

**5:00 p.m. - Non-Public in  
Accordance with RSA 91-A:3, II(c)  
Reputation**

5:30 Public Hearing for the Acceptance for Expenditure of Unanticipated Funds over \$10K NH (RSA (31:95)b)) -  
CARES Act Provider Relief Funds - \$27,752.52 to the Ambulance Department.

5/11/20

**PUBLIC HEARING FOR THE PURPOSE OF AUTHORIZING:**

(1) **The acceptance for expenditure of unanticipated funds under RSA 31:95-b for the following:**

\$27,752.54      CARES Provider Relief Fund Grant  
Funding from the Federal Health and Human Services Agency (re: COVID related) for the Ambulance Dept..  
No match is required. See attached memo from the Ambulance Director.

(2) **The acceptance of gifts of property under RSA 31:95-e for the following:**

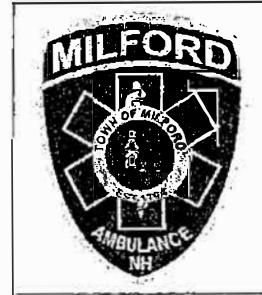
# MEMORANDUM

To: Kathy Townsend

From: Eric Schelberg, Director

Date: April 23, 2020

Subject: 31:95b Hearing -- CARES Act Provider Relief Funds



This memorandum serves to request the Board accept \$27,752.52 as part of the CARES Act Provider Relief Fund from the federal Health and Human Services agency.

The funds are considered a grant and do not require a match or to be paid back. The amount is determined by the Act based on a percentage of the department's 2019 submitted Medicare invoices.

Feel free to contact me with any questions you may have regarding this subject.

MEMORANDUM

DATE: May 11, 2020

TO: Board of Selectmen

CC: John Shannon III

FROM: Marti Noel, Assessor

RE: **Land Use Change Tax (LUCT) for 1 parcel:**  
Map 48 Lot 78

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The above parcel has been disturbed for construction of new homes. Construction on current use land requires the affected areas to be removed from Current Use.

The property owner is aware of the action being taken tonight regarding their property.

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

The application must have original signatures as it is to be recorded at the Hillsborough County Registry of Deeds. It will be available in Tina's office.

Thank You

MEMORANDUM

DATE: 5/11/2020

TO: Board of Selectmen

CC: John Shannon

FROM: Marti Noel, Assessor

RE: **2019 Property Abatement Application  
For Correction – M 8 L 71-C-12**

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At the last meeting, the BOS approved this abatement application for \$727.16. The actual amount of taxes paid and to be abated is 694.65. This is a minor correction, however the tax collector can only abate taxes paid.

**ABATEMENT RECORD  
TY 2019**

Date:	11-May-20	Record #:	1905
Account #:		Current Assessment	Revised Assessment
Owner:	Osborn, Joann S	Land:	\$0
Address:	12 Quarry cir Dr Milford, NH 03055	Building:	\$145,300
		Total:	\$145,300
Map/Lot:	M8 L71-C-12	<input type="checkbox"/> Credit <input type="checkbox"/> Exemption	
		<input checked="" type="checkbox"/> Other	
Property Location:	14 Summer St	Tax Rate:	25.97
		Abatement Amount:	\$694.65

REASON FOR ABATEMENT: Abatement to supplement the elderly exemption gap after assessed values were adjusted in 2019. CORRECTION TO PREVIOUSLY SIGNED ABATEMENT. THE ABATEMENT AMOUNT HAS BEEN REDUCED TO ACTUAL AMOUNT PAID PER TAX COLLECTOR.

BOARD OF SELECTMEN:	Date: 5/11/2020
Abatement Approved: _____	Abatement Denied: _____
Gary Daniels	
Abatement Approved: _____	Abatement Denied: _____
Paul Dargie	
Abatement Approved: _____	Abatement Denied: _____
Laura Dudziak	
Abatement Approved: _____	Abatement Denied: _____
Chris Labonte	
Abatement Approved: _____	Abatement Denied: _____
David Freel	

TAX COLLECTOR:	Original Tax Due: _____
Date Abatement Executed: ____/____/____	Abated Amount: <b>\$694.65</b>
Date Corrected Tax Bill Sent: ____/____/____	Interest/Costs, If any: _____
Date Corrected Tax Bill Due: ____/____/____	Total Tax Now Due: _____

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

## Memorandum

**To:** Board of Selectman  
**CC:** John Shannon  
**From:** Marti Noel, Assessor  
**Date:** May 11, 2020  
**Re:** Elderly Exemption - For Approval  
**72:33 Application for Exemption or Tax Credit.**

**For Approval (5, including 1 new applications)**

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

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

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

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

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

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

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

The documentation needed to verify eligibility is as follows:

IRS Federal Form 1040

NH Interest & Dividends Tax Return

Annual 1099 Social Security Statement(s)

All Other 1099 Statements

Property Tax Inventories from other Towns/States/Communities

### **72:40-b Publishing Prohibited.**

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

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

File #	Exemption Amount	Assessed Value	Date of Application	Code		Code By Age
149	165000	323600	5/4/2020	Eld 3		Eld3
1063	165000	233300	4/28/2020	Eld 3		Eld3
1986	83000	245400	2/17/2020	Eld 1		Eld1
1008	165000	198400	5/4/2020	Eld 3		Eld3

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

File #	Exemption Amount	Assessed Value	Date of Application	Code		Code By Age
183933	165000	241200	4/13/2020	Eld 3		Eld3

SELECTMEN PRINTED NAME	SELECTMEN SIGNATURES OF APPROVAL	DATE
GARY DANIELS		5/11/2020
PAUL DARGIE		5/11/2020
LAURA DUDZIAK		5/11/2020
CHRIS LABONTE		5/11/2020
DAVID FREEL		5/11/2020



## Memorandum

**To:** Board of Selectman**From:** Marti Noel, Assessor**Date:** 5/11/2020**Re:** Veterans Tax Credit – **For Approval ( 2 )**

The following list of property owners, as a matter of public record, have applied for the Standard Veterans Tax Credit RSA 72:28 for tax year 2020. I have reviewed the applications along with the supporting documentation and I am recommending that the selectman **approve** the following list of qualified veterans.

Map/Lot	Address	Veteran/Property Owner(s)	Amount	Date Received
43/43-C-23	28 James St #23	Ingraham, William	\$400	5/1/2020
42/73-M-97	26 Melendy Rd #97	Debus, John H	\$400	8/12/2019

SELECTMEN PRINTED NAME	SELECTMEN SIGNATURES OF APPROVAL	DATE
GARY DANIELS		5/11/2020
PAUL DARGIE		5/11/2020
LAURA DUDZIAK		5/11/2020
CHRIS LABONTE		5/11/2020
DAVID FREEL		5/11/2020

## Memorandum

**To:** Board of Selectman

**From:** Marti Noel, Assessor

**Date:** 5/11/2020

**Re:** Exempt Properties For Approval (33)

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**72:23 Real Estate and Personal Property Tax Exemption.** – The following real estate and personal property shall, unless otherwise provided by statute, be exempt from taxation:

I. (a) Lands and the buildings and structures thereon and therein and the personal property owned by the state of New Hampshire or by a New Hampshire city, town, school district, or village district unless said real or personal property is used or occupied by other than the state or a city, town, school district, or village district under a lease or other agreement the terms of which provide for the payment of properly assessed real and personal property taxes by the party using or occupying said property. The exemption provided herein shall apply to any and all taxes against lands and the buildings and structures thereon and therein and the personal property owned by the state, cities, towns, school districts, and village districts, which have or may have accrued since March 31, 1975, and to any and all future taxes which, but for the exemption provided herein, would accrue against lands and buildings and structures thereon and therein and the personal property owned by the state, cities, towns, school districts, and village districts.

(b) All leases and other agreements, the terms of which provide for the use or occupation by others of real or personal property owned by the state or a city, town, school district, or village district, entered into after July 1, 1979, shall provide for the payment of properly assessed real and personal property taxes by the party using or occupying said property no later than the due date. This subparagraph shall not apply to leases of state-owned railroad properties which are subject to railroad taxes under the provisions of RSA 82 or which provide revenue to the state, a portion of which is distributed to cities and towns pursuant to RSA 228:69, I(a). All such leases and agreements shall include a provision that “failure of the lessee to pay the duly assessed personal and real estate taxes when due shall be cause to terminate said lease or agreement by the lessor.” All such leases and agreements entered into on or after January 1, 1994, shall clearly state the lessee’s obligations regarding the payment of both current and potential real and personal property taxes, and shall also state whether the lessee has an obligation to pay real and personal property taxes on structures or improvements added by the lessee.

(c) If the lessee using or occupying the property fails to pay the duly assessed personal and real estate taxes on the due date, the tax collector of the taxing district involved shall notify the lessor that the same remains unpaid. Upon receipt of said

notification from the tax collector, the lessor shall terminate said lease or agreement and pay over to the tax collector from amounts received from said lease such sums as are necessary to satisfy the tax due.

(d) The exemptions provided in subparagraph (a) shall apply to the lands and the buildings and structures thereon and therein and personal property owned by the university system of New Hampshire. The requirements of subparagraph (b) shall apply to all leases and other agreements entered into or renewed on or after April 1, 2006, the terms of which provide for the use or occupation by others of real or personal property owned by the university system of New Hampshire. The remedies set forth in subparagraph (c) shall be available to enforce the payment of real and personal property taxes assessed against the lessees of property owned by the university system of New Hampshire pursuant to this subparagraph.

II. Lands and buildings and personal property owned and used by any county for governmental purposes, including hospitals, court houses, registry buildings, and county correctional facilities except that county farms and their lands, buildings and taxable personal property shall be taxed.

III. Houses of public worship, parish houses, church parsonages occupied by their pastors, convents, monasteries, buildings and the lands appertaining to them owned, used and occupied directly for religious training or for other religious purposes by any regularly recognized and constituted denomination, creed or sect, organized, incorporated or legally doing business in this state and the personal property used by them for the purposes for which they are established.

IV. The buildings and structures of schools, seminaries of learning, colleges, academies and universities organized, incorporated or legally doing business in this state and owned, used and occupied by them directly for the purposes for which they are established, including but not limited to the dormitories, dining rooms, kitchens, auditoriums, classrooms, infirmaries, administrative and utility rooms and buildings connected therewith, athletic fields and facilities and gymnasiums, boat houses and wharves belonging to them and used in connection therewith, and the land thereto appertaining but not including lands and buildings not used and occupied directly for the purposes for which they are organized or incorporated, and the personal property used by them directly for the purposes for which they are established, provided none of the income or profits are divided among the members or stockholders or used or appropriated for any other purpose than the purpose for which they are organized or established; provided further that if the value of the dormitories, dining rooms and kitchens shall exceed \$150,000, the value thereof in excess of said sum shall be taxable. A town at an annual town meeting or the governing body of a city may vote to increase the amount of the exemption upon dormitories, dining rooms and kitchens.

V. The buildings, lands and personal property of charitable organizations and societies organized, incorporated, or legally doing business in this state, owned, used and occupied by them directly for the purposes for which they are established, provided that none of the income or profits thereof is used for any other purpose than the purpose for which they are established.

V-a. The real estate and personal property owned by any organization described in paragraphs I, II, III, IV or V of this section and occupied and used by another organization described in said paragraphs, but only to the extent that such real estate and

personal property would be exempt from taxation under said paragraphs if such property were owned by the organization occupying and using the property, as long as any rental fee and repairs, charged by the owner, are not in clear excess of fair rental value.

VI. Every charitable organization or society, except those religious and educational organizations and societies whose real estate is exempt under the provisions of paragraphs III and IV, shall annually before June 1 file with the municipality in which the property is located upon a form prescribed and provided by the board of tax and land appeals a statement of its financial condition for the preceding fiscal year and such other information as may be necessary to establish its status and eligibility for tax exemption.

VII. For the purposes of this section, the term “charitable” shall have the meaning set forth in RSA 72:23-I.

**For 2020, three properties are removed from this general list:**

1. The PILOT with Southern NH Medical Center is in re-negotiations as the original PILOT agreement has sunset. This property will be presented at a later date, however, as an act of good faith, the property will remain listed as an exempt property for the first billing while the contract is re-negotiated.
2. The Roman Catholic Church has provided documentation that the property located at 26 Amherst St ((Map 26 Lot 9) is offered on the market, is vacant, and no longer meets the “used, owned and occupied” test for purposes of exemption based on RSA 72:23 III religious purposes. (The remaining property, located at Map 26, Lot 11, being the Church and its parking lot is recommended to be approved for exempt status.)
3. Little Arrows Child Care Services, which is separated for signature as explained below the general list.

I have reviewed the following Exempt/Charitable applications and I recommend the Board **approve** the following applicants for the 2020 tax year.

Map/Lot	Address	Name
25-113	15 Cottage St	American Legion
25-114	15 Cottage St	American Legion
8-64	13 Buxton Rd	Area Agency Properties, Inc
46-30	482 Osgood Rd	Area Agency Properties, Inc
41-26	Mason Rd	Beaver Brook Association
41-27	Mason Rd	Beaver Brook Association
41-38	Mason Rd	Beaver Brook Association
26-186	10 Amherst St	Church of Our Savior
47-12	54 Melendy Rd	Colonial Hills Baptist Church
22-92	42 Summer St	First Baptist Church
24-12	Lewis St	First Baptist Church
24-13	65 West St	First Baptist Church
24-14	12 Spaulding St	First Baptist Church
25-38	103 South St	First Church of Christ Scientist
25-51	10 Union St	First Congregational Church
30-115	23 Webster St.	Granite Grange
18-5	273 Elm St	Light of the World Christian Church
25-57	5 Union St	Livermore Community
25-50	6 Union St	Milford Historical Society
13/1/2	0 Elm St	Milford Historical Society
26-146	95 High St	Milford Home for Aged Women
25-31	30 Mont Vernon St	Milford Masonic Temple
21-22	Mont Vernon St	Milford Masonic Temple
26-91	40 Bridge St	Milford Mill (Pilot)
26-182	21 Bridge St	Milford Mill (Pilot)
39-27	33 Alder St	Milford United Methodist Church, Inc
4-33	327 No. River Rd	Milford United Methodist Church, Inc
26-11	34 Amherst St	Roman Catholic Bishop
25-126	1 Columbus Ave	Share Outreach, Inc
21-23	56 Mont Vernon St	Souhegan Valley Boys & Girls Club
25-59	20 Elm St	Unitarian Universalist Cong
21-3	1 VFW Way	VFW Harley Sanford Post #4368

SELECTMEN PRINTED NAME	SELECTMEN SIGNATURES OF APPROVAL	DATE
GARY DANIELS		5/11/2020
PAUL DARGIE		5/11/2020
LAURA DUDZIAK		5/11/2020
CHRIS LABONTE		5/11/2020
DAVID FREEL		5/11/2020

The property listed below is separated from the majority of exempt properties as Chairman Daniels is on it's Board of Directors and has historically recused himself from the vote on this property.

Map/Lot	Address	Name
43-13	365 South St	Little Arrows Child Care Services

SELECTMEN PRINTED NAME	SELECTMEN SIGNATURES OF APPROVAL	DATE
GARY DANIELS		5/11/2020
PAUL DARGIE		5/11/2020
LAURA DUDZIAK		5/11/2020
CHRIS LABONTE		5/11/2020
DAVID FREEL		5/11/2020

# Memorandum

**To:** Board of Selectman

**From:** Marti Noel, Assessor

**Date:** 5/11/2020

**Re:** A Review of 2020 Exemptions and Credits

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Below is a chart summarizing the exemptions and credits for 2020, and a comparison with 2019.

2020				2019	
2020 EXEMPTION	AMOUNT PER	# RECEPIENTS	2020 TOTAL AS OF 5/4/2020	2019 TOTAL	# RECEPIENTS
Blind	15,000	8	120,000	105,000	7
Solar	10,000	61	610,000	550,000	55
Elderly	Varies by Age	94	11,113,100	8,727,000	86
Improvements to Assist persons w/ Disabilities	48,590	1	48,590	48,590	1
CREDIT					
Certain Disabled Veterans (Death during War)	577,026	1	577,026	577,026	1
Standard Vet Credit	400	430	176,400	134,100	447
All Veteran	400	48	19,200	13,500	45
Service Connected Disability	1,500	21	31,500	26,600	19

## 5:55 Milford Armory Non-Commissioned Officers (NCO) Club

To the Town of Milford Selectman,

The Soldiers of Charlie Company 3/172 IN (MTN) located at the National Guard Armory at 154 Osgood Rd in Milford are requesting approval from the Board of Selectman to open a Non-Commissioned Officers (NCO) Club and obtain a State of New Hampshire Liquor License. We are hoping to make this NCO Club a fully legal and functional space for the sale and consumption of alcohol for the purposes of Unit Cohesion and to build Esprit de Corps among our ranks.

