

**Public Hearing – July 8, 2019** Ordinance for “Fletcher Site Land Use Restrictions.

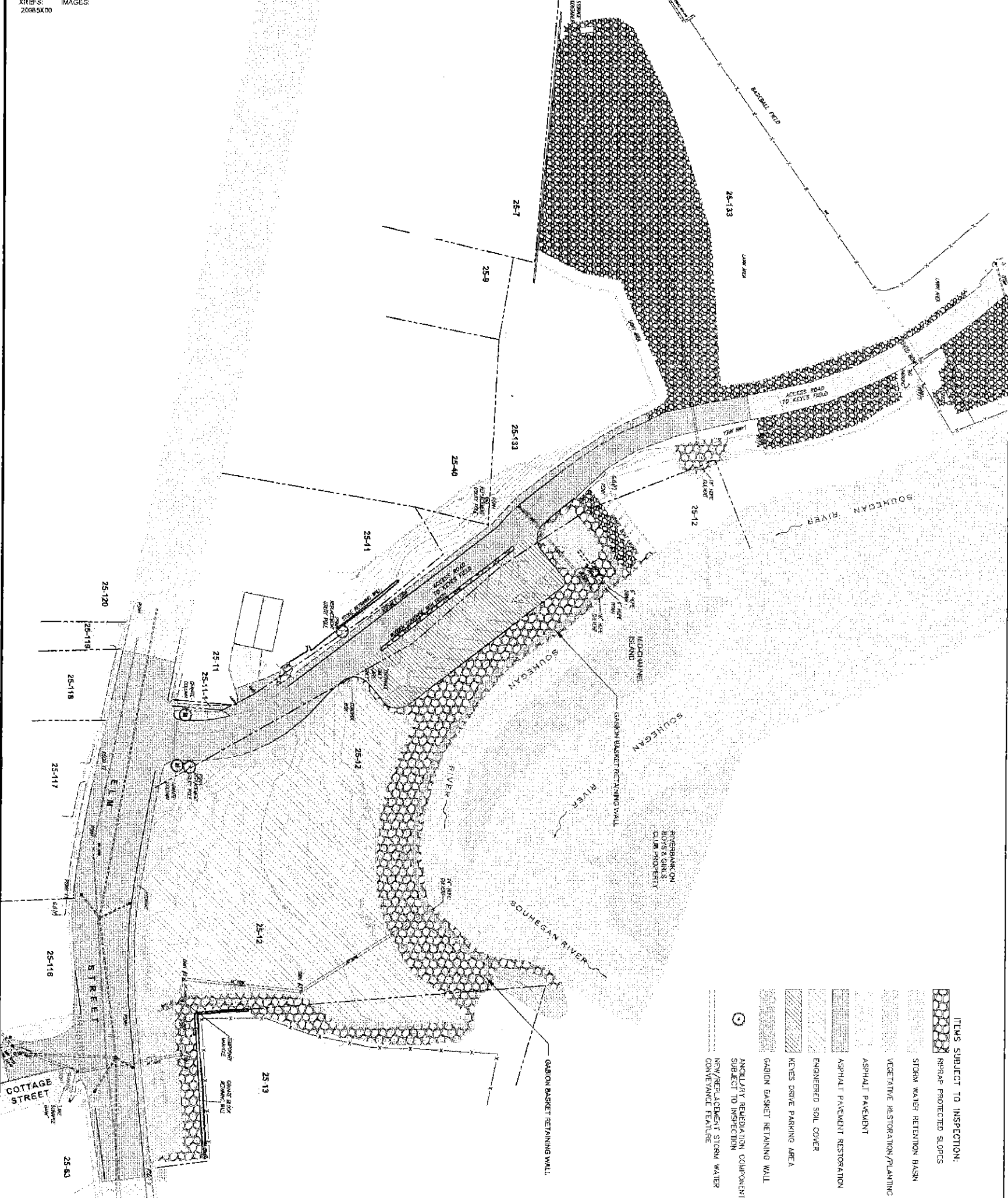
**Public Hearing** – The purpose of the hearing is to implement a Town Ordinance pursuant to NH RSA 147:1 Local Regulations. The ordinance (Chapter 5:34) is referred to as “Fletcher Site Land Use Restrictions”. The 1998 Consent Decree with the EPA requires the Town of Milford implement activity and use restrictions to protect the low permeability cap on the Elm Street property (Lot 25-12) and a portion of the abutting cemetery (Lot 25-13). Practical restrictions include recreation land use only and no disturbance of the surface without prior contact with the US EPA and NH DES. These protections are similar to the groundwater management zone (GMZ) restrictions implemented in 2018.







XREFS: IMAGES: 209053093



- ITEMS SUBJECT TO INSPECTION:**
- RRAP PROTECTED SLOPES
  - STORM WATER RETENTION BASIN
  - VEGETATIVE RESTORATION/PLANTING AREAS
  - ASPHALT PAVEMENT
  - ASPHALT PAVEMENT RESTORATION
  - ENGINEERED SOIL COVER
  - KEYES DRIVE PARKING AREA
  - GABION BASKET RETAINING WALL
  - ANGULAR REEDUCATION COMPONENTS SUBJECT TO INSPECTION
  - NEW/REPLACEMENT STORM WATER CONVEYANCE FEATURE

- DRAWING LEGEND:**
- 5' CONTOUR INTERVAL
  - 1' CONTOUR INTERVAL
  - 25-13 PARCEL ID
  - WATER LINE
  - EDGE OF PAVEMENT
  - CURB EDGE
  - PROPERTY LINE
  - UTILITY POLE
  - CATCH BASIN
  - SANITARY MANHOLE
  - STORM MANHOLE
  - FIRE HYDRANT
  - WATER VALVE
  - VALVE
  - MONITORING WELL
  - AS-BUILT BOLLARDS WOOD POSTS
  - OVERHEAD UTILITY LINES
  - GAS LINE
  - SEWER LINE
  - DRAIN LINE
  - EXISTING CHAIN LINK FENCE
  - SOUHEGAN RIVER
  - CRAVEL



