fund balance and we have nothing in the gravel account. Selectman Freel asked if we could take it from a larger section of  
177 the budget and then pay it back when the money comes in. Selectman Labonte said if we end up with a default budget,  
178 where would the money come from then. There was more discussion about where the money could come from, when the  
179 operation will start up again, etc.

180  
181 Selectman Dargie said because there is ten dollars in that account, the money coming in is anticipated and you can't just  
182 add it to the budget. Selectman Labonte said no one expected a year delay in this. Selectman Dargie said he would be okay  
183 paying the \$30,000; his only concern is if we get a default budget. He's in favor of moving ahead.

184  
185 Paul asked if the \$30,000 could be paid for out of Conservation knowing that they would receive the funds back. Andy said  
186 the Commission would have to discuss, it's not a cast-iron guaranty that it's coming back. Selectman Freel said we should  
187 have thought of this when we were talking about the money returned from the CARES act. Selectman Freel asked if Ad-  
188 ministrator Shannon could ask North East Sand and Gravel how long it would take to receive \$30,000 in revenue just in  
189 case Conservation decided to help out. Selectman Dargie said he doesn't think they will be allowed to use the money from  
190 this to reimburse Conservation.

191  
192 Selectman Freel asked if it was possible to build up another account after the gravel is sold to use for things like this. Paul  
193 said they could set up a capital reserve fund. They would have to pick an amount each year to put in a non-lapsing fund  
194 and it would have to be done through a warrant.

195  
196 **Seconded by Selectman Dargie. A Roll Call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Se-**  
197 **lectman Labonte no, Selectman Freel yes and Chairman Daniels yes. The motion passed 4/1 with Selectman La-**  
198 **bonte opposed.**

199  
200 **2. PUBLIC COMMENTS (regarding items that are not on the agenda)** Chairman Daniels said the BSA Scout Troop  
201 4 has been permitted to meet again. We previously permitted them to use the banquet hall for meetings and then we  
202 closed the town hall down. Meetings are critical as there is only so much time to finish an Eagle Scout project. Ad-  
203 ministrator Shannon said it was already approved previously so it doesn't need Board approval again. The meetings are  
204 from 7pm to 9pm twice a month and we feel it can be done as long as they follow the COVID protocols.

205  
206 Selectman Dargie asked if anyone else besides the scouts could meet. Administrator Shannon said the Board only  
207 permitted the scouts. Recreation is looking to start some small programs back up sometime in February. Chairman  
208 Daniels is fine with the Town Administrator working with his staff to do what is necessary to keep things safe.

209  
210 **4. DECISIONS – Selectman Dargie made a motion to approve the consent calendar except for 4. a) 1). Seconded**  
211 **by Selectman Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman**  
212 **Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.**

213  
214 **Selectman Dargie recused himself from voting on 4. a) 1) as it pertains to a family member.**

215  
216 **Selectman Dudziak made a motion to approve the consent calendar except for 4. a) 1). Seconded by Selectman**  
217 **Freel. A roll call vote was taken with Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and**  
218 **Chairman Daniels yes. All were in favor. The motion passed 4-0-1 with Selectman Dargie recusing.**

219  
220 **a) CONSENT CALENDAR.**  
221 1. Request to re-appoint Joan Dargie and Michael Thornton as Members of the Zoning Board of Adjustments – Terms  
222 Expire 2024.  
223 2. Request approval of Annual Parade Permits, Memorial Day, Labor Day and Veterans Day.

224  
225 **b) OTHER DECISIONS –**  
226 **1. Approval of revised Purchasing and Procurement Policy NO. 2007-01**  
227 Selectman Labonte asked where the change was that was made. Administrator Shannon said in section VII, those amounts  
228 are now "gross" amounts. Tina read the SECTION VII: PROCUREMENT PROCESS – "The process for procurement of  
229 goods and services shall be as outlined below with each amount designated to be a gross amount".