This NCO Club would not be open to the public as a local business, and would operate as a private membership establishment. It is our intention to open only for certain occasion for service members and their families. The frequencies of this would be roughly once or twice a month. The space we would designate is located inside of the Armory itself and all facilities and requirements would be met onsite to maintain the location. The Club would be managed and operated by senior NCO's and Officers stationed at the Milford Armory.

With the current situation hindering the globe, we are seeing more National Guard members being activated across the state, away from their families and their jobs, to aid in any way possible. The approval of this location would be of great benefit to morale and pride in the uniform they wear. We greatly appreciate your time and consideration on this matter and your continued service to the town of Milford.

Thank you,

SFC Justin McNeff

C/ 3-172 IN(MTN)

2<sup>nd</sup> Platoon Sergeant

Cell: (603)568-4728



## 4. a) 1) Request for approval of ICMA-RC Plan Contact Change Form



HR is updating the contacts for our 457 plans. Current plan is VALIC, prior plan was ICMA. Notification of plan changes / administrators need to be signed by the Board Chairman. John Shannon replaces Mark Bender; Paul Calabria is being added; Karen Blows name stays in place.

**PLAN CONTACT CHANGE FORM - PAGE 1 OF 2**

Plan Name: Town of Milford Date: 4/30/2020  
 Plan Number(s): 303358 State: NH  
 Authorized Contact Name: Gary Daniels  
 Authorized Contact Title: Chair, Board of Selectman  
 Authorized Contact Signature: \_\_\_\_\_  
 Authorized Contact Email Address: gldaniels@MyFairPoint.net

<b>Plan Address</b>	Street Address: <u>1 Union Square</u> City: <u>Milford</u> State: <u>NH</u> Zip Code: <u>03055</u> Phone Number: <u>249-0605</u>
<b>Primary Contact</b> (The Plan Coordinator's signature is required to authorize this change.)	Contact Name: <u>Karen Blow</u> Contact Title: <u>HR Director</u> Phone Number: <u>603-249-0605</u> Fax Number: <u>603-673-2273</u> Email Address: <u>kblow@milford.nh.gov</u> <input type="checkbox"/> Change Existing Contact
<b>Disbursement/Loan Contact</b> (If changing an existing contact, please provide the name of the existing contact being replaced in the comments section on page 3.)	Contact Name: <u>Karen Blow</u> Contact Title: <u>HR Director</u> Phone Number: <u>603-249-0605</u> Fax Number: <u>603-673-2273</u> Email Address: <u>kblow@milford.nh.gov</u> <input type="checkbox"/> Add New Contact <input type="checkbox"/> Change Existing Contact
<b>Disbursement/Loan Contact</b> (If changing an existing contact, please provide the name of the existing contact being replaced in the comments section on page 3.)	Contact Name: <u>John Shannon</u> Contact Title: <u>Town Administrator</u> Phone Number: <u>603-249-0600</u> Fax Number: <u>603-673-2273</u> Email Address: <u>jshannon@milford.nh.gov</u> <input checked="" type="checkbox"/> Add New Contact <input type="checkbox"/> Change Existing Contact



## PLAN CONTACT CHANGE FORM - PAGE 2 OF 2

Plan Name: Town of Milford

Plan Number(s): 303358

<b>Disbursement/Loan Contact</b>  (If changing an existing contact, please provide the name of the existing contact being replaced in the comments section on page 3.)	Contact Name: <u>Paul Calabria</u> Contact Title: <u>Finance Director</u> Phone Number: <u>603-249-0600</u> Fax Number: <u>603-673-2273</u> Email Address: <u>pcalabria@milford.nh.gov</u> <input checked="" type="checkbox"/> Add New Contact <input type="checkbox"/> Change Existing Contact
<b>Contribution and Remittance Reconciliation Contact</b>  (If changing an existing contact, please provide the name of the existing contact being replaced in the comments section on page 3.)	Contact Name: _____ Contact Title: _____ Phone Number: _____ Fax Number: _____ Email Address: _____ <input type="checkbox"/> Add New Contact <input type="checkbox"/> Change Existing Contact
<b>Contribution and Remittance Reconciliation Contact</b>  (If changing an existing contact, please provide the name of the existing contact being replaced in the comments section on page 3.)	Contact Name: _____ Contact Title: _____ Phone Number: _____ Fax Number: _____ Email Address: _____ <input type="checkbox"/> Add New Contact <input type="checkbox"/> Change Existing Contact
<b>Billing (Fees) Contact</b>	Contact Name: _____ Contact Title: _____ Phone Number: _____ Fax Number: _____ Email Address: _____ <input type="checkbox"/> Add New Contact <input type="checkbox"/> Change Existing Contact
<b>Comments</b>	<u>John Shannon replaces Mark Bender</u> <u>Gary Daniels replaces Mark Fougere</u> <u>Add Paul Calabria, Finance Director</u> _____ _____ _____

# TOWN OF MILFORD

## DEPARTMENT OF HUMAN RESOURCES



April 30, 2020

VALIC Financial Services  
Attn: Plan Sponsor Team  
2929 Allen Parkway  
Houston, TX 77019

HR is updating the contacts for our 457 plans. Current plan is VALIC, prior plan was ICMA. Notification of plan changes / administrators need to be signed by the Board Chairman. John Shannon replaces Mark Bender; Paul Calabria is being added; Karen Blows name stays in place.

Re : Town of Milford, NH Section 457 Deferred Compensation Plan #62228

To Whom It May Concern:

Please be advised that, due to the resignation of the Milford, NH Town Administrator, Mark Bender, the following changes should occur with the plan relative to Plan Administrator(s) for the Town of Milford's Deferred Compensation Plan effective January 27, 2020:

Plan Administrators:

Signatures:

Primary:	John Shannon, Town Administrator (TA)	_____
Secondary:	Karen Blow, HR Director (HR)	_____
Tertiary:	Paul Calabria, Finance Director (FIN)	_____

The above individual(s) will serve as the following:

**Primary Contact(s)** – the person(s) responsible for the daily administration and processing of VALIC transactions for your plan(s). This person is also responsible for updating plan contact records. The person VALIC will contact when general questions arise – **HR**

**Disbursement/Loan Contact(s)** – the person(s) designated with the responsibility of signing participants' withdrawal and/or loan requests. This person authorizes VALIC to process withdrawal or loan transactions and is a contact if there are questions regarding these requests – **TA, HR and FIN**

**Contribution and Remittance Reconciliation Contact(s)** – the person(s) responsible for sending contributions to VALIC. If there are any discrepancies in the check or wire amounts and corresponding back-up data, this is the person to contact to resolve the issue – **FIN and HR**

Should you have any questions concerning the foregoing, please do not hesitate to contact me. Thank you for your direct attention to this matter.

Very truly yours,

Gary Daniels, Board Chair  
Milford Board of Selectmen

cc: John Shannon, TA  
Karen Blow, HR  
Paul Calabria, FIN

4. a) 3) Request for approval to change Peter Basiliere from an Alternate Member to a Full Member of the Planning Board. Term Expires 2022



TOWN OF MILFORD, NH  
OFFICE OF COMMUNITY DEVELOPMENT

1 UNION SQUARE, MILFORD, NH 03055

TEL: (603)249-0620

WEB: WWW.MILFORD.NH.GOV

**Date:** May 4, 2020  
**To:** Board of Selectmen  
John Shannon, Town Administrator  
**From:** Kellie Walsh, Town Planner  
**Subject:** Planning Board Member Recommendation

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This memorandum is being sent on behalf of the Planning Board to recommend the following appointment for Board of Selectmen review and consideration:

1. Recommendation to appoint Peter Basiliere as a Full Member. Mr. Basiliere is currently serving as an Alternate.

## 4. a) 4) Request for Approval of Intent to Cut Wood or Timber Map 53 Lot 67-3

FORM

PA-7

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION

## NOTICE OF INTENT TO CUT WOOD OR TIMBER

(Assigned by Municipality)

YR

TOWN

OP#

TOWN OF MILFORD

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

YR	TOWN	OP#	T
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PLEASE TYPE OR PRINT (If filling in form on-line, use TAB Key to move through fields)

MAY 04 2020

RECEIVED

1. Town/City of: Milford

2. Tax Map/Block/Lot or USFS Sale Name &amp; Unit No.:

53/67/33. Intent Type: Original ☒ Supplemental ☐ (Original Intent Number)4. Name of Access Road: Federal Hill Rd5a. Acreage of Lot: 6.5 Acreage of Cut: 1.5 Apx5b. Anticipated Start Date: Early June 2020

6. Type of ownership (check only one):

- a. Owner of Land and Stumpage (Sole Owner) ☒
- b. Owner of Land and Stumpage (Joint Tenants) ☐
- c. Owner of Land and Stumpage (Tenants in Common) ☐
- d. Previous owner retaining deeded timber rights ☐
- e. Owner/Purchaser of stumpage & timber rights on public lands (Fed., State, municipal, etc.) or Utility Easements ☐

## REPORT OF CUT / CERTIFICATE TO BE SENT TO:

OWNER ☐ OR LOGGER / FORESTER ☒

BY MAIL ☐ OR E-MAIL ☐

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

Attach a signature page for additional owners.

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

Vita Cooper trustee Utopia Rev. Trust

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

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

Vita Cooper

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

148 Colburn Rd

MAILING ADDRESS

Milford NH 03055

CITY OR TOWN STATE ZIP CODE

Utopia.Vita@gmail.com

E-MAIL ADDRESS

603 672 8482

HOME PHONE (Enter number without dashes) CELL PHONE (Enter number without dashes)

## FOR MUNICIPAL ASSESSING OFFICIALS ONLY

The Selectmen/Municipal Assessing Officials hereby certify that:

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

4. Any timber tax bond required has been received.

\$ \_\_\_\_\_ Date: \_\_\_\_\_

5. The tax collector will be notified within 30 days of receipt pursuant to RSA 79:10.

6. This form to be forwarded to DRA within 30 days.

## 8. Description of Wood or Timber To Be Cut

Species	Estimated Amount To Be Cut
White Pine	1 MBF
Hemlock	MBF
Red Pine	MBF
Spruce & Fir	MBF
Hard Maple	MBF
White Birch	MBF
Yellow Birch	MBF
Oak	9 MBF
Ash	MBF
Soft Maple	1 MBF
Beech/Pallet/Tie & Mat Logs/ Pine Box	3 MBF
Other (Specify)	MBF
Pulpwood	Tons
Spruce & Fir	
Hardwood & Aspen	
Pine	
Hemlock	
Biomass Chips	200
Miscellaneous	
High Grade Spruce/Fir	Tons
Cordwood & Fuelwood	10 Cords

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

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

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

SIGNATURE (in ink) OF PERSON RESPONSIBLE FOR CUT

Dean Chappell

PRINT CLEARLY OR TYPE NAME OF PERSON RESPONSIBLE FOR CUT

114 Osgeard Rd

MAILING ADDRESS

Milford NH 03055

CITY OR TOWN STATE ZIP CODE

603 345-9741 dean@chappellfarmsets.com

PHONE NUMBER E-MAIL ADDRESS

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

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

# MEMO – Families First Coronavirus Response Act

**Date:** May 5, 2020

**From:** Human Resources

**To:** The Milford Board of Selectmen:

4. a) 5) Approval of Temporary Emergency Family & Medical Leave Policy

Adopted in response to Families Medical Leave Act (EFMLA) and

Emergency Paid Sick Leave (EPSL)

In March 2020, the **Department of Labor** enacted the **Families First Coronavirus Response Act (FFCRA)**. This act is meant to provide additional leave options to employees impacted by the COVID-19 pandemic. These new options became effective **Apr. 1, 2020 and will last until Dec. 31, 2020**. The FFCRA allows for Emergency Family and Medical Leave Act (EFMLA) and Emergency Paid Sick Leave (EPSL). A memo was distributed to Town employees on March 27<sup>th</sup>, with a revision dated 4/3/2020 detailing the changes provided under FFCRA. It is respectfully requested that the Milford Board of Selectmen formally adopt the temporary rules for COVID-19 related absences for staff requesting Emergency Family and Medical Leave or Emergency Paid Sick Leave as presented by the Department of Labor.

## EFMLA

The federal government has expanded this option to provide up to 12 weeks of partially paid coronavirus-related family leave. Eligible employees may take this leave if they are unable to work or telework due to the need to care for a minor child whose school or daycare is closed due to COVID-19.

## EPSL

This new leave provides up to 80 hours of paid leave for eligible employees for the following reasons:

1. the employee is subject to a government-ordered quarantine or isolation order related to COVID-19
2. the employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19
3. the employee is experiencing COVID-19 symptoms and is seeking medical diagnosis
4. the employee is caring for an individual who is subject to a government-ordered quarantine or a health care provider's recommendation to self-quarantine
5. the employee is caring for a child whose school or place of care has been closed due to COVID-19
6. the "employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor."

## Overview of Leave Programs

EFMLA and EPSL can be taken only in the event an employee is unable to work or telework. Other requirements apply.

	FMLA	EFMLA	EPSL
Effective Date	1993	4/1/2020	4/1/2020
Expiration	No expiration	12/31/2020	12/31/2020
Type of Leave Covered			
Medical leave for self	Yes	No	Yes
Medical leave to care for family	Yes	No	Yes
Leave to take care of minor child whose school or daycare is closed	No	Yes	Yes
Key Provisions			
Leave period covered by law	12 weeks <sup>1</sup>	12 weeks <sup>1</sup>	80 hours <sup>3</sup>
Is Leave paid?	No	After 2 weeks	Yes (Can be used during first 2 weeks of eFMLA)
Amount of leave pay	N/A	2/3	2/3 or Full <sup>2</sup>
Cap on leave pay	N/A	\$200/day; \$10,000 total	\$200 or \$511/day; \$2,000 or \$5,110 total <sup>2</sup>
Can I take this for smaller increments than eight hours in a day?	Yes	No <sup>3</sup>	No <sup>3</sup>
Can employees use sick, vacation, personal time to supplement leave	Yes	No	No
Job protection	Yes	Yes	Yes
Qualifications			
Minimum period of employment for coverage	12 months and at least 1.250 hrs worked	30 days	None
Part-time employees covered?	24+ hrs/week	Yes <sup>3</sup>	Yes <sup>3</sup>
Covered employee groups	All employees subject to FMLA rules	All employees	
<sup>1</sup> Combination of FMLA and EFMLA in the fiscal year cannot exceed 12 weeks.			
<sup>2</sup> Full pay applies to leave taken for self with cap of \$511/day or \$5,110 total. If leave is taken to care for family member or for childcare purposes, rate is 2/3 of regular pay with cap of \$200/day or \$2,000 total.			
<sup>3</sup> In proportion to their average hours.			
<a href="#">Families First Coronavirus Response Act: Questions and Answers</a>			

# Temporary Emergency Family and Medical Leave Policy Adopted in Response to Families First Coronavirus Response Act

(Effective April 1, 2020 through December 31, 2020)

- A. **Purpose:** To explain the provisions of the Families First Coronavirus Response Act as it pertains to **Emergency Family Medical Leave Act (EFMLA)**, which is an expansion of the Family Medical Leave Act (FMLA). This policy applies to all eligible part-time, permanent part-time, union and non-contractual employees. This law goes into effect on April 1, 2020.
- B. **Eligibility:** This law provides all eligible employees (to include full-time, part-time, permanent part-time, union and non-contractual employees) with job protected paid leave for absences related to COVID-19. Unlike FMLA, there is no requirement to have worked 1250 hour or have been employed for 12 months. Instead, employees need only to have been employed **for at least 30 days** prior to April 1, 2020 or on the first day they take leave.
- Employees are eligible for up to 12 weeks of leave under **EFMLA** if they are unable to work (to include remote work) for the following reason:
- To care for their child (under 18 years of age) if the child's school or place of care has been closed due to COVID-19 or the childcare provider is unavailable due to COVID-19 reasons. A child care provider is defined as one who provides child care services on a regular basis and receives compensation for those services.
  - If both parents work for the same employer, only one of the parents would be eligible to take this leave to care for the child, as the child would then have a caretaker.
- C. **Notice:** As with regular FMLA leave, where the need for leave is foreseeable, employees must provide as much advance notice to the Town as practicable. Documentation to substantiate need for leave may be requested (ex: notification of school closure).
- D. **Wage Payments:**
- The first two weeks of the EFML are unpaid. An employee can use Emergency Paid Sick Leave or other accrued sick or annual leave during this time, but cannot be required to do so.
  - After those two weeks, the City will pay employees at 2/3 of their regular hourly rate. The max per day is \$200 or \$10,000 in total for the entirety of the employee's EFM leave.
  - If an employee has elected to take the first two weeks of EFM as unpaid, they can elect to use Emergency Paid Sick Leave for weeks 13 and 14.
  - The employee may choose to supplement the remaining 1/3 of pay using annual leave.
- E. **Request to Use Emergency Family Medical Leave:** Employees are required to utilize the procedures established by their respective departments for reporting leave. Employees are required to state the reasons the Emergency Paid Sick Leave is requested and fill out the specific leave request form for Families First Coronavirus Response Act Leave (attached). Documentation to substantiate the need for leave may be requested. Requests must be in writing.
- F. **Other Leave Provided by the Town:** This leave does not diminish any rights to use other leave as set forth in any collective bargaining agreement or the personnel rules and regulations. **Note:** FMLA and EFMLA provide only a total of 12 weeks combined leave per year.
- G. **Job Protection and Reinstatement:** Employees will be returned to the same or equivalent positions upon their return from leave.
- H. **Effective Date and Expiration:** This policy becomes effective on April 1, 2020 and shall expire on December 31, 2020, and may be amended or terminated earlier upon such notice from the Town.