GENERAL ELECTRIC COMPANY  
 FLETCHER'S PAINT WORKS AND STORAGE FACILITY  
 SUPERFUND SITE - MILFORD, NEW HAMPSHIRE  
 LONG-TERM MAINTENANCE PLAN

**SITE RESTORATION PLAN -  
 ELM STREET AREA**



FIGURE 3

**FLETCHER'S PAINT WORKS SUPERFUND SITE  
LAND USE RESTRICTIONS TOWN ORDINANCE**

Adopted on \_\_\_\_\_ by the Town of Milford Board of Selectmen (hereafter "Board")

**I. AUTHORITY AND PURPOSE**

Pursuant to RSA 147:1, Local Regulations, the Board adopts Land Use Restrictions on two Town owned parcels (Lots 25-12 and 25-13) in consultation with the United States Environmental Protection Agency (US-EPA) and New Hampshire Department of Environmental Services (NH-DES) to be entitled, "Fletcher Land Use Restrictions."

Objectives of the Fletcher Land Use Restrictions are:

- A. To prevent the disturbance of portions of Lot 25-12, and 25-13 without first notifying the U.S. Environmental Protection Agency (EPA) and the New Hampshire Department of Environmental Services (NHDES).
- B. To protect the public health and safety by preventing exposure to, and the possible spread of, contaminated soils that remain in place under the capped portions of Lots 25-12 and 25-13.

**II. PERMITTED LAND USE AND PROHIBITED ACTIVITIES**

- A. The use of Lot 25-12 shall be limited to recreational use only.
- B. There shall be no disturbance of the surface or subsurface by, including but not limited to, filling, drilling, excavation, removal of top soil, riprap, gabion basket retaining wall, storm water retention basin, planting or cultivating, or change in the topography in any manner on Lot 25-12 without first contacting the EPA and the NHDES, except for the area designated as a "vegetative restoration/planting area", which is located outside of the engineered soil cover. Refer to the attached Site Restoration Plan – Elm Street Area, and the As-Built Plans, Elm Street Area (sheets 1-3).
- C. There shall be no disturbance of the surface or subsurface by, including but not limited to, filling, drilling, excavation, removal of top soil, riprap, planting or cultivating, or change in the topography in any manner of that portion of Lot 25-13, that is currently located outside of the fenced-in area without first contacting the EPA and the NHDES, except for the area designated as a "vegetative restoration/planting area" ", which is located outside of the engineered soil cover. Refer to the attached Site Restoration Plan – Elm Street Area, and the As-Built Plans, Elm Street Area (sheets 1-3).

**III. EMERGENCY PROCEDURES**

In the event of any emergency or condition (e.g., storm/erosion, and or flood event) that may result in significant risk of harm to human health from exposure to contamination from the Elm Street Area of the Fletcher's Site (Lot 25-12), the Town of Milford, as the property owner, shall immediately notify the EPA and the NHDES. The contact information is provided below.

US Environmental Protection Agency  
Office Of Site Remediation and Restoration  
5 Post Office Square  
Boston, MA 02109-3912  
(617) 918-1205

**Milford Municipal Code - Title 5 Health & Safety**  
**Chapter 5.34 Fletcher Site Land Use Restrictions Ordinance**

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NH Department Of Environmental Services  
Hazardous Waste Remediation Bureau  
29 Hazen Drive  
Concord, NH 03302-0095  
(603) 271-2905

**IV. ADMINISTRATION**

The provisions of this Fletcher Land Use Restrictions Ordinance shall be administered by the Board acting through the Health Officer.

**V. ENFORCEMENT**

The Board shall be responsible for enforcement of the provisions of this Fletcher Land Use Restrictions Ordinance.

**VI. EFFECTIVE DATE**

This Article shall become effective upon passage. This Fletcher Land Use Restrictions Ordinance shall remain in effect until the cleanup goals required under CERCLA decision documents for the Fletcher's Paint Works Superfund Site are achieved. The Town shall consult with the EPA and NHDES before modifying or terminating this Fletcher Land Use Restrictions Ordinance.

Adopted \_\_\_\_\_, 2019

\_\_\_\_\_  
Gary Daniels, Chairman, Board of Selectmen

\_\_\_\_\_  
Paul Dargie, Vice Chair, Selectmen

\_\_\_\_\_  
Chris Labonte, Selectman

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

\_\_\_\_\_  
Laura Dudziak, Selectwoman



## Improving the reliability of the electric system in the Milford, N.H., area

### **Project Need:**

The 314 distribution line serves over 5,800 customers in the greater Milford area, and is in need of upgrades. This line crosses Heron Pond, with five poles located in the pond itself. Those wooden poles have been identified as deteriorated and in need of replacement. One pole on each side of the pond will also be replaced to complete the design and improve system reliability.

### **Project Benefits and Description:**

This project will improve electric reliability in the greater Milford area. Additionally, by replacing the poles in and next to the pond with three, self-weathering steel poles, the environmental impacts will be less and future maintenance within the pond itself will be greatly reduced. To further reduce future maintenance, the wire will also be replaced as part of this project.

### **Location:**

We will be working within the power line corridor off Perry Road and Heron Pond Road in Milford.  
*[See reverse for site map]*

### **Project Timeline:**

- Permitting: April – August 2019
- Pre-Construction Preparation Work: July – August 2019
- Construction: August – September 2019
- Completion: September 2019
- Final Restoration: September – October 2019

### **What You Can Expect:**

In mid-August, once all permits have been received, construction will begin with site preparation, such as building an access road, installing protective matting and delivering new poles. Then, the poles will be installed and the new wire will be strung. Once the wire is connected, the old wire will be removed and the old poles will be cut below the water's surface (in the pond) or removed completely (outside the pond). Site restoration will take place once construction is complete.