230

231 Selectman Labonte made a motion to amend the Purchasing and Procurement Policy as amended. Seconded by Selectman  
232 Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Select-  
233 man Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.

234  
235 **5. TOWN STATUS REPORT -**

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

237 Tina said that the town report is complete and was sent to the printers on Friday, February 5th there was a minor issue that  
238 was pointed out after it was sent, and that was corrected today. She will review the proof tomorrow and authorize it to go  
239 to print. The town’s portion of the voter's guide is complete and she is just waiting for the school's section. The whole  
240 guide will be sent to the printers this week.

241  
242 Chairman Daniels asked if it will be sent out by household. Tina said yes, one copy to each household. Selectman Labonte  
243 asked if there will be extra copies available at the town hall. Tina said yes. Selectman Dargie asked if it was every house-  
244 hold or every registered voter. Tina said every household; to separate it would be too much.

245  
246 **2. Recycling Update – Town Administrator, John Shannon**

247 The transfer station is currently taking aluminum, steel, and tin cans, glass bottles, and glass jars only (no caps or covers  
248 please), corrugated cardboard, and clean mixed paper and magazines. We will begin taking plastics again in February. We  
249 have hoppers outside the recycling center where residents can separate cans and bottles with plastics to be added. Addi-  
250 tional information will be posted on the Town website when it becomes available.

251  
252 Chairman Daniels asked if the process in the Transfer Station will change from what it previously was. Administrator  
253 Shannon said just a little. Selectman Dargie asked what the recommendation from the Transfer Station supervisor as to  
254 when you should start doing this. Administrator Shannon said April, but we are changing the process to get it done safely  
255 and earlier. Selectman Dargie presumes there will be sorting, plastic is different because the pieces go into different con-  
256 tainers. From a safety perspective, it’s worse than the other recyclables.

257  
258 **6. DISCUSSIONS:**

259 **a. N/A**

260  
261 **7. PUBLIC COMMENTS:** - There were no public comments at this time.

262  
263 **8. SELECTMEN'S REPORTS/DISCUSSIONS.**

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

265  
266 **b. OTHER ITEMS (that are not on the agenda).**

267 Selectman Labonte asked if the town of Milford decided in regards to the letter requesting a meeting with all towns about  
268 the dispatch from the Town of Wilton received on January 4<sup>th</sup>. Chairman Daniels said there have been discussions about  
269 waiting until after the March vote to see what is going to happen. Selectman Labonte asked if it would be better to meet  
270 with them to discuss either the IMA or first responder’s network. Chairman Daniels said we haven’t figured everything out  
271 yet. Selectman Labonte asked that we at least respond to their request. Chairman Daniels said yes.

272  
273 Administrator Shannon said he spoke to the Town Administrator in Wilton and he knows where we stand. There have been  
274 discussions at his level. Chairman Daniels asked the Board if they would rather wait until after the election before respondi-  
275 ing to the other towns. Selectman Dargie and Selectman Dudziak said yes. Selectman Freel said he could go either way.  
276 Selectman Labonte said CTA already gave a presentation to the BOG of MACC Base. Chairman Daniels said that isn't the  
277 only consideration. Chairman Daniels repeated as in the past, one of the major benefits to anyone coming on as a customer  
278 would be that each of their emergency services will have a representative on the operations and the finance committee. We  
279 haven't talked about how those will be structured. There is a lot of work to be done before we go out and have a random  
280 talk.

281  
282 Selectman Labonte said if this being presented to the tax-payers that this is going to be a benefit, he feels it should be  
283 ironed out before voting. Administrator Shannon said all the towns are aware that this is a warrant and what we are doing.  
284 No one is unclear about what is going on. It's better to wait to see what course we are taking. There is no value-added with  
285 all the Boards getting together now when we don’t have a final plan. Selectman Labonte just wanted to see if the other  
286 town had any interest in joining us. Chairman Daniels said it can wait until after the vote.

287