*While the Town may, under the laws, exempt employees who are healthcare workers and first responders from EPSLA sick leave and EFMLEA leave, the Town of Milford has not exempted our first responders.*

Adopted by Milford Board of Selectmen \_\_\_\_\_ (enter date)

# Temporary Emergency Paid Sick Leave Policy Adopted in Response to Families First Coronavirus Response Act

(Effective April 1, 2020 through December 31, 2020)

- A. **Purpose:** To explain the provisions of the Families First Coronavirus Response Act as it pertains to **Emergency Paid Sick Leave (EPSL)**. This policy applies to all eligible part-time, permanent part-time, union and non-contractual employees. This law goes into effect on April 1, 2020. The availability of Emergency Paid Sick Leave is in addition to annual or sick leave currently provided to employees in the personnel rules and regulations or collective bargaining agreements.
- B. **Eligibility:** All full-time, part-time, permanent part-time, union and non-contractual employees are eligible for Emergency Paid Sick Leave, except the Town may elect to exclude employees who are health care providers or emergency responders. Full-time employees are eligible to receive a sick leave balance of up to a maximum of two weeks for absences related to COVID-19, but no more than 80 hours. Part-time employees (including permanent-part time, temporary and seasonal employees) are entitled to a pro-rated amount of Emergency Paid Sick Leave based on the average number of hours the employee works during a two-week period. For a part-time employee whose schedule varies week to week, the Town will calculate an average number of hours consistent with the provisions of the Families First Coronavirus Response Act.
- C. **Notice:** Employees must provide the Town with notice of the need for EPSL as soon as practicable. A doctor's note should be requested and provided to HR to substantiate the need for leave under EPSL. Following the first workday (or portion thereof) that an employee receives EPSL, employees must follow reasonable notice procedures as determined by the Town in order to continue received EPSL. The note should specify the condition is COVID related.
- D. **Reasons for Emergency Paid Sick Leave:** Emergency Paid Sick Leave can be used when an employee is unable to work or work remotely because:
1. The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
  2. The employee is in self-quarantine as ordered by a health care provider because the employee is diagnosed with COVID-19 or to concerns related to COVID-19;
  3. The employee needs to obtain a medical diagnosis or care if the employee is experiencing the symptoms of COVID-19;
  4. The employee needs to care for the employee's family member who is subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or who has been advised to self-quarantine by a health care provider for concerns related to COVID-19;
  5. The employee needs to care for the child of such employee if the school or child care provider has been closed due to COVID-19, or the child care provider is unavailable due to COVID-19 precautions; and/or
  6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of Treasury and the Secretary of Labor.
- E. **Wages – Rate of Pay:** The Families First Coronavirus Response Act requires the Town to provide Emergency Paid Sick Leave subject to certain pay limitations.
- For Emergency Paid Sick Leave taken related to reasons (1)-(3), the total pay at the employee's regular rate of pay is capped at \$511 or \$5110 for ten days.
  - For Emergency Paid Sick Leave taken for reasons related to (4)-(6), the total pay at 2/3 of the employee's regular rate of pay is capped at \$200 per day or \$2000 for ten days.
- F. **Request to Use Emergency Paid Sick Leave:** Employees are required to utilize the procedures established by their respective departments for reporting leave. Employees are required to state the reasons the Emergency Paid Sick Leave is requested and fill out the specific leave request form for Families First Coronavirus Response Act Leave. Documentation to substantiate need for leave may be requested. Requests must be in writing.
- If the employee no longer has a qualifying reason for taking paid sick leave before exhausting their paid sick leave, employees may take any remaining paid sick leave at a later time, until December 31, 2020, if another qualifying reason occurs.
- G. **Carry Over and Other Leave Provided by the Town:** Emergency Paid Sick Leave will not carry over to the following calendar year and is in addition to any paid sick leave currently provided by the Town of Milford/Collective Bargaining Agreements. The availability of Emergency Paid Sick Leave does not diminish any rights to leave in any collective bargaining agreement or the personnel rules and regulations. An employee may choose to use the Emergency Paid Sick Leave provided under this law prior to use of other leaves. The Town cannot force an employee to use other leave prior to use of Emergency Paid Sick Leave.



- H. **Termination:** Unused Emergency Paid Sick Leave will not be paid out as wages upon termination or retirement, and shall be forfeited by the employee.
- I. **Retaliation:** Retaliation and discrimination for taking leave under this law is **prohibited**.
- J. **Effective Date and Expiration:** This policy becomes effective on April 1, 2020 and shall expire on December 31, 2020, and may be amended or terminated earlier upon such notice from the Town.

*While the Town may, under the laws, exempt employees who are healthcare workers and first responders from EPSLA sick leave and EFMLEA leave, the Town of Milford has not exempted our first responders.*

Adopted by Milford Board of Selectmen \_\_\_\_\_ (enter date)

4. a) 6) Request for Acceptance and Appropriation of Gifts of Property Under \$5,000 to the Milford Fire Department from the Town of Chelmsford Fire Department - \$50

Board of Selectmen  
Agenda Date: 05/11/20

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

Source	Amount	Purpose
None at this time.		

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

Fire Chief Gary Ryan, Town of Chelmsford Fire Dept.

Donation of a 2 Dunkin Donuts gift cards to the Milford Fire Department. The value is \$25 each, with a total value of \$50. See attached memo from the Fire Chief.



## Fire Department M E M O R A N D U M

**TO:** Finance/Board of Selectmen

**FROM:** Milford Fire Department

**DATE:** 5/5/20

**SUBJECT:** Donation

The Milford Fire Department received a donation of qty 2 Dunkin Donuts gift cards valued at \$25.00 each, as a THANK YOU to the department for assisting, they were from Chief Gary Ryan of Town of Chelmsford Fire Department. We ask to accept the gift cards.

Regards,

**Kenneth Flaherty**  
**Chief of Department**

*Town of Chelmsford  
Massachusetts 01824*

Fire Headquarters  
50 Billerica Road  
Gary Ryan  
Chief of Department

Chief's Office: (978) 250-5266  
Business Office: (978) 250-5267  
Fax: (978) 250-5269  
Fire Prevention Office (978) 251-4288



April 30, 2020

Fire Chief Ken Flaherty  
Milford Fire Department  
39 School Street  
Milford, NH 03055

RE: Milford Fire Department response-2 Christine Drive

Dear Chief Flaherty,

I am writing to express how grateful I am for your department's assistance in conducting a wellbeing check for my father in law Edward DeMeuse on Friday, April 24, 2020. After being contacted from a concerned neighbor about Ed's wellbeing, I immediately call 911 and your department promptly responded to his residence and were able to make quick entry into his home. Unfortunately, my father in law had fallen and was in urgent need of medical treatment. Both my wife and I can't thank you and your members enough for the compassion and care that was provided for Ed. The professionalism exhibited by your firefighters is a credit to your department.

Please express my family's gratitude to your staff. Please except the enclosed gift card as a token of our appreciation.

Sincerely,

A handwritten signature in cursive script that reads "G. Ryan".

Fire Chief Gary Ryan

4. a) 7) Request for Approval to Increase the Amount of Interest that the Tax Collector can waive for Property Taxes.

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**MEMORANDUM**

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To: Board of Selectmen  
Cc: John Shannon

From: Kathy Doherty, Tax Collector

Date: May 11, 2020

Subject: Property Tax Interest

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Currently the Collector is authorized by the Board of Selectmen to waive interest up to an amount of \$5, which has not changed in many years. I am formally requesting an increase to \$25 as stated in RSA 76:13 as shown below.

“Interest due in an amount up to \$25 may be waived by the collector, with the approval and consent of the board of selectmen and the board of assessors, if in the collector's judgment the administrative and collection costs involved do not warrant collection of the amount due.”

Respectfully,  
Kathy Doherty

4. a) Request for Road Acceptance of Boynton Hill Road



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:** May 7, 2020

**Subject:** Request for Road Acceptance of Boynton Hill Road

Upon the recommendations of Rick Riendeau, Director of Public Works and myself, I respectfully request the Board of Selectmen consider the acceptance of Boynton Hill Road off of Mile Slip 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 two conditions involving the final recordation of the required deeds/easements and establishing the 1 year maintenance road security.

Thank you for your attention to this matter.

**Town Road Acceptance Form**  
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: 5/7/20

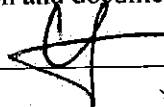
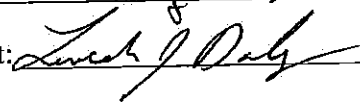
This is a request for the Board of Selectmen to accept the below named road as a town road and the following information is submitted for your consideration:

1. Road/Street Name: Boynton Hill Road
2. As-Built Road Plan Entitled: "Boynton Hill Road, As-Built Plan", Prepared by S&H Land Services, LLC.
3. As-Built Road Plan Date: 11/20/19
4. Subdivision Plan Entitled: "Consolidation & Open Space Subdivision Plans Autumn Oaks" Prepared by Fieldstone Land Consultants, PLLC.
5. Date Plan Approved by Planning Board: 9/15/15
6. Date of aforementioned Plan Signature: 11/16/15
7. Date Plan Recorded at HCRD: 11/18/19
8. HCRD Plan Number: 38697
9. This Road's pavement is 22 feet wide and the right-of-way is 50 feet wide.
10. This 5,010 feet long, with the length measurement beginning at 0+20.00 station/intersection and running through 9+02.63 station/intersection.
11. A Maintenance Bond in the form of a TBD, in the amount of \$ TBD is required for a/an one (1) year period.

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

- ☒ Original Roadway Deed attached and dated 11/26/19.
- ☒ 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 11/25/19.
- ☒ Bounds have been set as of 11/20/19 and are shown on As-Built.

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

1. Director of Public Works:  Highway Engineer Date: 5-8-20
2. Director of Community Development:  Luke J. Daly Date: 5/7/20

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

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

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



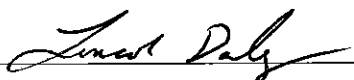
**Town Road Acceptance Form**  
Department of Community Development  
Department of Public Works

Recommended Wording of Vote of Acceptance:

"Boynton Hill Road - from its intersection with Mile Slip Road at Sta. 0+20.00 and terminating at Sta. 9 +02.63 as per Asbuilt Plan of Boynton Hill Road prepared for SAN-KEN Homes dated November 20, 2019, and Subdivision Plan entitled 'Consolidation & Open Space Subdivision Plans, Autumn Oaks, Tax Map 45, Lots 3, 17, & 18 and Tax Map 40 Lot 104-4', land of SAN-KEN dated December 22, 2014, final revision November 2, 2015, recorded as Plan #38697, said roadway being approximately 50 feet wide and approximately 5,010 feet in length."

Conditions for final acceptance:

1. Recordation of the roadway deed conveying Boynton Hill and all associated road and drainage easements to the Town at the Hillsborough County Registry of Deeds.
2. Finalization of the one year maintenance bond for Boynton Hill Road. with the Department of Public Works and Community Development Office.



Town Lands and Roads Researcher

5/7/20

Date

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

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

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

Voted in: \_\_\_\_\_

Affirmative

Negative

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

\_\_\_\_\_  
Date

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

**TOWN OF MILFORD**  
**DEPARTMENT OF PUBLIC WORKS**

Buildings • Cemeteries • Highway • Parks  
Recycling Center • Transfer Station

May 5, 2020

Planning Board  
Town of Milford  
1 Union Square  
Milford, NH 03055

Ref: Boynton Hill Acceptance

The Public Works Department has inspected Boynton Hill and they have met all of our standards. Acceptance can be granted as long as there is a bond held for whatever work that has not been completed per plans. If you have any questions, don't hesitate to contact me.

Ricky Riendeau

*Ricky Riendeau /mvd*  
Director  
Milford Public Works

RR:mvd

## Town Status Report – May 11, 2020

- a. **Temporarily Forgiving Tax Interest** – Emergency Order #25 issued by Governor Sununu, permits a temporary modification of interest penalty for late payment of property taxes. It has been suggested by the NH Municipal Association along with advice provided by the Attorney General’s Office that this order should be interpreted as a blanket waiver for all property owners. The Town Tax Collector recommends that the Board approve this temporary measure for interest relief on late property tax payments only for the period between the first and second billing of 2020.
- b. **Governor’s Re-Opening Task Force** – On May 4, 2020 Governor Sununu announced several protocols for re-opening various business sectors while safeguarding New Hampshire businesses and individuals during the coronavirus disease 2019 (COVID-19) pandemic. Business such as barbers, hair salons, restaurants, and drive-in theaters were included in the announcement. Milford area businesses will be able to slowly re-open in May. To find out more details, please contact the businesses directly or go to <https://www.nheconomy.com/reopeningtaskforce> to read the Governor’s re-opening procedures in their entirety.
- c. **Large Scale Events** – At the request of the BOS, we are tracking the Town’s large events for 2020. Due to the current environment, we do not currently know what events will and won’t take place. The table below includes the events we are currently tracking.

Event	Decision Point	STATUS
Memorial Day Parade	4/28/20	Cancelled
Pumpkin Festival	5/31/20	In Progress
Independence Day activities	6/4/20	In Progress
Rotary Swim Meet	6/15/20	In Progress
State Swim Meet	7/10/20	In Progress
Labor Day	7/27/20	In Progress
Veterans' Day	9/4/20	In Progress

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

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**MEMORANDUM**

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To: Board of Selectmen  
Cc: John Shannon  
  
From: Kathy Doherty, Tax Collector  
  
Date: May 11, 2020  
  
Subject: Temporary Interest Waiver / 2020 Tax Levy

---

Emergency Order #25 issued by Governor Sununu, permits a temporary modification of interest penalty for late payment of property taxes.

It has been suggested by the NH Municipal Association along with advice provided by the Attorney General's Office, this order should be interpreted as a blanket waiver for all property owners.

Attached is a waiver form suggesting interest relief for the period between the first and second billing of 2020 be waived.

Should approval be granted, I request you sign the attached form, authorizing a blanket waiver to all taxpayers for the period stated.

Respectfully,  
Kathy Doherty



## **Temporary Real Estate Interest Waiver**

### **2020 Tax Levy**

**TO:** Kathy Doherty, Tax Collector

**FROM:** Board of Selectmen

Date: May 11, 2020

In response to Emergency Order #25 issued by Governor Sununu, to provide temporary modifications of the interest penalty charged to taxpayers, the Board of Selectmen grant the following.

Interest charged for property tax billed for the 2020 tax levy has been approved for waiver for the period shown below.

Tax Period of Interest Waived: July 2, 2020 – December 1, 2020

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Vice-Chairman

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

Selectmen of Milford, New Hampshire

- d. Energy Contract Renewal** – The Town of Milford’s current energy contract is up in the fall of 2020. The current 12-month average for energy is about \$0.06913. The Town Administrator and Finance Director requested new pricing information and were given five different, competitive prices. The lowest pricing was selected by members of the Town Staff. After the contracts were reviewed, we were able to renew the Town’s energy contract with a new average price of \$0.0652.
- e. Possible Cost Savings** – Due to the COVID-19 pandemic, Milford has experienced unanticipated expenses in terms of personnel, equipment, etc. In order to offset these expenses and an anticipated loss of revenue from the state, possible cost savings were identified for the Board of Selectmen. Some of these possible savings can be seen in the table below. They come in the form of holding back on spending approved budget dollars or not spending money on a special warrant article (those dollars become part of unexpended fund balance). Any questions or concerns about the project can be directed to the Town Administrator’s Office.