### **Community Outreach:**

Keeping our customers and communities informed about Eversource activity in the area is an important part of our work in the communities we serve. Communication with neighbors, public officials, and other stakeholders will occur before construction begins and throughout the project. If you have any questions, please contact us anytime.

(continued)



# Distribution Line Rebuilding Project For Heron Pond

EVERSOURCE

## Line Location:

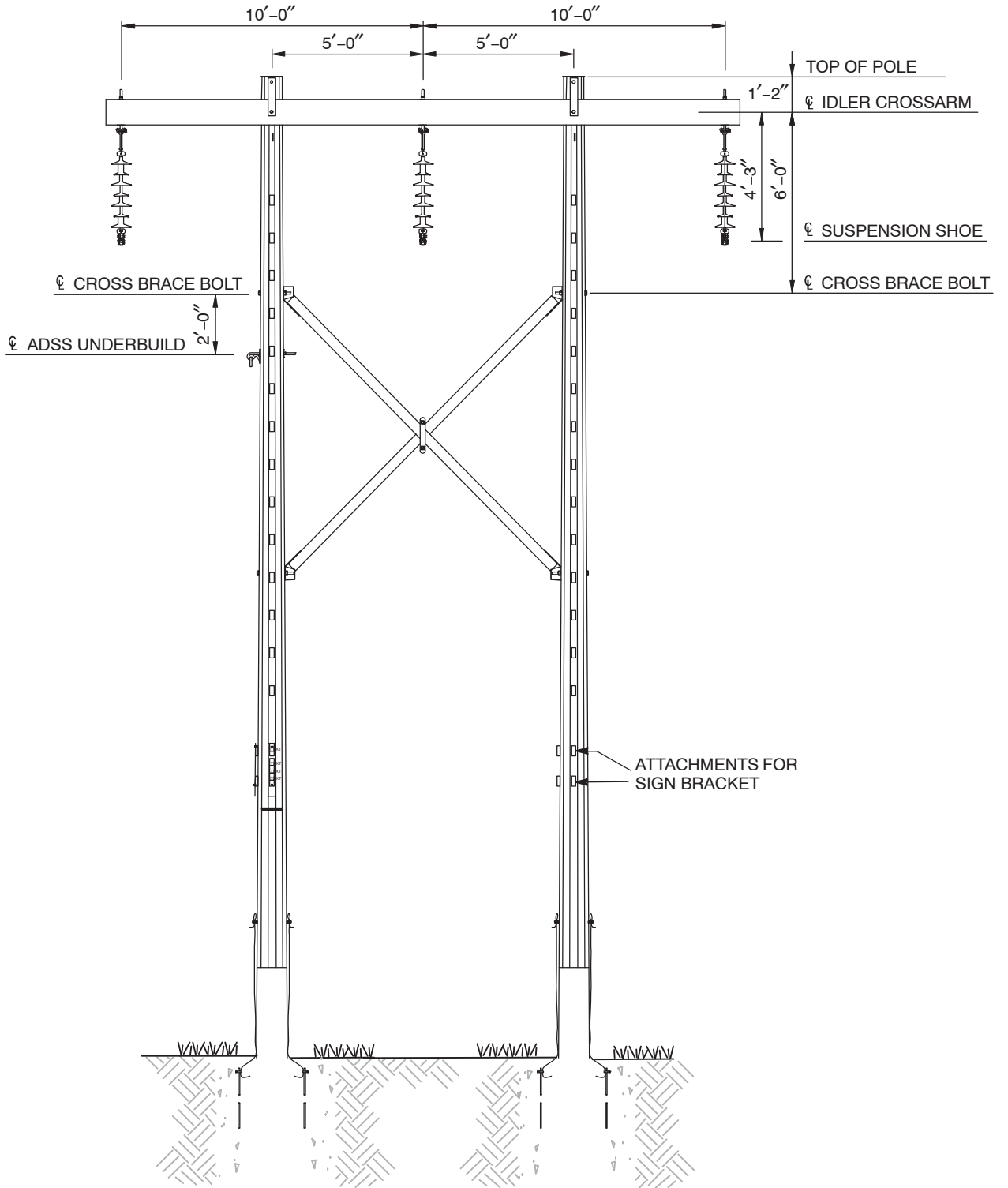
*Locations shown on map are for illustration only and show general areas where construction activities will occur. Actual locations may vary in the field.*



July 2019

Call 888-926-5334 or email us at [NHProjectsInfo@Eversource.com](mailto:NHProjectsInfo@Eversource.com) to learn more.

STRUCTURE LIMIT TANGENT - DRAWING NOT TO SCALE

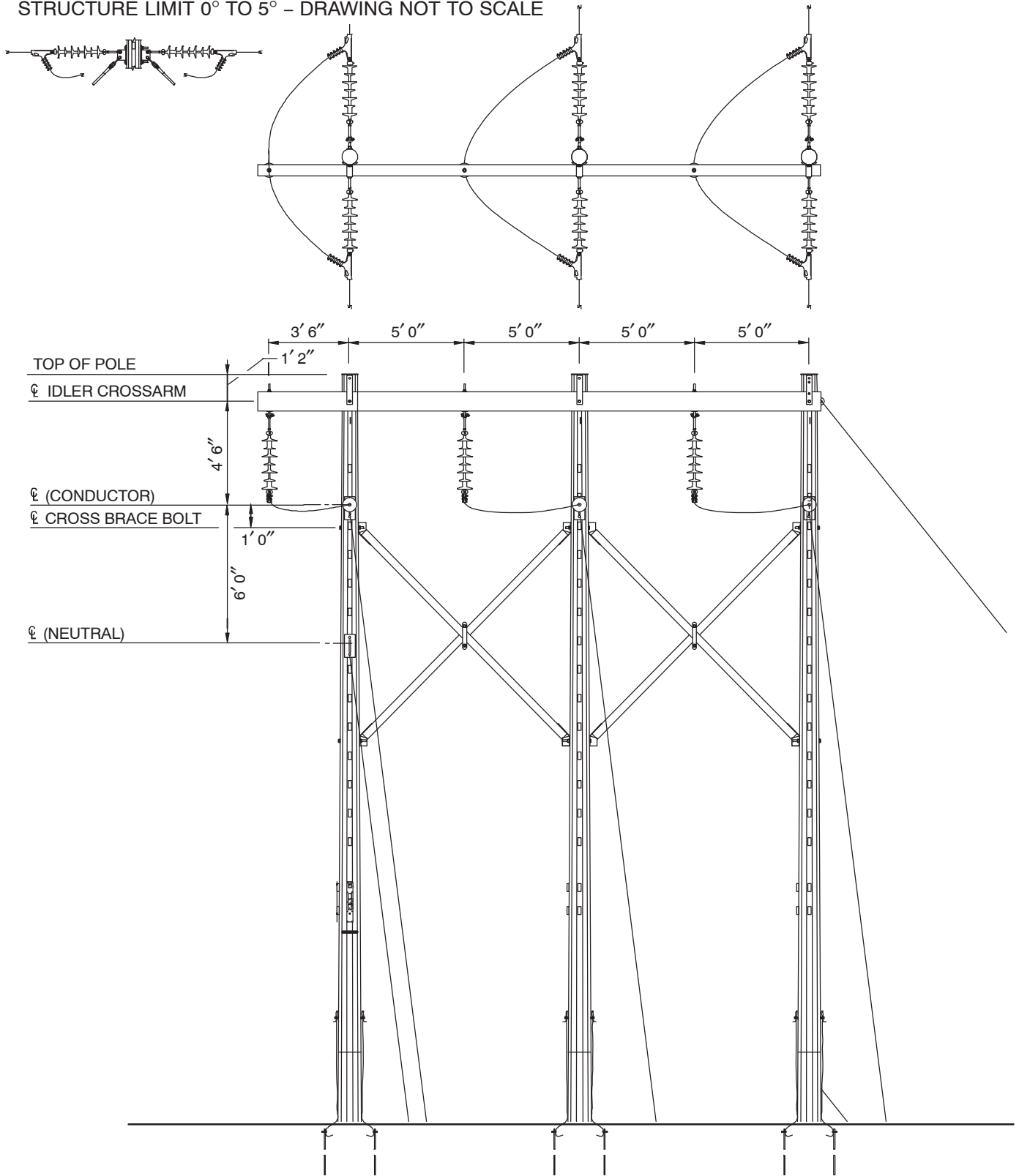


**Notes**

1. Refer to **DTR 10.642** for details in regards to aerial sign bracket, identification signs, and related mounting hardware.

ORIGINAL	<b>DOUBLE STEEL POLE CONSTRUCTION 34.5 KV TANGENT STRUCTURE - 350 KV BIL</b>			
05/03/18				
APPROVED				
07/23/18				
JH	EVERSOURCE ENERGY	CONSTRUCTION STANDARD	DTR 10.634	1