Town of Milford			
2020 Proforma			
Prepared: May 6, 2020			
<b>Possible Cost saving measures:</b>			
<b><u>DPW-</u></b>			
Reduced paving budget		\$350,000	
<b><u>Osgood Pond-</u></b>			
Reapply for Funding in 2021		\$175,000	
<b><u>Hiring Freeze-</u></b>			
DPW	\$32,000	5 months	
MPD	\$35,000	5 months	
<b><u>Estimated Savings-</u></b>			<b><u>\$592,000</u></b>

## **6. a) First Responders COVID-19 Stipend - VERBAL**

6. b) Traffic Safety Concern - 472 Federal Hill Road (follow up from April 27, 2020)

April 16, 2020

Board of Selectman,

My name is Jean Saytanides. I live at 472 Federal Hill Road. I am writing to inquire about the possibility of posting speed limit and slow children signs between my house and 446 Federal Hill Road on both sides of the road.

The traffic on this part of the road continuously goes way too fast any time during the day. But, it appears to be most noticeable in the mornings from around 6:30 a.m. until around 10:30 a.m. This includes whoever drives the early school bus. During the afternoon, between approximately 2:30 p.m. until around 5:30 p.m.

The condition of this part of the road is very poor from Foster Road to the Hollis line. Continuous patching only contributes to the deterioration and safety factors in our area in that those who exceed the town speed limit have had issues controlling their vehicles while driving past my home.

We have family at 461 Federal Hill Road with 2 small children living there. They are my main concern for writing to you. Along with that, my family and many others walk on our "scenic" road quite frequently as do many folks on bicycles. Besides the fact that there is really no safe space along the side of the road in our area, vehicles tend to speed by them and with the poor condition of the road, makes it quite hazardous to try and enjoy a family walk.

We have no issue with the police department using any of our property to do what they may need to to monitor the traffic.

I look forward to hearing back from you on this matter.

Regards,  
Jean Saytanides





May 6, 2020

To the Board of Selectmen, Town of Milford

I would like to bring to your attention a concern from the residents of East Milford Cooperative. Our property is a mobile home park located at the corner of Nashua Street and Ponemah Hill Road (in front of Giorgio's Restaurant).

There have been numerous accidents at this corner over the past few years. Three of the most notable ones:

1. In the winter 2 to 3 years ago a vehicle slid on ice and struck one of our homes damaging the corner of that home, also hitting the oil tank.
2. A few months ago there was a rollover accident on that corner that snapped the utility pole in half and required Eversource to replace the entire pole.
3. This past Sunday evening, May 3<sup>rd</sup>, a drunk driver slammed into the same home (Unit #8) yet again damaging the home at the bedroom end, and also took out the oil tank behind their home and spilled Kerosene all over.

Speaking for the residents of the cooperative I am requesting that the Board of Selectmen review this situation to see what can be done as far as some type of guard rail or bollards to protect our residents, especially those that live right on the corner in Unit #8. Sadly, this family no longer feels safe in their home. We appreciate your consideration.

Sincerely,

David Sawyer  
President, Board of Directors  
East Milford Cooperative, Inc.  
[dsawyer1956@gmail.com](mailto:dsawyer1956@gmail.com)  
603-546-8799

**MILFORD AREA COMMUNICATIONS CENTER  
INTER-MUNICIPAL AGREEMENT FOR THE PROVISIONS OF COMMUNICATIONS**

**INTERMUNICIPAL AGREEMENT FOR THE PROVISION  
OF COMMUNICATIONS**

AGREEMENT made and entered into among and between the Towns of Milford, Mont Vernon and Wilton, (hereinafter referred to as “Member Towns”);

WHEREAS, the Milford Area Communications Center currently possesses and operates a communication facility in the Town Hall of Milford which provides communications dispatch services for the delivery of fire protection services, police services, rescue and ambulance services, public works and highway department services; and

WHEREAS, currently, the Towns of Milford, Mont Vernon and Wilton, avail themselves of communications dispatch services provided by the Milford Area Communications Center by a succession of Inter-municipal Agreements that are due to expire December 31, 2018; and

WHEREAS, the member towns referred to above are desirous of continuing the Inter-municipal Agreement whereby the facilities referred to above would be utilized to make available full-time police, fire, rescue, ambulance, and public works and highway department dispatch services to the Towns of Milford, Mont Vernon and Wilton; and

WHEREAS it is the desire of the member towns to enter into a revised Inter-municipal Agreement, whereby said member towns would, through their appropriately appointed representatives, continue to operate the communications facilities referred to above, according to the terms and conditions thereof, and to provide, among other things, in the within Agreement for the acquisition, capitalization, maintenance, and payment of the costs of operating the facilities identified;

**MILFORD AREA COMMUNICATIONS CENTER  
INTER-MUNICIPAL AGREEMENT FOR THE PROVISIONS OF COMMUNICATIONS**

NOW THEREFORE, in consideration of the covenants contained herein, the Towns of Milford, Mont Vernon, and Wilton, do hereby agree as follows, subject to and pursuant to the authority granted them under Chapter 53-A of the New Hampshire Revised Statutes, Annotated:

**1.     NAME**

The name of this organization shall be the Milford Area Communication Center, previously known as the Milford Area Communications Facility Board.

**2.     DURATION**

The duration of this agreement shall be for a period of ten (10) years, beginning on January 1, 2019 and ending on December 31, 2028. The member towns may renew this agreement for a term of an additional 5 year period in the following manner: either a favorable vote of the legislative body of each and every town, or the favorable vote of the governing body of each and every town provided legislative body has authorized the governing body to so vote. The member towns may renew this agreement, unless the Milford Area Communications Board of Governors should give to the member Towns written notice of intent not to renew said services at least twelve months prior to the date of expiration or unless terminated sooner by mutual consent and agreement of the members, or unless at any time contractual performance by any of the parties would cause said party to be in violation of any state or federal law in which event the Agreement shall be terminated unless the violation is capable of being corrected.

**3.     PURPOSE**

The purpose of the within Agreement is the delivery of communications and central emergency answering service as well as information dispatch to the member towns and member departments to the extent that they subscribe hereto and including monitoring of alarm systems

**MILFORD AREA COMMUNICATIONS CENTER  
INTER-MUNICIPAL AGREEMENT FOR THE PROVISIONS OF COMMUNICATIONS**

serving the area, where and when appropriate. The fundamental goal and aim of this Agreement is to provide for the efficient and effective delivery of communication services to all of the members named above in a cost effective fashion in order that the level of service for the cost created would be more advantageous than would normally be the case if each of the individual member towns were required to provide said service on their own.

**4. ORGANIZATION. COMPOSITION AND NATURE OF ADMINISTRATIVE ENTITY CREATED**

The member towns agree that upon the execution of the within Agreement the member Towns shall cause to be formed a governing board known as the MILFORD AREA COMMUNICATIONS Board of Governors (hereinafter Governing Board **or Board**) which shall be constituted and operate in a fashion in accordance with the following:

**A. Composition**

The Governing Board shall consist of one member from each of the member towns, who shall be either a resident or employee of said member town; provided, however, that there shall not be more than two (2) residents of the same town on the board at any given time. Such member shall be chosen and qualified by the Board of Selectmen for each of the member towns for a one (1) year term to coincide with a calendar year.

**B. Voting**

- I. All members shall be entitled to one vote on any matter properly brought before said Board that is not a financial matter.**
- II. The Milford representative on the Governing Board shall be entitled to Two [2] votes on any financial matter properly brought before said Board. All other members shall be entitled to One [1] vote on any matter properly brought before said Board regarding the approved and funded operating budget.**
- III. For a financial issue over Ten Thousand Dollars (\$10,000.00) on any non-budgeted expense, a unanimous vote will be required.**

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**INTER-MUNICIPAL AGREEMENT FOR THE PROVISIONS OF COMMUNICATIONS**

C. By-Laws

The government of the meetings of the Governing Board and the procedural conduct of the same shall be governed by By-Laws which the Governing Board shall adopt at its first organizational meeting after the execution of the within agreement. These by-laws must be adopted by a two-thirds (2/3) majority of the Governing Board in the first instance.

D. Responsibility

All decisions relating to the operation and maintenance of the facility shall be made by the Governing Board by majority vote and the Governing Board shall employ a Director, who shall serve at the pleasure of the Governing Board, and who shall be responsible for the day to day clerical and operational responsibilities for the operation of the central emergency answering service and dispatch system that has been created hereunder as referred to above. The ultimate responsibility for policy dealing with personnel, budget, administrative decisions and operations of the system shall lie with the Governing Board which shall in turn be governed by the By-Laws which shall be adopted at the first said meeting. It is the expectation of the member towns that the Governing Board shall continuously and creatively seek opportunities to make the operation more cost effective, including, though not exclusive of, monitoring, researching, actively soliciting and encouraging other towns to become a member of the organization.

**5. MANNER OF FINANCING COOPERATIVE UNDERTAKING**  
**(Population Comparison)**

The costs of establishing, installing, operating and maintaining the central emergency answering service and dispatch system are to be borne by all of the members involved on the basis of the following formula:

- A. Initially, a comparison shall be made among all of the member towns involved on the basis of each member town's population. The source of each member town's population figure shall be the latest available from the Office of Vital Records and Statistics of the New Hampshire Department of Health and Human Services, in order

**MILFORD AREA COMMUNICATIONS CENTER  
INTER-MUNICIPAL AGREEMENT FOR THE PROVISIONS OF COMMUNICATIONS**

that such population figures shall all be determined in the same manner. A comparison shall be drawn initially, and then subsequently on an annual basis, among the relative populations of the member towns, and a determination shall be made as to what percentage of the total cost of the operation of the facility each member town shall have to bear based upon the percentage of that member town's population as it relates to the total population of all the member towns that are party to this Agreement.

- B. The foregoing formula shall apply for the allocation of all costs after the initial time period operative under this Agreement. The parties agree that at the time of the execution of this Agreement the following population statistics can provide the basis for the relative distribution of costs for the first operative year (or a portion thereof) of this Agreement. Accordingly, the allocation for the period of time beginning January 1, 2019 is agreed upon by the member towns to be as follows:

Name of Town	Population of Town	Relative Percentage of Costs
MONT VERNON	2409	11.36
MILFORD	15,115	71.29
WILTON	3677	17.34
TOTAL	21,201	<b>To be updated with next census report (2020)</b>

(Source: State of New Hampshire Office of Energy & Planning - 2010 Census.)

Thereafter the allocation and formula for each succeeding fiscal year shall be calculated based on the best available population statistics for the respective member

**MILFORD AREA COMMUNICATIONS CENTER  
INTER-MUNICIPAL AGREEMENT FOR THE PROVISIONS OF COMMUNICATIONS**

towns involved as established in Section 5-A above. Unless other agreement is made, the said Office of Vital Records and Statistics of the New Hampshire Department of Health and Human Services shall be the agency providing the controlling population figures. In any case, only a State (NOT local) agency shall provide such figures. The formula shall be agreed upon by the Governing Board and distributed to the member towns prior to 1 December of each year for the following year's budget.

- C. Payment of the town's share of the budget for services provided pursuant to this Agreement is to be made on 1 January, 1 April, 1 July, and 1 October of the year for which the services are rendered.
- D. If due to unforeseen circumstances a member town is not able to make full payment on time, they may petition the Board of Governors along with the other member towns for an extension of the due date. Each situation will be handled on a case by case basis and must not create a financial burden on the center.

**6. ESTABLISHING AND MAINTAINING A BUDGET**

A. Budget Committee

There shall be a Budget Committee created by September 1 of each year which shall consist of one (1) member of the Board of Selectmen, or its designee of each of the member towns, who shall not be a member of the Governing Board. Said Budget Committee shall meet at least thirty (30) days prior to the date on which the annual operating budget of the Governing Board shall be provided to the towns as set forth in the next paragraph. At that time, the Budget Committee shall review the proposed annual operating budget of the Governing Board and shall provide input, advice and make recommendations with respect to said budget prior to its submission to the towns as hereinafter set forth. The Governing Board shall be obliged to consider all recommendations made by the Budget Committee, and shall hold a public meeting at least fourteen (14) days prior to the date on which they are required to submit the

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annual operating budget to the towns as hereinafter set forth, and shall present at said meeting their final annual operating budget, and in the event that the Governing Board chooses not to adopt the recommendations of the Budget Committee, they shall set forth in writing their reasons for the same prior to the finalization of the annual operating budget and the presentation to the towns as indicated below.

**B.     Presentation of Annual Operating Budget**

The annual operating budget of the Governing Board shall be determined by the Board, after the Budget Committee review process set forth in paragraph 6.A. above, and shall be submitted to the towns no later than December 1, of each calendar year but no sooner than fourteen (14) days after the public hearing of the Governing Board as established in the preceding paragraph. The operating budget, including any proposed capital expenditures, shall be approved by a two-thirds (2/3) vote of the Governing Board provided, however, that any capital expenditure requiring the expenditure of more than TEN THOUSAND (\$ 10,000.00) DOLLARS for any single item shall require a two-thirds (2/3) majority of the Governing Board for approval and the parties hereto agree that the By-Laws of the Governing Board established pursuant to paragraph 4 above shall be drafted in such a fashion as to reflect this condition notwithstanding paragraph 4 above.

**C.     Disposition of Surplus Funds**

- I. Any surplus funds not expended in each calendar year shall be returned to the member towns using the assessment formula provided for in Paragraph 5 no later than June 30 of the subsequent year.
- II. In the event that the Governing Board should desire to expend any surplus funds, the Budget Committee, as provided for in Paragraph 6.A. shall review said proposal and hold a public hearing thereon prior to any such expenditure.



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**D. Borrowing Funds**

- I. The Governing Board may borrow funds for a term not to exceed the end of the fiscal year in which the funds are borrowed.
- II. In the event the Governing Board shall determine it necessary to borrow funds in excess of one year, it shall as part of the budgeting process, set forth separate from the annual operating budget, any proposed borrowing to underwrite the cost of capital projects for the ensuing year.
- III. It shall be the responsibility of the Budget Committee, during the budget review process as provided in section 6.A, to consider the Capital Budget proposed by the Governing Board, and make recommendations relative thereto.
- IV. The Governing Board shall be obliged to consider all recommendations of the Budget Committee, and shall consider it at the budget hearing provided for in section 6.A. In the event the Governing Board chooses not to adopt the recommendations of the Budget Committee, it shall set forth in writing its reasons. The Capital Budget must be approved by a two-thirds (2/3) vote of the Governing Board.
- V. The Governing Board shall present to the Member Towns the Capital Budget as a separate warrant article at the same time it presents the Operating Budget.
- VI. The Capital Budget shall be presented to the Member Towns in the following form:

To see if the Town of \_\_\_\_\_ will vote to raise  
and appropriate the sum of \_\_\_\_\_ (\$ \_\_\_\_)  
for its fair share of the cost of purchasing \_\_\_\_\_  
for the operations of the Milford Area Communications  
Center, of which the Town is a member, and to  
authorize the Governing Board of the Milford Area  
Communications Center to borrow said funds for said

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purpose and bind the Town. Member Towns' shares shall be:

Town of \_\_\_\_\_(\_\_\_\_%), Town of \_\_\_\_\_  
(\_\_\_\_%), Town of \_\_\_\_\_(\_\_\_\_%), and Town of \_\_\_\_\_(\_\_\_\_%).

If any Member Town fails to appropriate its share, this article shall be null and void.

VII. The Board of Selectmen of each Member Town shall be obliged to follow the procedures in RSA chapter 33 which may apply to the borrowing, and present the article to the voters for their approval.

VIII. An affirmative vote by the necessary margin in each Member Town in order to authorize the borrowing by the Milford Area Communications Center.

E. Emergency Expenditures

Unless prohibited by law in the event of a sudden or unexpected situation or occurrence, or combination of occurrences, of a serious and urgent nature, that demands prompt or immediate attention, the Governing Board may expend funds in excess of the budget for the current fiscal year, but only if written notice is provided, identifying the amount, purpose and need for said expenditure, to the Board of Selectmen of each member town, and each such board authorizes said expenditure, in writing.

**7. TERMINATION OF THIS AGREEMENT**

This Agreement will terminate as provided in section 2 hereof or on such later date as a majority of the governing bodies of the member towns may elect so to terminate. In such event the members shall cause the Governing Board to take such steps as are necessary to dissolve the Governing Board and facility hereby created. At that time the property that is utilized in the facility shall be disposed of in accordance with the following paragraph.

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**8. DISPOSITION OF PROPERTY ON DISSOLUTION, TERMINATION OR  
WITHDRAWAL**

It is understood and acknowledged that the machinery, equipment and other personal property that the Milford Area Communications Center utilizes to provide the services contemplated by this agreement consists of the following three (3) categories of property: Items owned by an individual member town which have previously been provided to the Center for use; Items acquired by the Center during the course of its operation; Items acquired by an individual member town which will be provided to the center for its use. It is agreed that in the event of dissolution or termination of this agreement, as well as the withdrawal from this agreement by a member town or towns, the following provisions shall govern the disposition of property following such dissolution, termination and/or withdrawal:

**A. Items owned by an individual member town which have previously been provided to the Center for use.**

The member towns acknowledge and agree that the property and equipment which falls into this class has been listed in Appendix A. wherein it has been itemized by a particular member town(s). The property so listed is currently used by the Milford Area Communication Center but it is agreed that the same is and remains property of the designated member towns. In the event of a dissolution or termination of this agreement, such property shall be returned to the possession of the respective member towns as their interest shall appear as designated in said Appendix A. Similarly, in the event of withdrawal from this Agreement, any property in this category shall be returned to the withdrawing member town at the time of withdrawal, as its interest shall appear, based on the list in Appendix A.

**B. Written Notice at least 24 months in advance by a Member Town is needed to withdraw from this agreement. If at this time, the remaining members, either cannot support the dispatch operations or also agree to formally terminate this agreement, then at this point a discussion on disposition of property will be in accordance to each member's % share of the communications center. The Board shall be responsible for developing what each member's % share would be and forwarding this information to the Town's Governing Boards for their approval.**

**C. Items acquired by the Center during the course of its operation.**

Except for property identified in § 8 – D, below, any equipment or property having been acquired or to be acquired by the Milford Area Communication Center upon the vote of the Board of Governors shall become the joint property of the member towns participating in this Agreement at the time and will be distributed upon the dissolution

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**INTER-MUNICIPAL AGREEMENT FOR THE PROVISIONS OF COMMUNICATIONS**

or termination of this Agreement proportionately to the various towns who are still members at the time of dissolution or termination or, if this is not practical, the same shall be sold and the net proceeds realized therefrom divided proportionately among the member towns as of the date of such dissolution or termination.

**D. Items acquired by an individual member town which will be provided to the center for its use.**

The member towns acknowledge and agree that an individual member town, in order to assist the Center to carry out its responsibilities, may acquire property and equipment on its own which may be provided to the Center for its use. It is understood and agreed that the ownership of such property and equipment shall not change as a consequence of the member town having provided the same to the Center for its use and the same shall remain the property of the member town which acquires and provides the same. The property so listed shall be returned to the possession of the respective member towns upon such dissolution or termination. Similarly, in the event of withdrawal from this Agreement, any property in this category shall be returned to the withdrawing member town, at the time of withdrawal, as its interest shall appear, based on the list in Appendix A. Upon the acquisition and provision of such property or equipment, the Center shall cause Appendix A to be modified to reflect the existence and ownership of such property. It is agreed that if the Center neglects to upgrade Appendix A for any reason, the property and equipment listed in the annual audit indicating changes in the assets in the possession of the Center, shall be satisfactory evidence of ownership for the purposes of this paragraph.

The Milford Area Communications Center shall be, at its sole cost and expense, fully responsible for the maintenance and repair of the communications equipment, the maintenance of all warranty extension and service agreements, and insuring that any personnel which operate the communications equipment are properly trained; said obligations being a condition of the right to continue to use the communications equipment.

**9. WITHDRAWAL AND NON-RENEWAL**

Any member town may withdraw from participation in this Agreement or choose not to renew this Agreement, subject to the following mandatory conditions:

- A. Notice of withdrawal or non-renewal shall be provided, in writing, to the Governing Board and the Board of Selectmen of each and every member town.

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- B. Notice shall be provided at least **twenty-four (24)** months prior to the effective date of withdrawal or non-renewal.
- C. Withdrawal or non-renewal may only become effective at the close of a fiscal year.
- D. Following Receipt of notice and prior to the effective date of withdrawal or non-renewal, the Town:
  - I. Shall be responsible for its entire annual assessed share of the costs **and encumbered debt** of the Milford Area Communication Center; and
  - II. Shall not cast a vote on any matters involving the creation of a budget for the ensuing fiscal year.
- E. It is clearly agreed and understood by all parties hereto that any town withdrawing from participation in this Agreement shall not receive any rebate, payback, or other refund or credit against charges and amounts paid by it pursuant to this Agreement, and shall in fact forfeit any rights to any of the assets or income acquired by the member town in the course of the operation of this Agreement, except as otherwise provided with respect to the designated member towns.

**10. AMENDMENTS**

This Agreement may be amended upon the unanimous consent of the member towns through their respective Board of Selectmen and the Governing Board.

**MILFORD AREA COMMUNICATIONS CENTER  
INTER-MUNICIPAL AGREEMENT FOR THE PROVISIONS OF COMMUNICATIONS**

**11. NEW MEMBERS**

A unanimous vote of the member towns shall be required in order for a new member to join the Milford Area Communications Center. The new member shall be required to:

- A. Make an initial payment based upon its share, as calculated under Section 5, of the estimated value of the capital assets owned by the Milford Area Communications Center; and
- B. Assume responsibility for its share, as calculated under Section 5, of the annual budget for the remainder of the fiscal year in which it becomes a member.

The Governing Board shall recalculate the share as calculated under Section 5, of the member towns to account for the new member.

It is understood that there are three (3) original copies of this Agreement and the various Boards of Selectmen shall have executed their individual agreements concurrently.

**12. NON-VOTING MEMBERS**

**A non-voting member, here-in referred to as a Customer. A customer contracts with Macabase for dispatch services, but does not have a vote on any issue brought before the Board. A customer is encouraged to attend any meeting scheduled.**

**Services:**

**For calculating cost of a customer, the same calculation is used for voting member, minus 7.5% as non-voting member.**

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INTER-MUNICIPAL AGREEMENT FOR THE PROVISIONS OF COMMUNICATIONS**

<b><u>Services are</u></b>	<b><u>Percentage of Cost</u></b>
----------------------------	----------------------------------

- |                    |             |
|--------------------|-------------|
| • <b>Police</b>    | <b>40 %</b> |
| • <b>Fire</b>      | <b>20 %</b> |
| • <b>EMS</b>       | <b>30 %</b> |
| • <b>DPW/Other</b> | <b>10 %</b> |

**Responsibilities of the Customer**

- **Supply tower site[s] as needed to support their services**
- **Radio frequency conversion as needed**
- **Communications radio links as needed**
- **Computer upgrades to work with present dispatch system[s]**
- **Personnel and equipment list**
- **Updated street, road, and site inventory**

**MILFORD AREA COMMUNICATIONS CENTER  
INTER-MUNICIPAL AGREEMENT FOR THE PROVISIONS OF COMMUNICATIONS**

<b>Updated BOS Membership &amp; Titles</b>
--

**TOWN OF WILTON:**

\_\_\_\_\_  
Kellie-Sue Boissonnault, Chairwoman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kermit R. Williams, Selectman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Matthew S. Fish, Selectman

\_\_\_\_\_  
Date

---

**TOWN OF MONT VERNON**

\_\_\_\_\_  
John F. Quinlan, Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
John M. Esposito, Selectman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kim E. Roberge, Selectman

\_\_\_\_\_  
Date

---

**TOWN OF MILFORD**

\_\_\_\_\_  
Kevin Federico, Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Gary Daniels, Selectman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mike Putnam, Selectman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Laura Dudziak, Selectman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Paul Dargie, Selectman

\_\_\_\_\_  
Date



MILFORD AREA COMMUNICATIONS CENTER  
INTER-MUNICIPAL AGREEMENT FOR THE PROVISIONS OF COMMUNICATIONS

**APPENDIX “A”**

1. JPS Communications Signal to Noise Voter	Model#	SNV-12
	Serial #	4418
2. JPS Communications Signal to Noise Voter	Model#	SNV-12
	Serial #	3918
3. JPS Communications Signal to Noise Voter	Model#	SNV-12
	Serial #	4404
4. Watson Communication Console Furniture (3 Positions)	Model	Fusion

## **6. e) Dispatch Equipment RFP - VERBAL**

# TOWN OF MILFORD, NEW HAMPSHIRE

## BOARD OF SELECTMEN



## RULES OF PROCEDURE

Adopted January 22, 2018

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## **Section I General Provisions**

### **BOARD OF SELECTMEN MEETING – LOCATION**

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

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

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

Meetings of the Town of Milford Board of Selectmen shall begin at 5:30 p.m. on the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month, unless otherwise noticed, or continued to a specific time and date. Occasionally, meetings will be held at other times of the day as may be required. All Selectmen meetings are broadcasted except for 5<sup>th</sup> Monday Forums which are taped. 5<sup>th</sup> Monday forums are meetings held on months with a 5<sup>th</sup> Monday, start at 7:00 p.m and are open to anyone who wishes to attend. Notices for all Selectmen meetings must be posted in two locations, one of which may be the town website.

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

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

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

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

#### **Rule 5. Election of Officers**

Procedures for electing officers are as follows:

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

## **Rule 6. Presiding Officer**

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

## **Rule 7. Quorum**

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

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

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

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

## **Rule 8. Board of Selectmen's Meeting Agenda**

Any Selectmen, the Town Administrator or the Executive Assistant may place a matter upon the agenda. The Town Administrator shall arrange a list of such matters according to the order of business and prepare an agenda for review by the Chair of the Board of Selectmen. Upon approval, a copy of the agenda and supporting materials shall be prepared for the

Selectmen. These materials shall be available at the Selectmen's Office on the Friday preceding a scheduled meeting of the Board of Selectmen.

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

## **Rule 9. Order of Business**

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

- 1. Call to order, Board of Selectmen Introductions & Public speaking Instructions**
- 2. Appointments to Meet with the Board**
  - a. Public Hearings if needed
  - b. Citizens – Concerns, Complaints or Comments
  - c. Staff – Departmental Updates and/or any other items pertaining to each department.
- 3. Public Comments**
  - a. Any member of the public may request time to address the Board of Selectmen after first stating their name, address, and the subject of their comments. The Presiding Officer may then allow the comments subject to such time limitations as the Presiding Officers deems necessary, generally five (5) minutes. Following such comments the Presiding officer may place the matter on the current agenda or future agenda, or refer the matter to the Town Administrator or other official for investigation, report or to take such actions as may be appropriate.
  - b. Subjects on the current agenda. Any member of the public who wishes to address the Board of Selectmen on an item on the current agenda shall make such requests to the Presiding Officer at the time when comments from the public are requested. The Presiding officer shall rule on the appropriateness of public comments as the agenda item is reached. The Presiding Officer may change the order of speakers so that testimony is heard in the most logical groupings, e.g. proponents, opponents, adjacent land owner's, vested interests, etc.
  - c. Any ruling by the Presiding Officer relative to the proceeding two subsections may be overruled by a vote of a majority of members present.
- 4. Decisions**
  - a. **Consent Calendar** - The Town Administrator shall place matters on the Consent Calendar which have been: (a) previously discussed by the Board of Selectmen, or (b) are based on the information previously delivered to the Selectmen that can be reviewed by a Selectman without further explanation, or (c) are so routine or technical in nature that passage is likely, or (d) as directed by the Town Board of Selectmen or Committee thereof. The motion on the

Consent Calendar is as follows: "I move for adoption of the Consent Calendar". This motion shall be non-debatable and will have the effect of moving to adopt all items on the Consent Calendar. Since adoption of any item on the Consent calendar implies unanimous consent, any Selectman shall have the right to remove any item from the Consent calendar. Therefore, prior to the vote on the motion to adopt the Consent Calendar, the Presiding Officer shall inquire if any Selectman wishes an item to be withdrawn from the Consent Calendar. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda for the current or a future meeting.

- b. **Other Decisions** – The Selectmen may include the final vote of a item discussed at a previous meeting. Some public hearing require to meetings prior to a decision being made.

**5. Town Status Report**

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

**6. Discussions**

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

**7. Selectmen's Reports/Discussions**

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

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

**9. Information Items Requiring No Decisions**

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

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

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

**12. Adjournment**

**Rule 10. Town Administrator**

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

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

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

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

- (a) **Organizational Meeting** – An organizational meeting to elect officers shall be held in accordance with Rule 5. The Board shall elect a Chair and Vice Chair for the ensuring year at this meeting, and shall designate the Selectmen ex-officio board and committee members. The Board may adopt the previous Board's policies and



procedures, subject to amendment as provided in these Rules of Procedure. The Board shall establish a schedule of meetings for the upcoming year at its Organizational Meeting.

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

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

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

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

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

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

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

**SECTION II  
DUTIES AND PRIVILEGES OF MEMBERS**

**Rule 16. Forms of Address**

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

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

- (a) Prior to any vote, each Board of Selectmen member should give consideration whether a conflict of interest or a potential violation of the Town Ethics Policy exists (See Appendix A). If the Board of Selectmen member believes a potential violation may exist, no matter how remote, the Board of Selectmen member should disclose such facts to the Presiding Officer. Example: If the Board of Selectmen is voting on a specific item that a Board Member may be personally involved in outside of Selectmen responsibilities, the Board Member should speak up and refrain from voting on said matter.

- (b) Whenever a Board of Selectmen member discloses there is a potential violation of the Ethics Policy, the Presiding Officer shall review the facts and rule whether the Board of Selectmen member shall vote in this instance. The Presiding Officer's ruling shall be binding unless overruled by a vote of the majority of the Board of Selectmen.
- (c) Any member of the Board of Selectmen seeking to disqualify a Board of Selectmen member from participating in a decision on the basis of a potential violation of the Ethics Policy must raise the challenge as soon as the basis for disqualification is made known or reasonably should have been made known prior to the issuance of the decision; upon failure to do so, the Ethics Policy may not be relied upon to invalidate the decision. The party seeking to disqualify the Board of Selectmen member shall state, with specificity, the basis for disqualification. Should such challenge be made prior to the hearing or vote, the Presiding Officer shall review the facts and rule whether the Board of Selectmen member shall participate and/or vote in this instance. The Presiding Officer's ruling shall be binding unless overruled by a vote of the majority of the board of Selectmen.
- (d) The Presiding Officer shall have sole authority to postpone any matter or vote if and when a potential for a violation of the Ethics Policy exists in order for the Town Attorney to review the matter and render an opinion to the Board of Selectmen whether the Board of Selectmen member's participation would/would not violate the Town's Ethics Policy.
- (e) After receiving the Town Attorney's opinion that a violation of the Ethics Policy exists, the Presiding Officer shall rule that the Selectman shall not participate and/or vote in the matter subject to the opinion. The Board of Selectmen, by a two-thirds vote, may override the Presiding Officer's ruling and the Selectman shall be permitted to participate and vote in the matter before the Board of Selectmen.

#### **Rule 18. Rules of Order**

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

#### **Rule 19. Motions**

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

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

#### **Rule 20. Suspension of Rules**

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

## **Rule 21. Dissents and Protests**

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

## **Rule 22. Procedures for a Public Hearing**

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

## **Rule 23. Voting**

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

- (a) The Presiding Officer may require any questions to be submitted in writing before the vote, and shall state each question before the vote.
- (b) Unless otherwise provided for by statute, ordinance, or resolution, all votes shall be taken by voice, except that at the request of any Selectman, a roll call vote shall be taken by the Clerk. In addition, the Presiding Officer may, at his/her sole discretion, require a show of hands to insure the proper resolution of the vote. Secret ballot votes by Boards, Committees, and Commissions are illegal in New Hampshire.
- (c) Every Selectman who is in the Board of Selectmen chambers, including telephonically, when the question is called shall vote on the question before the Board of Selectmen. Selectmen may, for good cause, recuse from a vote should they feel that to vote would

constitute a conflict of interest or other similar disqualifying circumstances. Such Selectman shall at the beginning of the debate on any such motion announce the intention to recuse himself/herself and shall take no part in the debate and the vote of the issue.