STRUCTURE LIMIT 0° TO 5° – DRAWING NOT TO SCALE

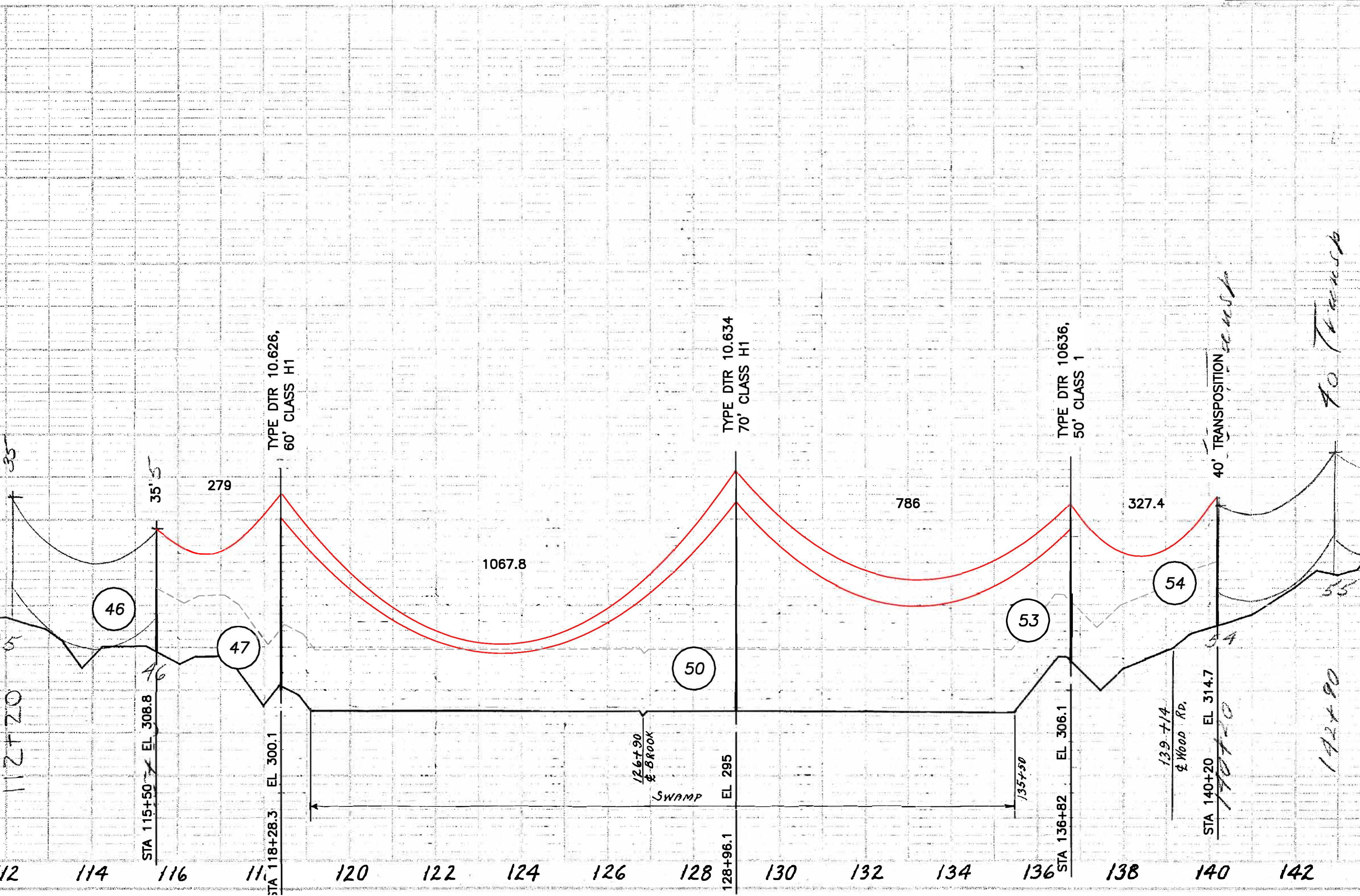


**Note**

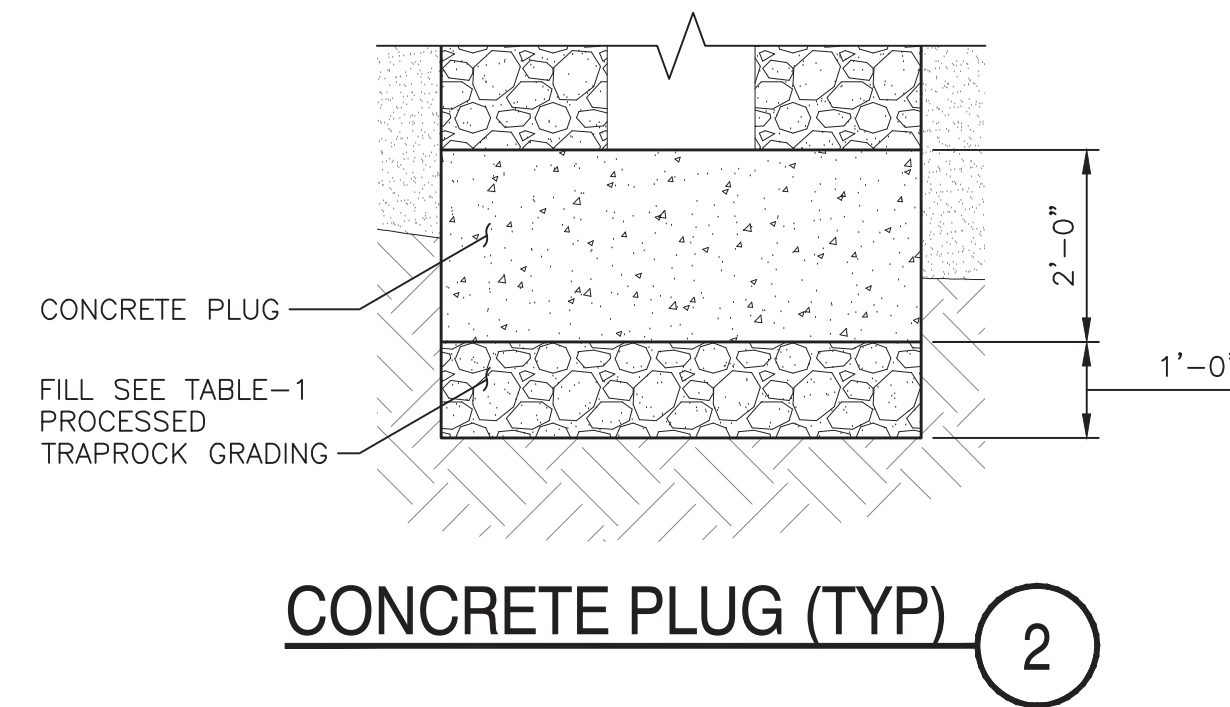
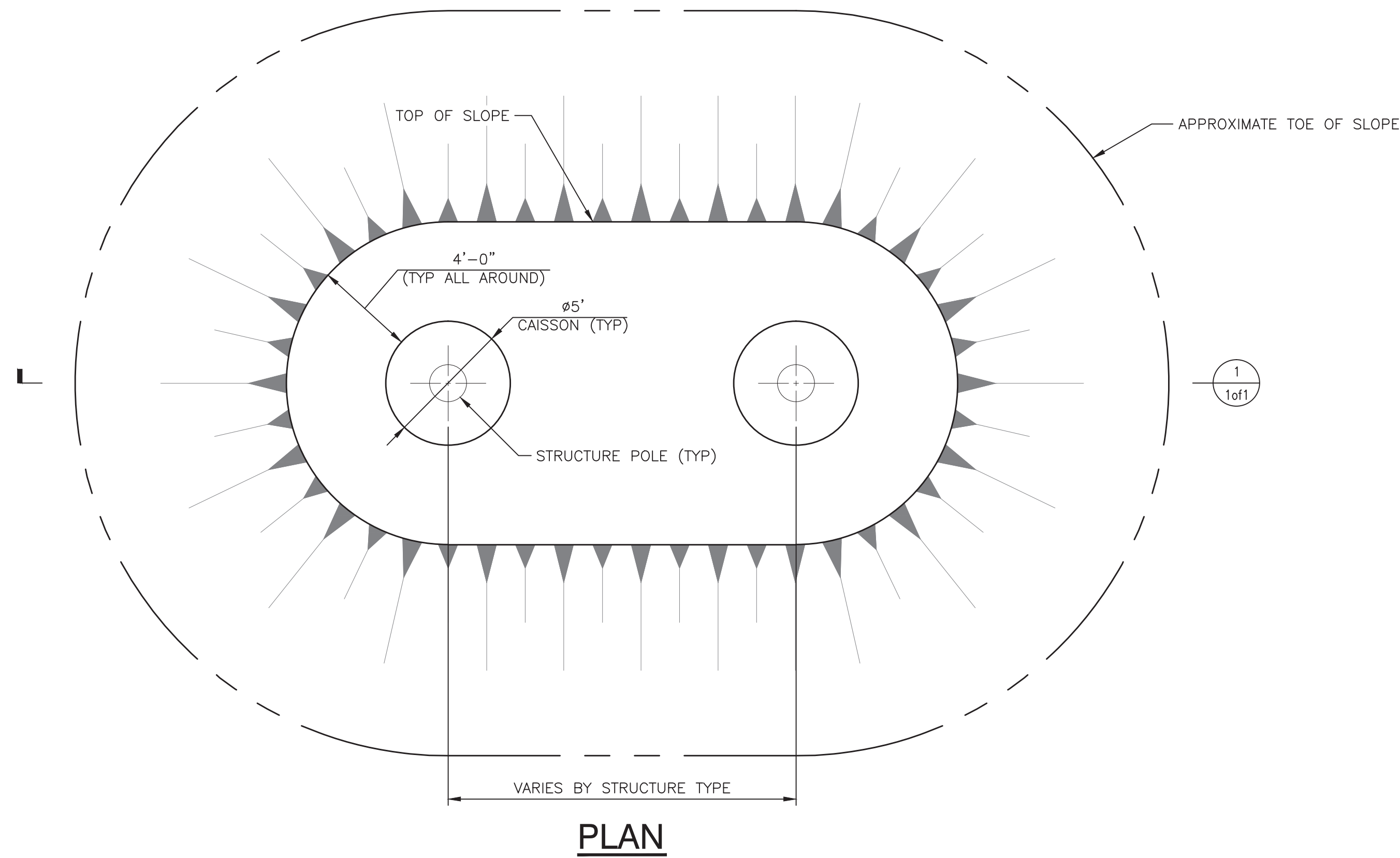
1. Refer to **DTR 10.642** for details in regards to aerial sign bracket, identification signs, and related mounting hardware.