#### **Rule 24. Committees**

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

- (a) Special Ad Hoc Advisory or Study Committees may be created by the Board of Selectmen for a particular purpose, or when the issue is so complex and time consuming that it cannot be reasonably handled at a Board of Selectmen meeting. Board of Selectmen study committees may consist of a specific number of individuals and no more than one Selectman, if any Selectman is to be included on the Committee. Special Board of Selectmen committees shall disband at the end of their mission, but no later than the end of each calendar year unless specifically continued by the Board of Selectmen thereafter for a specified time period.
- (b) Special Ad Hoc Advisory or Study Committees shall:
  - 1) Be established by a written document stating the specific purpose, mission, and goals/objectives that the committee is to achieve or attain, and declaring that the committee is dissolved when these have been attained or by a date certain.
  - 2) Make recommendations on proposed programs, services, ordinances, and resolutions within their area of responsibility before action is taken by the Board of Selectmen. The committee chair may present the recommendations of the committee during the discussion of the item of business during a meeting of the Board of Selectmen.
  - 3) Town employees shall staff the various committees as directed by the Town Administrator, but no staff person shall serve as a member of a Special Ad Hoc Advisory or Study Committee unless specifically designated to do so by the Board of Selectmen.
  - 4) Meetings of Special Ad Hoc Advisory or Study Committees shall be open to the public. Minutes of Special Ad Hoc Advisory or Study Committee meetings shall be recorded in accordance with RSA 91-A, (the NH Right to Know Law).

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

- (a) An enacted ordinance/rule is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the corporate affairs of the municipality. Board of Selectmen action shall be taken by ordinance when required or permitted by law to prescribe permanent rules of conduct which continue in force until repealed.
- (b) An enacted resolution is an internal legislative action that is a formal statement of policy concerning matters of a special or temporary character. Board of Selectmen action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired.

- (c) An enacted motion is a form of action taken by the Board of Selectmen to direct that a specific action be taken on behalf of the municipality. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law.

## **Rule 26. Resolutions and Policies**

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

## **Rule 27. Procedures for Ordinances**

- (a) An ordinance shall be discussed, considered and approved at a public hearing, but shall not be voted and approved on the same day on which it was introduced. The title of each ordinance shall in all cases be read prior to its passage; provided, should a majority of the Selectmen present request that the entire ordinance or certain of its sections be read, such requests shall be granted.
- (b) Emergency Ordinances. The Town Board of Selectmen may, without notice or hearing, adopt an emergency ordinance authorizing expenditures for a public emergency as defined and prescribed in RSA 41:14-b, and the Town of Milford Purchasing Policy.
- (c) A Selectman may, in open session, request of the Presiding Officer that the Board of Selectmen study the wisdom of enacting a particular ordinance. By affirmative motion, the Board of Selectmen may assign the proposed ordinance to a specific department head or official, committee or the committee of the whole for the study and consideration. The department head, official or committee shall report its findings to the Board of Selectmen.
- (d) Action on all ordinances and resolutions shall be governed by the following rules:
  - 1) The Selectmen shall have the authority to establish, and amend town ordinances and codes after they hold 2 public hearings at least 10 but not more than 21 days apart on the establishment or amendment of the ordinance or code.
  - 2) Prior to introducing any ordinance or resolution, the proponent of the ordinance or resolution may seek a motion to introduce the ordinance or resolution by title only and to waive a reading of the entire ordinance or resolution. If there is a second, and after discussion, the Presiding Officer shall call for the question and the Board of Selectmen shall vote whether to read the ordinance or resolution by title only. Lacking such a motion or should this motion fail, the ordinance or resolution shall be read in its entirety.
  - 3) If an ordinance or resolution is referred to committee, the committee shall report the item to the Board of Selectmen in due course and the item shall then be in order for further action. The reporting of an ordinance or resolution shall not require a motion or other Board of Selectmen action. The Board of Selectmen may, upon a motion made and seconded, call the ordinance or resolution out of committee. The item shall then be in order for further action before the Board of Selectmen.

- 4) At such time as further action is in order, any Selectmen may move that the ordinance or resolution be scheduled first for 2 public hearings at least 10 but not more than 21 days apart.
- 5) The selectmen's vote shall take place no sooner than 10 days nor later than 21 days after the second public hearing is held. The provisions of this section shall not apply to the establishment and amendment of a zoning ordinance, historic district ordinance, or building code under the provisions of RSA 675.

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

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

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

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

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

- (a) The Board of Selectmen, when dealing with the Town Administrator and Town Staff, shall:
  - 1) Recognize the administrative chain of command and refuse to act on complaints as an individual outside the administration.
  - 2) Treat all staff and other elected officials as professionals and respect the abilities and integrity of each individual.
  - 3) Never as individuals publicly criticize an employee. Concerns of employee performance shall be handled with the Town Administrator under RSA 91-A or at the Board level, usually in non-public session.
  - 4) Not give orders to any such officers or employees either publicly or privately except as a Board at a meeting.
- (b) The individual members of the Board of Selectmen in their relations with fellow members shall:
  - 1) Recognize that no member by their actions alone can bind the Board of Selectmen or the Town.
  - 2) No member, including the chairperson or vice-chairperson, shall conduct any town business outside a regular scheduled meeting without the prior knowledge and approval of the Board at a meeting.

- 3) Pursuant to RSA 91-A uphold the intent of non-public session and not release or discuss items raised in non-public session.
  - 4) Refrain from communicating the position of the town or the Board of Selectmen with other entities (i.e. state and federal officials) unless the full board has previously agreed on both the position and the language of the statement.
  - 5) Treat with respect the rights of all members of the Board despite differences of opinion.
- (c) As required by State law, all business of the town shall be handled in public session, with the exception of matters listed under RSA 91-A.
  - (d) All actions taken under RSA 91-A are to be, if appropriate, disclosed before the close of the regular session in a brief statement of the facts. Any discussion held within the closed session shall be considered closed to the public. Any person who reveals details of the closed session to the public, is to be censured for their actions, and held in contempt of RSA 91-A.
  - (e) Punishment for any violation of this code of conduct shall include but not be limited to, removal from committee assignments or chairmanships. Other punishments shall be handled by state law (RSA 42:1-a).

### **Rule 30. Amendment Procedure**

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

### **Rule 31. Effective Date**

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



## **APPENDIX A**

### **POLICY: ETHICAL CONDUCT**

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

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

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

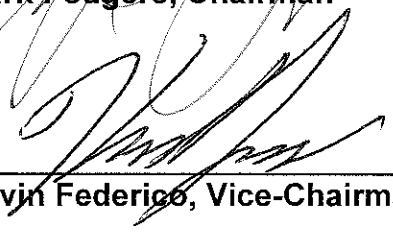
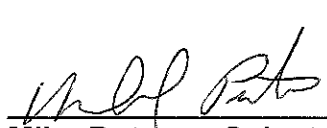
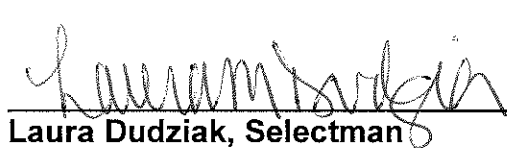
**Officials shall not:**

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

**Town of Milford  
New Hampshire**

**Board of Selectmen Rules of Procedure**

The above Rules of Procedure were adopted by a majority vote of the Milford New Hampshire Board of Selectmen on January 22, 2018

  
\_\_\_\_\_  
**Mark Feugere, Chairman**  
\_\_\_\_\_  
**Kevin Federico, Vice-Chairman**  
\_\_\_\_\_  
**Gary Daniels, Selectman**  
\_\_\_\_\_  
**Mike Putnam, Selectman**  
\_\_\_\_\_  
**Laura Dudziak, Selectman**

Received and recorded this 22 day of Jan., 2018.

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

# RULES OF PROCEDURE

## Types of Motions:

1. **Main Motion:** Introduce a new item
2. **Incidental Motion:** Questions procedure of other motions (must consider before the other motion)
3. **Subsidiary Motion:** Change or affect how to handle a main motion (vote on this before main motion)
4. **Privileged Motion:** Urgent or important matter unrelated to pending business

## Every Motion Has 6 Steps:

1. **Motion:** A member rises or raises a hand to signal the chairperson.
2. **Second:** Another member seconds the motion.
3. **Restate motion:** The chairperson restates the motion.
4. **Debate:** The members debate the motion.
5. **Vote:** The chairperson restates the motion, then first asks for affirmative votes, and then negative votes.
6. **Announce the vote:** The chairperson announces the result of the vote and any instructions.

<u>RANK</u>	<u>PRIVILEGED MOTIONS</u>	<u>SECOND NEEDED</u>	<u>DEBATE ALLOWED</u>	<u>AMEND</u>	<u>VOTE</u>	<u>RECONSIDER</u>
1.	Adjourn	Yes	No	No	Maj.	No
2.	Recess	Yes	No	Yes	Maj.	No
3.	Fix the time at which to adjourn	Yes	Yes	Yes	Maj.	Yes
4.	Question of privilege	No	No	No	None	No
5.	Call for the orders of the day	Yes	No	No	2/3	No
<b><u>SUBSIDIARY MOTIONS</u></b>						
6.	Lay on the table	Yes	No	No	Maj.	Yes
7.	Move the question	Yes	No	No	2/3	No
8.	Limit or extend time for debate	Yes	No	No	2/3	Yes
9.	Postpone to a certain time	Yes	Yes	Yes	Maj.	Yes
10.	Amend	Yes	Yes	Yes	Maj.	Yes
<b><u>INCIDENTAL MOTIONS</u></b>						
same	Point of order	No	No	No	None	No
as	Appeal	Yes	Yes	No	Maj.	Yes
current	Divide the question	Yes	Yes	Yes	Maj.	No
motion	Withdraw or modify a motion	No	No	No	Maj.	No
<b><u>MAIN MOTIONS</u></b>						
none	Main motion	Yes	Yes	Yes	Varies	Yes
varies	Reconsider	Yes	Varies	No	Maj.	No
none	Take from the table	Yes	Yes	Yes	Maj.	Yes
	Consent Calendar	Yes	No	No	Maj	Yes
	Enter Non-Public Session	Yes	Yes	No	Roll Call	No
	Exit Non-Public Session	Yes	Yes	No	Maj	No
	Seal the minutes	Yes	Yes	Yes	Maj	No

DRAFT

MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

April 27, 2020

This meeting was conducted pursuant to State of New Hampshire Emergency Order #12 pursuant to Executive Order 2020-04, temporary modification of public access to meetings under RSA 91-A. As such, the meeting was conducted online using these connection instructions that were listed on the posted meeting agenda: "The Public is encouraged to participate remotely, call in on your phone @ 1-646-558-8656 and enter the meeting ID# 996 1591 9503 or join the Zoom Meeting @ <https://zoom.us/j/99615919503>. Please try to log in 5 minutes before the meeting's scheduled start time in case you run into any technical difficulties".

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

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

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

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

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

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

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

**5:30 p.m. - Approval of signatures on Exemption and Credit Applications, Approval of Land Use Change Tax (LUCT) (4) parcels Map 45 Lots 3-34, 3-36, 3-37, and 3-38 and Approval of one (1) Current Use Application, Map 56 Lot 71.**

**Signatures Required on Exemption and Credit Applications** - As standard operating practice in past years, the BOS members have signed the original application forms (PA-29's and PA-42's)) for all exemption and credit applications as well as all new forms required as a result of change in status. For 2020, Marti anticipates approximately 60 PA-29's and 32 PA-42's (for residential property in a commercial/industrial zone). She is asking for the Boards approval to sign the forms while still having the Board sign the grids because of the amount of signatures needed. She would need a motion from the Board.

Chairman Daniels clarified that the Board would be signing the grids but with permission, Marti would be signing the individual forms. Marti said yes. Selectman Labonte asked if it would be just for the paperwork tonight. Chairman Daniels said yes.

**Selectman Dargie made a motion to allow Marti to sign the individual documents for Exemption and Credit Applications for this meeting. 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.**

**Approval of Land Use Change Tax (LUCT) (4) parcels Map 45 Lots 3-34, 3-36, 3-37, and 3-38** – Marti said the

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above referenced parcels are located in the Autumn Oaks sub division. Each parcel was noted to have been designated for construction of new homes. Construction on Current Use land requires the affected areas to be removed for Current Use. The property owner is aware of the action being taken tonight regarding their property.

**Selectman Dargie made a motion to approve 4 Land Use Change Tax Applications Map 45 Lots 3-34, 3-36, 3-37, and 3-38. 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.**

**Approval of one (1) Current Use Application, Map 56 Lot 71.** Marti said the applicant wants to place a 29 acre parcel of undeveloped land into current use. She is recommending that the Board approve the application.

**Selectman Dargie made a motion to approve 1 Current Use Application, Map 56 Lot 71. 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.**

**5:40 p.m. - Approval of (48) Applications for Elderly Exemption or Tax Credit, (13 new) and Denial of (1) Application. Approval of Solar Exemption Applications (5 Residential, 1 Commercial) and Approval of one (1) Blind Exemption.**

**Approval of (48) Applications for Elderly Exemption or Tax Credit, (13 new) and Denial of (1) Application.** – Marti reviewed all the elderly applications and recommends approval by the Board. There was one applicant that did not qualify for the elderly exemption and a denial is recommended for this application. The applicant has been made aware of this action.

Chairman Daniels asked if there was a requirement that residents be up to date on taxes in order to qualify for exemptions. Marti said no.

**Selectman Dargie made a motion to approve 48 Elderly Exemptions or Tax Credit Applications. 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.**

In speaking to the recommendation for denial, Marti said the applicant's income slightly exceeds the \$38,600 limit by \$300. Selectman Dargie asked if this was a result of the change in limit that was approved in March. Marti the increased limit didn't change this, her asset limit changed. Selectman Dargie asked if we allowed overriding Marti's recommendation in the past. Marti said yes if it's a returning applicant, not if it's a new applicant.

Selectman Freel clarified that the applicant is \$300 over the allowable limit. Chairman Daniels said yes. Selectman Labonte asked if the timing for approving these applications has passed. Marti said yes, it was April 15<sup>th</sup>. She is trying to be a bit flexible this year because of the difficulty of getting the applications into her. Selectman Labonte asked if we would allow others who thought they were over qualified to turn their applications back in now. Marti said she spoke with everyone who was already a recipient, there are a few who will be bringing their paperwork back but she has forewarned them that should they not meet the requirements and the Board denies their applications, they would still be responsible for the entire amount. Selectman Labonte asked if someone didn't file due to the fact that they were \$250 over and are now watching this meeting, would we allow them to refile. Marti said it would be a case by case basis.

Chairman Daniels said if we approve someone who is \$300 dollars more, what happens if someone is \$400 more, should they be allowed to come back. Selectman Freel said it's a fine line. At some point we already set a certain amount. If that amount exceeds what was set; we should keep it the same or amend the amount.

Selectman Labonte said when is "enough, enough". Selectman Dargie said if it's a new application, we should stay hard and fast and if it's a returning application we could be a bit more flexible. Chairman Daniels said if they are working, they could be continually over.

Marti said in this instance, there was a check for back payments for veteran's benefits for 2018 but it showed up in the 2019 income. Selectman Freel said it sounds like a one-time thing which might not happen next year. Marti said she let the applicant know that she was recommending denial for this based on the reasons that are being discussed now.

Chairman Daniels asked if the check had been issued in 2018 would it have taken them over the limit. Marti said she didn't have that information. Selectman Freel clarified that this is someone that has previously received the exemption.

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Marti said yes about 3 or 4 times and always under the requirement. Selectman Freel still feels that there is a limit set for a reason.

Selectman Labonte asked if this has been granted in the past and how close was the amount. Marti said 2 or 3 times within the \$500 requirement and it was accepted. Chairman Daniels asked if Marti knew why the check wasn't received in 2018. Marti said it was an increase in benefits and it just took a while to process.

Selectman Labonte asked how much would this applicant have to pay if this was denied. Marti said an additional \$3,200 for taxes. Selectman Freel repeated that a limit is a limit. Change the limit or stick to what it is. Selectman Labonte said if we are going to approve this, we have to open it up for everyone. Chairman Daniels said even if it's changed, someone will come in with something higher and want the exemption.

Selectman Dargie asked if there was someone who received the exemption in the past who didn't file this year because they were over. Marti repeated, she speaks to people when they are slightly over she speaks with them and they have the opportunity to withdraw or continue. People have withdrawn because of this for this year. Three or four have withdrawn either because they were over in assets or significantly over on income. Selectman Freel asked what was the cap on the income. Marti said for an individual, \$38,600, for a married couple its \$46,000.

**Selectman Dargie made a motion to approve the exemption for file # 3170. Seconded by Selectman Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel no, and Chairman Daniels no. The motion passed 3/2 with Selectmen Freel and Selectman Daniels opposed.**

**Approval of Solar Exemption Applications (5 Residential, 1 Commercial)** – Marti reviewed all applications for Solar Exemption and recommends approval by the Board. The commercial property has a large solar array of just under 100 kw. They are using this for their own properties, not extended for commercial use for other properties. The Board has allowed this in the past.