ORIGINAL	<b>TRIPLE STEEL POLE CONSTRUCTION 34.5 KV – 350 KV BIL THREE POLE DEADEND STRUCTURE 0–5 DEGREES</b>			
07/23/18				
APPROVED				
JH	EVERSOURCE ENERGY	CONSTRUCTION STANDARD	DTR 10.636	



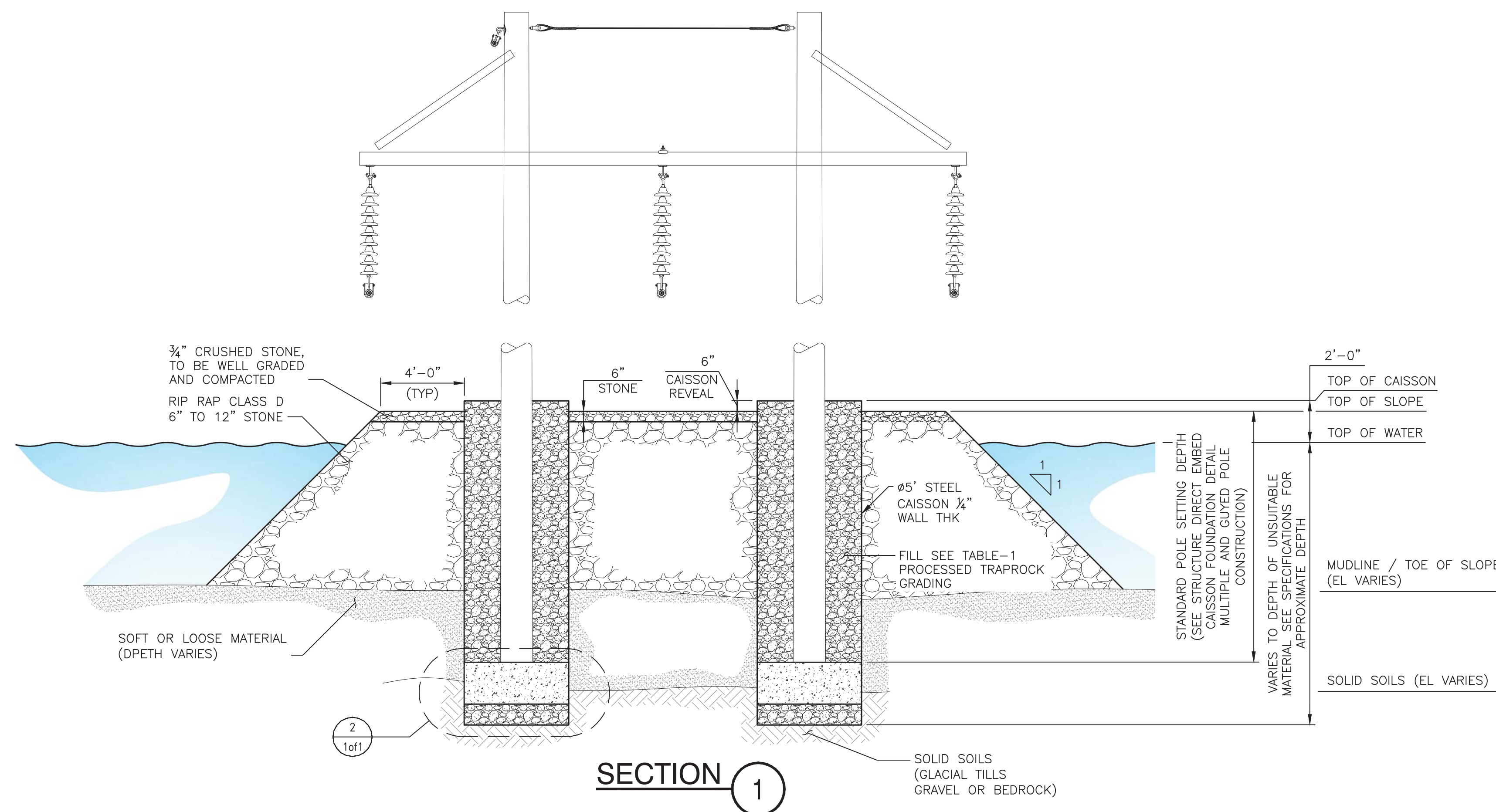






- NOTE:**
1. CAUTION, CARE SHOULD BE TAKEN TO AVOID DAMAGING SUBGRADE GROUNDING ATTACHMENTS.
  2. SEE OTRM 260, 261, 262, 263 STANDARDS FOR EARTHWORK.

TABLE-1 PROCESSED TRAPROCK GRADING		
SIEVE SIZE	MIN % PASS	MAX % PASS
0'-1"	95	100
0'-0 1/2"	84	85
0'-0 3/8"	55	74
No. 4	37	45
No. 8	24	27
No. 16	18	14
No. 30	7	8
No. 50	4	2
No. 100	2	0
No. 200	0	0



CONTRACT SERVICES												T	1					
REV						DESCRIPTION						ENG/PE#	DATE	DRN	CHKD	APPR	DRAWN CTS ENGINEER JRS CHECKED MTM APPROVED DSD DATE	
1						TABLE-1, MAX/MIN COL'S TRANSPOSED						08/17	GBS	JRS	DSD	SCALE NTS	FILE: 074105034.DWG IMAGE: NONE	DRAWING NO. 074105034
DWG REV						EPN/DESCRIPTION						CONT/PE#	DATE	DRN	CHKD	APPR		

4.a)1) Unanticipated Revenue

Board of Selectmen  
Agenda Date: 7/8/19

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

Source	Amount	Purpose
Monadnock Paper Mills, Inc.	\$ 200.00	Donation to the Milford Fire Dept. for the Fire-Rescue Donations Special Purpose Fund. See memo from the Fire Chief.

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

None at this time.



**Fire Department  
MEMORANDUM**

**TO:** Finance, BOS

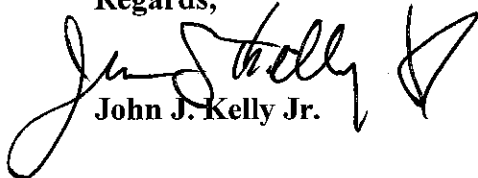
**FROM:** Milford Fire Department

**DATE:** 6/24/19

**SUBJECT:** Donation

The Milford Fire Department is in receipt of a contribution of \$200.00 from The Monadnock Paper Mills, Inc . Please accept the donation and apply to Fire-Rescue Donations account 4800-48149.

Regards,

  
John J. Kelly Jr.



# Monadnock

**Richard G. Verney**  
Chairman and Chief Executive Officer

**Monadnock Paper Mills, Inc.**  
117 Antrim Road  
Bennington, New Hampshire  
03442-4205

Phone 603 588 8216  
Fax 603 588 3516  
Phone 800 231 8323 x216

rverney@mpm.com

June 24, 2019

Milford Fire Department  
39 School Street  
Milford, NH 03055

Gentlemen:

Many thanks for your response to the fire at the Mill on June 6<sup>th</sup>.

If it were not for the prompt response and expertise of many local Fire Departments, the situation could have been catastrophic.

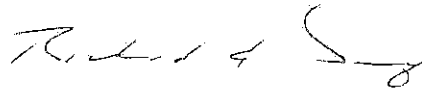
It is comforting to know that the area has such talented people who can respond at a moment's notice.

Enclosed is a small contribution for your efforts.

Thanks again from all of us at Monadnock.

Sincerely,

MONADNOCK PAPER MILLS, INC.



**Town of Milford  
Finance Department**

# Memo

**To:** Board of Selectman  
**From:** Paul Calabria, Finance Director  
**Date:** 6/27/2019  
**Re:** Investment Policy Review and Re-Adoption, and Treasurer's Delegation

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According to the Town of Milford's Investment Policy: "This policy shall be reviewed at least annually by April 30 by the Board of Selectmen, with changes made as warranted, followed by re-adoption by the governing body." I am presenting our Investment Policy to you with no changes from last year. I am requesting re-adoption for the ensuing year.

In addition to the re-adoption of the Investment Policy, I am also requesting a renewal of the Treasurer Delegation by April 30 as required by the policy. You will find a sample of the Treasurer Delegation in Appendix J of the Investment Policy. An updated copy of the Delegation is available for your signatures in your signature folder.



Town of Milford  
Town Hall  
1 Union Square  
Milford, NH 03055

## INVESTMENT POLICY

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## I. PREFACE

This investment policy is adopted by the Board of Selectmen pursuant to RSA 41:9, VII, a copy of which is attached as Appendix A.

The investment policy establishes a framework for the safe and prudent investment of public funds.

It also provides guidance and direction for elected officials and staff in the daily conduct of investing activity in addition to improving consistency, creating and defining accountability and in ensuring that laws are followed.

## II. SCOPE

The investment policy applies to all financial assets of the Town of Milford, New Hampshire, which funds are accounted for in the Town's annual audited financial reports. Furthermore, the investment policy applies to all transactions involving the financial assets and related activity of all these funds. Excluded are funds managed by the Trustees of the Trust Funds which are covered by the Trustees' Investment Policy.