**Selectman Dargie made a motion to approve 5 Residential and 1 Commercial Solar Exemption Application. 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.**

**Approval of one (1) Blind Exemption** – Marti reviewed the application for Blind Exemption and recommends approval by the Board. This exemption is \$15,000.

**Selectman Dargie made a motion to approve the Blind Exemption Application. 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.**

**5:50 p.m. - Approval of Veterans Tax Credit (21), Approval of All Veterans Tax Credit (8), and Approval of Service Connected Total Disability Tax Credit (2)**

**Approval of Veterans Tax Credit (21)** – Marti reviewed the applications and recommends approval by the Board. This is a \$400 credit voted on in March.

Selectman Dudziak noted a comment that one was being held for additional paperwork. Marti said that was an explanation of why it was delayed in 2019, it's fine now.

**Selectman Dargie made a motion to approve 21 Veterans Tax Credit Application. 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.**

**Approval of All Veterans Tax Credit (8)** – Marti reviewed the applications and recommends approval by the Board. The All Veterans Tax Credit RSA 72:28-b was approved by the voters in 2017, ballot question 27.

**Selectman Dargie made a motion to approve 8 All Veterans Tax Credit Applications. 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.**

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**Approval of Service Connected Total Disability Tax Credit (2)** – Marti reviewed the applications and recommends approval by the Board. These are veterans who receive total and permanent disability rating from the Veteran's administration.

**Selectman Dargie made a motion to approve 2 Service Connected Total Disability Tax Credit Applications. 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.**

**5:55 p.m. - Approval of Veterans Change in Status (10), Veterans Tax Credit after death of Veteran (4) and Veterans Tax Credit and Change for Service Connected Total Disability (1).**

**Approval of Veterans Change in Status (10)** – Marti reviewed the applications and recommends approval by the Board. These are Veterans (or Spouses) who have placed their property into a trust.

Selectman Dargie asked which one was the all Veterans Credit. Marti said she didn't separate it out because it's all the same amount of money.

**Selectman Dargie made a motion to approve (9) Change in Status Tax Credit Applications. 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.**

There is 1 Change in status application where the Veteran changed residence in Milford and has requested to move the Veteran's Credit from the old residence to the new residence, this is allowed.

**Selectman Dargie made a motion to approve (1) Change in Resident Tax Credit Application. 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.**

**Veterans Tax Credit after death of Veteran (4)** – Marti reviewed these applications and recommends approval by the Board. Per RSA 72:28 the spouse of a deceased veteran may continue to receive his tax credit.

**Selectman Dargie made a motion to approve 4 for the Spouse of deceased Veterans Tax Credit Applications. Seconded by Selectman. 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.**

**Veterans Tax Credit and Change for Service Connected Total Disability (1)** – Marti reviewed the applications and recommends approval by the Board. RSA 72:3 III. (a) Any person applying for the standard or optional tax credit under this section shall furnish to the assessors or selectmen certification from the United States Department of Veterans' Affairs that the applicant is rated totally and permanently disabled from service connection.

**Selectman Dargie made a motion to approve 1 Change for Veterans Tax Credit for Service Connected Total Disability. 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.**

**6:05 p.m. – Approval of 2019 Property Abatement Applications (4) and Residences in Industrial or commercial Zones (33)**

**2019 Property Abatement Applications (4)** – Marti said if a property owner feels their assessment is incorrect or inequitable, an abatement application may be submitted to the assessing office. One request for abatement is for a manufactured home which was abandoned by the previous owners who owed the taxes. The new owner purchased it in order to demolish and remove it. Two requests are for hardship abatements filed by elderly exemption recipients. The last is a property that was adjusted to reflect a reduction in the assessed value of the property. Marti is recommending that the Board approve the applications.

Selectman Dargie asked if there were other people that fall into this category of elderly exemptions where they were getting this last year and their assessments went up? Marti said no one else applied for this. She did let people know when they call.

**Selectman Dargie made a motion to approve 4 Property Abatement Applications. 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.**



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**Residences in Industrial or commercial Zones (33)-** Marti reviewed the applications and recommends that the Board of Selectman approve the attached list of applicants for Residences in Industrial or Commercial Zone for the tax year 2019.

**Selectman Dargie made a motion to approve Residences in Industrial or Commercial Zones. 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.**

### **6:15 p.m. - MEMO Foundation Skate Park Update – Arene Berry**

Arene said that the MEMO foundation approached her on some repairs that they would like to do to the skate park. She introduced Derick Mossy of the MEMO foundation to discuss the repairs.

Derick said they raised \$50,000 towards their project. They have a contractor that is working with them but they were quoted \$125,000 to do everything. They are hoping for in kind donations. Derick is asking for permission to fix the rail on the two foot long ramp. The weld on the top of the ramp broke. They have a machinist who can fix it. He was told that time, labor and materials would have to be approved by the Board.

Selectman Freel asked if this would need to be inspected for safety purposes. Arene said yes, she and Rick, the DPW Director will make sure it's safe. Selectman Labonte asked who usually does skate park maintenance. Arene said DPW. Selectman Labonte asked if DPW was aware this needed to be fixed. Arene said she just found out when Derick approached her, she doesn't know if it was brought to DPW's attention. The MEMO foundation has really taken a strong interest in the skate park and they have already done a lot of work down there, this is their purpose and their cause.

Chairman Daniels asked Administrator Shannon if this was discussed with him and Rick prior to tonight. Administrator Shannon he knew it was on for discussion for today and he and Rick spoke about it briefly. This will need to be coordinated with Rick and Arene before they even get into the park.

Selectman Freel asked if this was something that DPW didn't hear about for the last couple of months, or did they already know about it. Obviously the park has been closed due to COVID 19. This seems like something the town could do. Derick said most of the stuff at the skate park is probably stuff the town could do. This is concrete mixed with metal and it comes down to expertise.

Chairman Daniels asked how much DPW time will be taken up with this project. At some time we should look at how much discretionary time and money goes into the budget for these things in DPW's budget in addition to their normal projects. He asked Derick what the urgency on getting this repaired. Derick said it's been broken for a while so its not urgent.

Selectman Freel said it would be a good idea to get it fixed while the park is closed. He just wants to make sure all bases are covered. Administrator Shannon said that they will make sure that everything is covered.

**Selectman Dargie made a motion to approve the repair of the rail at the skate park. 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.**

**3. PUBLIC COMMENTS** – There were no public comments at this time.

### **4. DECISIONS –**

#### **a) CONSENT CALENDAR.**

Chairman Daniels asked that 4 a) 2) be removed for discussion.

**Selectman Dargie made a motion to approve the consent calendar except for 4. a) 2. 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.**

1. Request for Approval of Appropriations Actually Voted MS-232
2. Request for Approval for Reappointment of Deputy Forest Fire Wardens for the Milford Fire Department.
3. Request for Approval of Excavation Tax Warrant – Map 42 Lot 1



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4. Request for Approval of Intent to Excavate – Map 42 Lot 1
5. Request for Approval of Excavation Tax Warrant – Map 50 Lot 4-4
6. Request for Approval of Intent to Excavate – Map 50 Lot 4-4
7. Request for Approval of Excavation Tax Warrants – Map 58 Lot 1 and Map 58 Lot 2
8. Request for Approval of Intent to Excavate – Map 58 Lot 1 and Map 58 Lot 2
9. Request for Approval of Yield Tax Levy – Map 23 Lots 2-4 thru 2-7
10. Request for Approval of Library Trustees Recommendation to Appoint John Yule as a Full Member to the Library Trustees – Term Ends 2021

Pertaining to 4. a) 2, Chairman Daniels asked why they needed 11 deputy fire wardens. Chief Ken Flaherty said every officer in the Milford Fire Department is required to write burn permits and are required to be Deputy Fire Wardens in order to write those permits.

**Selectman Dargie made a motion to approve 4. a) 2 on the consent calendar. 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.**

### b) OTHER DECISIONS.

1. N/A

### 5. TOWN STATUS REPORT – John Shannon

**a) Revenue and Expenditures** - Due to the COVID-19 pandemic, Milford has experienced unanticipated expenses in terms of personnel, equipment, etc. Pandemic related expenses are currently reimbursed at 75% by the Federal government. There is a strong possibility that they soon will be 100% reimbursable. The first table below outlines the expenses. The second table depicts anticipated revenue shortfalls. The state is still determining how Federal financial aid will be distributed to municipal governments to assist with lost revenue. Any questions or concerns about this can be directed to the Town Administrator's Office.

NHMA COVID-19 Financial Impact - Expenses (as of 4/16/2020)			
Category	Expenses to date	Expenses Anticipated	Explanation
Fire	\$15,240	\$65,457	Wages and Expenses
Emergency/Rescue	\$8,074	\$5,665	Expenses
Health Officers	\$5,080	\$21,819	Wages and Expenses
Police	\$2,839	\$33,460	Wages and Expenses
Welfare	\$2,000	\$150,000	Anticipated demand when eviction protects removed
Technology	\$1,511	\$55,000	Needs for videoconferencing and Emergency Broadcast
Elections	\$0	\$7,800	Two elections remainig this year with unknown special requirements
Misc (Town Clerk)	\$0	\$5,475	Renewal registration envelopes and postage
Borrowing Costs	\$0	\$15,000	Anticipated due to possible loss of revenue from the state
Unemployment related expenses	\$0	\$50,000	
Legal Fees	\$0	\$10,000	
Facilities Maintenance	\$0	\$0	
Communications	\$0	\$0	
Utilities/Telephone	\$0	\$0	
Assessing Expenses	\$0	\$0	
Total Expenses	\$34,744	\$419,676	

NHMA COVID-19 Financial Impact - Predicted Revenue Shortfall for Remainder of 2020 (as of 4/16/2020)			
Category	Fee Delinquency	Expected Shortfall	Explanation
Motor Vehicle Fees	Yes	\$113,000	registrations, new tags, etc.
Utility Fees	TBD	\$100,000	loss of income by users
Other Fees and Taxes	Yes	\$452,000	
	Total Anticipated Shortfall	\$665,000	

Selectman Dargie asked what the Other Fees and Taxes were. Finance Director Paul Calabria said it's made up of Water and Sewer usage fees, property tax fees, interest income, miscellaneous Town Clerk fees, Ambulance revenues and Recreation revenues,

Selectman Dargie asked what were the most significant shortfalls. Paul said it's tough to put a number on it. Departments looking at shortfalls are, Ambulance at around \$125,000, Recreation at \$115,000, Water and Sewage at \$100,000 in user fees, Property Tax fees at about \$25,000 and about \$30,000 in interest income.

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Chairman Daniels asked when the projections are made, to what date are they made. Paul said the Department Heads were asked to calculate through the second and third quarter through September 30th.

Chairman Daniels commented that Milford is on the 20+ category for Covid 19 outbreaks and asked Administrator Shannon to speak to this. Administrator Shannon said there were 14 positive COVID 19 cases for residents at the Crestwood nursing home and 4 positive cases of healthcare workers who also work there. It was just confirmed today. Chairman Daniels asked Fire Chief Ken Flaherty about the number of cases of COVID in Milford versus those who have recovered.

Ken said the numbers being reported online is a cumulative number. Once someone is cleared and can go back to work they are still kept on the list. The number will always be high and it doesn't go back to zero. Chairman Daniels asked if they ever get a number of those restored to health. Ken said once they are put on a list, they remain on it for 21 days through the Department of Health and after 21 days they expire off the list. That list is given to MACC Base only because it's through the MOU with the State Health Department.

Selectman Freel asked if they know how many active cases there are in Milford. Ken said they get notified of an active case and through deduction; 21 days later take that number away. Today Crosby Street reported more cases which will make their numbers go higher. We can't tell you how many there are without breaking HIPAA violations.

Chairman Daniels said other places show the number of cases, the number of people who recovered and the number of deaths. He is just trying to take away the fear that we just keep adding to the numbers here but there are no number dropping off. Ken said the biggest number is coming from the nursing home right now. The residents are tested daily and those numbers will be inflated. The staff members are also being tested which will also make the number go up.

Selectman Labonte asked what would be some examples of things that the Fire Department would need to be reimbursed for as far as COVID 19 expenses. Paul said that Ken and his staff are doing work each week towards COVID 19 activities. This is the number of dedicated hours that he and his staff are expending. Administrator Shannon said we are able to seek reimbursed for any work or expenses that are directly related to COVID-19 instead of doing our regular job duties in the normal course of a regular business day.

Selectman Labonte clarified that those numbers won't necessarily put us over budget, they will just let us be reimbursed at a higher level. Paul said yes.

Selectman Dudziak asked if we are providing any support to Crestwood. Ken said he checks in weekly. The Governor has committed over 1,000,000 masks to New Hampshire nursing home facilities. As of now no one needs anything. Most of them had parent companies that had big supplies.

Selectman Labonte said that now that we have some ideas as far as anticipated shortfalls and expenses, do we have a plan on how we are going to handle it. Paul said there is a position in the budget that the DPW Director is going to hold off on hiring because we don't know what is going to happen going forward. He's looking at all of his operations since DPW has the biggest budget and he already knows that the town will be looking at ways to reduce spending this year.

Selectman Labonte said that Manchester and the State of New Hampshire are looking back on their projects to see what can be removed in the event of a shortfall.

Administrator Shannon repeated that he already reached out to department heads several weeks ago and they have been looking at what may need to be cut. Our budget has been approved and some things may not be able to be moved around. We are looking at NHMA as far as what type of flexibility we can have as far as holding back Capital improvement projects. For example, if we are putting \$50,000 in an account just to build it up, would there be any way that the Board could pull it back out if they had too. We are looking at what we can or can't cut. We still don't know what the Federal government is going to do as far as helping out Municipalities. We are planning for the worse and hopefully there won't be a problem. We will be prepared to present options to the Board when needed.

**b) Transfer Station – Recycling** - For the protection of town employees and citizens, it was necessary for the town to limit everyone's possible exposure to COVID-19 by transitioning the Transfer Station to accepting only limited recyclable materials. The Town is exploring its options of returning to our normal recycling program in May or early June. We will do everything in the safest way possible. We will make sure the Board has notice prior to the changes. We will do so when it is appropriate and in accordance with the Governor's Emergency Orders. Any questions or concerns about the project can be directed to the Town Administrator's Office.

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c) **Osgood Pond Dredging** - Phase II of the Osgood Pond Dredging Project is set to begin during the Month of May. The necessary drawdown of the lake will be the first step in the process. The actual dredging will begin shortly thereafter. The Town will continue to work with the appropriate state partners to ensure the work is done in accordance with all appropriate state regulations and best practices. Any questions or concerns about the project can be directed to the Town Administrator's Office.

### 6. DISCUSSIONS:

a. **Traffic Safety Concern – 472 Federal Hill Road** - A resident is requesting the possibility of posting speed limit and slow children signs between 472 Federal Hill Road and 446 Federal Hill Road on both sides of the road. Chief Viola said they put out directed patrols in that area for about 3.5 hours. Over the 3.5 hours they observed 4 vehicles going about 30 to 35 mph. We had a total of 51 vehicles and everyone else was going the speed limit which is 30 mph. We will continue with directed patrols for a couple more weeks. We will report back to the Board and don't recommend going to the Traffic Safety Committee as of now.

Selectman Dargie asked if that road is on the schedule to be paved. Chief Viola said he didn't know, but he agrees that it needs some work. Selectman Freel asked how many speed limit signs are on Federal Hill Road from the Emerson intersection to the stop sign.

Captain Frye said ½ of Emerson Road is 35 mph and when you get up to Foster Road, it turns to 30 mph because the road is narrow and curvy and goes all the way to the town line. If you turn around to come back, it's 30 mph. There are some yellow signs that were put up there years ago for caution children. The area is well posted, it's just the design of the road which is curvy and narrow. Chairman Daniels said coming from Hollis it's 30 mph unless otherwise posted. Selectman Freel said that entire length is only about 1 mile.

Administrator Shannon said that Federal Hill Road isn't on this year's plan to be paved. There is work at the top of Federal Hill Road that is higher up on the scale to be fixed before that piece.

### b. Orientation

- **Board of Selectmen Rules of Procedure** – Chairman Daniels gave an overview of policies and procedures for incoming Selectmen. One of the primary documents is the Board of Selectmen Rules of Procedures.

**Board of Selectmen Meeting, Location** - Postings need to be in at least 2 places.

**Board of Selectmen Meeting, Time** - Meetings start at 5:30 unless otherwise noted. The Board meets the 2<sup>nd</sup> and 4<sup>th</sup> Monday of the month with 5<sup>th</sup> Monday forums on months that have 5 Mondays.

**Board of Selectmen Meeting, Open to Public** - All meetings are open to the public unless it's a non-public meeting.

**Responsibilities of Members of the Board** - Board members need to attend meetings.

**Election of Officers** - This is done at the first meeting after the election.

**Presiding Officer**— This is the Chair or Vice Chair in the absence of the Chair. They assure that meetings run smoothly and properly.

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

**Board of Selectmen's Meeting Agenda – Standard format.** The consent calendar has items that don't need to be discussed although any member can remove an item for discussion. If any Selectman wants to add something to the agenda, go to Tina and asked for it to be added. The Chair reviews the agenda prior to the meeting to make sure things run smoothly. Tina has a deadline that needs to be met which is Thursday afternoon for the Board and 4:00 Wednesday for members of the public. We need to add another area for public comments after Selectmen's Reports/Discussions. Notices are read at the end of the meeting. He encourages people to use NIXLE. The Board can go into non-public at the end of the meeting as needed but it needs to be a specific reason.

**Town Administrator** - Attends all meetings of the Board of Selectmen, unless excused by the Presiding Officer of the Board of Selectmen. Is responsible for taking minutes unless he/she delegates this to someone else.

### Meetings of the Board of Selectmen –

- **Organizational Meeting** - Where we chose our Chair/Vice Chair and assigned Selectmen to various committees.
- **Regular Meeting** - Doing regular meetings of the town as is necessary.
- **Workshop Meeting** - Specifically for one item so we can concentrate on that issue alone.
- **Non-Public Sessions** - Held in accordance with the provisions of NH RSA 91-A:3. A Non-Public Session would exclude the public from attendance at that specific session.
- **Emergency Meetings** - May be called by the Chair in accordance with NH RSA 91-A: 2, II; by two (2) members of the Board; or at the request of the Town Administrator. This needs an advance notice of 24 hours.
- **Site Walk** - May be held by the Board if a walk or inspection of a specific property or properties is required in order for the Board to have a full and complete understanding of a pending issue in order to render a decision. Such a session is for information gathering purposes only.

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- **5<sup>th</sup> Monday Forum** - Meetings occur in a month that has 5 Mondays. The informal meeting allows the public to come in to speak to the Board of Selectmen without an appointment. We may cancel a forum especially around holidays.

**Placement of Selectmen's Recommendations on Warrants** - The Board shall place a "Recommended" or a "not recommended" notation on each warrant article submitted. We have been putting supported or not supported. We should either change the document or change the way that we are doing it.

**Ethics Policy and Conflict of Interest** - If the Board of Selectmen is voting on a specific item that a Board Member may be personally involved in outside of Selectmen responsibilities; the Board Member should speak up and refrain from voting on said matter. The Chair needs to be notified prior to voting.

**Procedures for a public Hearing** - If the meeting includes a 31:95(b) for appropriations over \$10,000, the said hearing must be published in two locations, one of which may be the town web site. Items under \$10,000 may be included on the consent calendar. At the public hearing, each speaker, for or against the matter speaker shall be limited to five (5) minutes. The public can speak a second time once everyone else has spoken. Once everyone has spoken, the public hearing will be closed and the Board will offer their input and take a vote.

**Voting** – Is done by voice vote, we are currently doing it by roll call vote due to COVID-19 guidelines. Any member can request a roll call vote on any issue.

**Enacted Ordinances, Resolutions and Motions** - Policies can be discussed at a Board meeting and be voted on the same night. An ordinance requires two public hearings before a vote can be taken and there are time requirements between hearings.

**Public Complaints and Suggestions to Board** – Public complaints can be brought to any member of the Board or Town Administrator. Complaints about Board members can be brought to the Chairman; complaints about the Chairman can be brought to the Vice Chairman.

**Conduct with other Board Members and Staff** - The Board of Selectmen shall treat others with respect and respect the rights and opinions of the community despite differences of opinion. The Board of Selectmen expects to be treated the same.

**Amendment Procedures** - An amendment to these Rules of Procedure may be moved and voted at a regularly scheduled Board meeting.

### • Board of Selectmen Parliamentary Procedure

**Motion** - A member rises or raises a hand to signal the chairperson

**Second** - Another member seconds the motion.

**Restate motion** – The chairperson restates the motion.

**Debate** - The members debate the motion.

**Vote** - The chairperson restates the motion, and then first asks for affirmative votes, and then negative votes.

**Announce the vote** - The chairperson announces the result of the vote and any instructions.

**Incidental Motions** - If there are two parts to a motion and a member feels that they support one part but not the other, they could go up to the incidental motion and then two votes would need to be taken, one for each part.

**Point of Order Motions** - enables you to stop what you are doing to bring up something and address it.

**Subsidiary Motions** – Things like, "I want to take this and lay it on the table", and this overrides a main motion. Move the question means you want to stop the debate and vote on it. You will not be allowed to move the question if you have already spoken.

**Privileged Motions** - Have to do with fixing the time of day, recess, adjourn, etc.

Chairman Daniels mentioned "Robert's Rules of Order" which is a parliamentary procedure developed to ensure that meetings are fair, efficient, democratic and orderly. Roll calls are needed to enter into non-public. Sealing the minutes also require a roll call vote.

### • **Right to Know – RSA 91-A:3**

**There are 5 reasons to go into non-public:**

1. Employee performance
2. For the hiring of any person as a public employee
3. Reputation of any person other than a member of the Board unless a Board member requests an open meeting.
4. Acquisition, sale or lease of real or personal property
5. Legal

If they are in negotiations of things like "collective bargaining" there is a statute called a "non-meeting".

### • **Social Media**

## DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 04/27/2020

Everyone should be aware that what you put out there is out there forever. Town Employees and the Board need to be careful about what we say. New Hampshire is still a work at will state, you can be fired for any or no reason. Use common sense. Permission is needed to post things on a town media site.

### • **Ethics Policy –**

In the event of an alleged ethics complaint, it will be addressed in one of the three scenarios:

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

Chairman Daniels said the ethics document will be revisited as it hasn't been reviewed since 2011.

**c. Status of Large Events Planned for 2020** – Selectman Dargie asked to have this put on the agenda because of the COVID-19 situation. It's his opinion that we not have any large events until there are vaccines or medications to help with COVID-19 issues. If we anticipate 50+ people we most likely shouldn't have the event. The limit is currently 10 people. We don't have to decide on all of them today, but we should discuss Memorial Day.

### • **Memorial Day Parade, May 25th - Selectman Dargie**

Administrator Shannon said he agrees that we should cancel the Memorial Day Parade but the 4<sup>th</sup> of July may be questionable. He doesn't want to make decisions in late April for something that might happen in July or later. We would like to get more information before making decisions. The Pumpkin Festival and Rotary Swim meets are not Town events although they use Town property.

Selectman Dargie said he would like to identify a go, no go date for each event. The pumpkin festival needs more lead time but other events may need less lead time. Administrator Shannon said we will need to reach out to the people who are in charge of these events for go, no go dates. If there is going to be no groups of 100+ through the end of the year, it will be a moot point anyway.

Selectman Labonte is in favor of waiting to see what the Governor decides. Arene said her name is attached to some of the events and some of these organizations. Currently Recreation hasn't run any events since March 15, 2020. The Rotary Swim Meet isn't just Rotary, it's GSSA as well and they are having their meeting on May 9<sup>th</sup> to determine if summer leagues are occurring. We are supposed to host the State Champion Swim Meet in August. She has been in communication with everyone who uses our fields, some have already cancelled and others are being placed in a "tentative" status. Everyone is aware that they may not be able to hold their activities. She is on top of this and nothing is being cancelled at the last minute.

Doug Whitney, Milford resident feels that we should speak to the American Legion as they may want to do something else if the Memorial Day parade doesn't happen.

Selectman Freeland agrees that we should be cautious but also agrees that we shouldn't cancel everything too quickly, except maybe for the Memorial Day parade. He would like to see the community be able to enjoy something throughout the year as long as it's done safely. We don't know where we will be three months from now or even a month from now. We shouldn't take any votes now; we should take things meeting by meeting. The larger events could come to us if they need to know if they should do their activity or not.

Administrator Shannon said Arene has been on top of this and the departments meet weekly to keep up with what is going on. We have to follow the lead of the Governor. Currently it's 10 or less in a gathering through May 4<sup>th</sup>.

Arene said the large soccer tournament that usually happens Memorial Day weekend has also been cancelled this year. Tina Philbrick said the Legion meets tomorrow at 7:00, she suggests that one of the Selectmen go to that meeting and talk to them about the Memorial Day Parade.



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Selectman Dargie suggest that they cancel the Memorial Day Parade but allow the Legion proposed alternative actions that are safer. Administrator Shannon said the next scheduled Board meeting is May 11<sup>th</sup>. Selectman Freel asked if the Legion could throw something together that fast if we said no on the 11<sup>th</sup>. Administrator Shannon said the Legion should have an answer tomorrow night. If they want to bring it to the Board, they can do so on the 11<sup>th</sup>. Chairman Daniels said at least the message that the Board would prefer not to have the Memorial Day Parade could be taken to the Legion tomorrow night. We would still have the 11<sup>th</sup> to say it isn't going to happen if they still want to do the parade.

Selectman Dargie said the high school band won't be participating in the parade. Selectman Labonte feels that we should leave it up to the Legion and let them use their discretion; they are the ones that are the organizers of the parade. That parade isn't a huge event and we usually don't have the volume that we do like the other parades, but it's an important parade to a lot of people.

Administrator Shannon repeated, if the Governors orders are still in place, it's a moot point. Selectman Freel said he would volunteer to attend the Legion meeting to discuss the parade. Selectman Labonte said he would also attend.

Chairman Daniels would like to hear from those who host the larger events as far as participation. Wade Scott Campbell, Granite Town Festivities Committee said they have been discussing the Pumpkin Festival for a couple of weeks. They still need to talk to other players. They can put the festival together in a short time as long as they have their vendors in place. They only had one vendor cancel and there are still many inquiries to if it's still going to happen. They still plan on moving forward if this is lifted. June 1st will be their drop dead date. It all depends on what the Governor has to say and they don't want to put the town at risk.

Selectman Labonte asked Arene where we were on band concerts for the summer. Arene said contracts were signed in February. One band already cancelled, but they are four older gentlemen and they cancelled their entire summer of concerts. She is in communications with the bands. We may need to cancel the first couple and run the end ones, or maybe extend the season into September. She opened summer registrations last week with the understanding that things may not run, and she had \$1,600 for registrations in the first eight hours. People are looking to go things if we can do it.

Chairman Daniels asked if it was Recreation or Rotary that organize the swim meet. Arene said it's the Rotary Swim Meet, but it's a joint effort between the two. Conversations have taken place between them. Janet Langdell, President, Rotary Swim Meet, said the meet is a partnership between the Town, Rotary and the GSSA. They are all set to go depending on the Governors orders. This isn't something we can move to August. It has to be done prior to the state championship. We may be able to move it to the last weekend in July.

Chairman Daniels said we will track the drop dead dates on whether it's a go or no go. Brendon Philbrick, Chairman for the Labor Day Parade and Wilton resident, said it's good to have safe guards and the Labor Day parade is 125 days away. We should move forward with it. He referenced a warrant article that appropriates money for the three parades. We need something positive. People can wear masks and distance as the parade spreads out over a mile. The parade will be pending band participation; some may drop out to make it a smaller parade. He's trying not to cave in the level of fear. Town officials, Lawyers and Judges like to do that to protect themselves from liability.

Administrator Shannon said he doesn't think planning for different contingencies is giving into fear. It's just being cautious and seeing what our options are. Arene said the 5k race goes over 3.1 miles and is considered one gathering. It doesn't matter how far out its spread, that scheduled gathering would not be able to be more than 10 people.

Chairman Daniels said this can be revisited this again at the next meeting. Selectman Dargie said HE wants those who are hosting the activity functions to give him a specific date as far as go or no go and when do we need to make a decision from their prospective.

Administrator Shannon said they will stay on top of it and report back to the Board under Town Status at each meeting. Wade said their tentative date is June 1<sup>st</sup>. We will have to wait until the end of May to figure out what we are doing. Brendon said they will communicate with the Bands monthly for the Labor Day Parade, he would know by the July 13<sup>th</sup> Board meeting.

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

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

Selectman Dudziak said the library is continuing to do curbside pickup for those who want to check out books or books on tape. They are one of the few libraries' in the state that is doing this.

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Selectman Labonte said that the MACC Base Board of Governors has a meeting tomorrow. He assumes there question is going to be, “what’s going on with Milford”. Chairman Daniels asked Captain Frye to go over the agenda from MACC Base and asked him if he needs anything from this Board for the meeting tomorrow. Captain Frye said one of the new business items is the future of MACC Base without Milford, and they also want to talk about the future IMA. Administrator Shannon said we can add the outcome of this meeting in the Town Status section of the next Board meeting.

Chairman Daniels asked Captain Frye if he knew of any expectation on the part of the Board of Governors that he would have regarding an IMA and our decision as to how long to extend it. Captain Frye said the Chairperson mentioned a while back that he would like a two year extension. With us putting the RFP out, and hopefully putting another warrant article in 2021, he feels that we should ask for a two year extension.

Chairman Daniels asked how early is the agenda for MACC Base usually sent out. Captain Frye said he just received it. Chairman Daniels asked if it could be put out earlier like we do our Board meetings and post it so we can know what is going on and when the meetings happen. Captain Frye said yes.

Selectman Labonte asked if there are any discussions that should be had with MACC Base on whether any of the communications are able to be solved or dealt with currently. Chairman Daniels said those questions haven’t been given to the Board yet. Each town has their own issues they need to resolve. Selectman Labonte said he is only referring to our issues. Should our issues be posed? Captain Frye said they’ve been posed since 2017. He feels that we are doing the best we can. As far as Milford is concerned, we are trying to put together the best plan of action at what we believe to be a reasonable cost. Selectman Labonte is referring to now, not the future. There are communication issues and he assumes that they would be able to be dealt with by us and our own equipment side of our property. At some point there has to be an equipment issue at MACC Base, is the problem actually coming from the 4<sup>th</sup> floor, or where is the problem coming from and are there tweaks that we can do to improve the service in less than two years.

Captain Frye said CTA did a study and brought up all the issues concerning all parties involved. We followed that recommendation. The warrant article did pass but it didn’t reach 60% but he believes that it will pass next year. Until then we keep going. He doesn’t see us putting up \$2,000,000 now without a town vote. Any unused money given back by MACC Base should be put back into the general fund with things being uncertain now and possible short falls that town may have. All towns are going to suffer with short falls if the federal government isn’t able to give us any money due to COVID-19.

Selectman Labonte said warrant article 4 needed a 3/5 vote in order to pass so technically it did fail, it got less than the 60% vote needed. He’s not set on taking just one option to the voters. Ultimately the majority of the voters didn’t vote for it. Numerous people voted for article 5 and they voted to make a statement that they supported MACC Base and that option should still be out there.

Recycling committee met last week and were talking about putting together a mission statement. The draft version is “The purpose of the Town of Milford Recycling and Solid Waste Committee shall be to encourage the reduction of the waste through education, activism and policy proposals of the 4 R’s; Refuse, Reduce, Reuse, Repurpose and Recycle. We seek to develop a system to encourage the public to help in the cleanup of our environment and do our part to reduce the effects of climate change for our future generations”. He expressed to the committee that the mission statement that they are coming up with is outside of the charge given to them by the Selectmen which had to do with recycling and solid waste. The 1989 ordinance was passed and the committee was formed in order to get recycling going in Milford. Climate change is such a politicalized issue and may turn some people away from the recycling that we are trying to encourage.

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

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

**9. APPROVAL OF FINAL MINUTES.** Selectman Dargie moved to approve the minutes of April 13, 2020 as amended. 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.

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

a. N/A

## DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 04/27/2020

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

**12. NON-PUBLIC SESSION.** Selectman Dargie made a motion to go into non-public in accordance with (RSA 91-A:3,II (c)) Reputation and Approval of non-public minutes in accordance with (RSA 91-A:3,II (c)) Reputation February 10, 2020 (6:30) and (RSA 91-A:3,II (e)) Legal February 24, 2020. Seconded by Selectman Dudziak. All were in favor. 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.

**13. ADJOURNMENT:** Selectman Dargie moved to adjourn at 8:35. Seconded by Selectman Dudziak. All were in favor. 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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Gary Daniels, Chairman

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Chris Labonte, Member

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Paul Dargie, Vice Chairman

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David Freel, Member

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