## III. OBJECTIVES

1. To preserve capital and protect investment principal.
2. To maintain sufficient liquidity to meet operating requirements;
3. To satisfy all legal requirements;
4. To attain the highest possible rate of return on investments, taking into account the legal constraints, cash flow needs and risk levels consistent with the objective of capital preservation

## IV. DELEGATION OF AUTHORITY

1. Pursuant to RSA 41:29, I, a copy of which is attached as APPENDIX B, the Town Treasurer shall have custody of all moneys belonging to the Town, except as may otherwise be provided by law. The Town Treasurer, and any person to whom the Town Treasurer shall delegate investment authority, shall invest such moneys in accordance with this investment policy.
2. No person may engage in an investment transaction except as provided under the terms of this policy and the internal procedures and controls hereby established.
3. The Town Treasurer may, in accordance with RSA 41:29, VI (See APPENDIX B), delegate deposit, investment, record keeping and reconciliation functions to the Director of Financial Operations. This

Town of Milford, New Hampshire  
INVESTMENT POLICY

assignment shall be provided in writing and renewed annually by April 30.  
(See APPENDIX J)

## V. PRUDENCE

The investment policy will be conducted in accordance with the "prudent person" standard which requires that:

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict (or appear to conflict) with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

Employees and investment officials shall disclose to the Board of Selectmen any material financial interest in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large personal financial/investment positions that could be related to the performance of this jurisdiction's portfolio.

Employees and officers shall subordinate their personal investment transactions to those of this jurisdiction, particularly with regard to the timing of purchases and sales.

The provisions of this section are intended as a supplement to, not a substitute for, the Town of Milford's Ethics Policy and/or Employee Handbook.

## VI. INTERNAL CONTROLS

1. Indemnification: In accordance with RSA 41:6 (Surety Bond Required),

"Town Treasurers, trustees as provided in RSA 31:22 and 23, trustees as provided in RSA 53-B:8-a, I, library trustees including alternate library trustees, if any, town clerks, tax collectors and their deputies, agents authorize to collect the boat fee, and persons delegated treasury functions under RSA 41:29, VI shall be bonded by position under a blanket bond from a surety company authorized to do business in this state. The bond shall indemnify against losses through:

Town of Milford, New Hampshire  
INVESTMENT POLICY

- (a) The failure of officers covered to faithfully perform their duties or to account properly for all moneys or property received by virtue of their positions, or
  - (b) Fraudulent or dishonest acts committed by the covered officers.”
2. A system of written internal controls, with regard to investments, shall be established and maintained by the Board of Selectmen, or its designee, and shall be reviewed annually by Town’s independent auditors. (See APPENDIX E, APPENDIX F & APPENDIX H)

## VII. INVESTMENT INSTRUMENTS

In accordance with RSA 41:29 (see APPENDIX B), the Town’s funds shall be divided into two categories for purposes of investments:

- (1) Operating Funds which are immediately needed for the purposes of Town expenditures (“short-term operating funds”)
- (2) Excess funds which are not immediately needed for Town expenditures (“excess funds”).

Funds that are not needed for Town expenditures within 30 days shall be deemed to be excess funds.

Short term operating funds may be invested only in the following instruments:

- (a) Participation units in the New Hampshire Public Deposit Investment Pool;
- (b) Deposits in banks that are federally insured, located in New Hampshire and chartered under the laws of New Hampshire or under federal laws;
- (c) Deposits in banks that are federally insured and located outside of New Hampshire if such banks pledge and deliver collateral security for such deposits as provided in RSA 41:29, II.

Excess funds may be invested only in the following instruments:

- (a) Participation units in the New Hampshire Public Deposit Investment Pool;
- (b) Deposits, including money market accounts and certificates of deposit, in banks that are federally insured, located in New Hampshire and chartered under the laws of New Hampshire or under federal laws;
- (c) Obligations fully guaranteed as to principal and interest by the United States government;
- (d) Securities or other interest of open-end or closed-end investment companies of investment trust (i.e., mutual funds) that are registered under the Investment Company Act of 1940, provided that the portfolios of such mutual funds are limited to obligations fully guaranteed as to principal and interest by the United



Town of Milford, New Hampshire  
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states government and repurchase obligations fully collateralized by such obligations.

The Director of Financial Operations (DFO) shall maintain a list of specific eligible investment instruments that meet the above criteria or short-term operating funds and excess funds. The list shall identify eligible investments individually (ie., specific securities, specific banks in which deposits may be made, specific money market funds, specific mutual funds, etc.) This list together with a report showing the Town's actual investments and the returns from such investments for the most recent period (net of all fees and expenses), shall be provided on a quarterly basis to the Board of Selectmen. The report shall also describe the DFO's investment strategy for the most recent period and how the investment strategy comports with the investment objectives and other provisions of this investment policy.

Investment maturities for operating funds shall be scheduled to coincide with project cash flow needs, taking into account large routine expenditures (e.g. Payroll and accounts payable) as well as anticipated revenue inflows.

The DFO, in investing Town funds, shall seek to obtain the highest possible investment return consistent with cash flow needs and the risk levels set by the Board of Selectmen in this investment policy.

## **VIII. COMPETITIVE SELECTION OF INVESTMENT INSTRUMENTS**

Before the Town invests any excess funds in investment instruments, with the exception of the Town's primary bank and the New Hampshire Public Deposit Investment Pool, a competitive bid process shall be conducted (see APPENDIX E).

Bids shall be requested from qualified financial institutions for various options with regards to terms and instrument. The Town will accept the bid(s) which provide(s) the highest rate of return, within the maturity required, and within the parameters of this policy, taking into consideration all associated costs, requirements and capabilities.

Where the Town has undertaken the competitive bid process in the selection of (a) banking, investment, and/or cash management provider(s), the investment of Town funds in accordance with this policy will be a key consideration in assessing and awarding such a bid. Once awarded, it is the responsibility of the provider to maintain investments within the parameters of this policy, with the understanding that each individual investment will not necessarily be competitively bid by the provider, but will meet the investment criteria as proposed and agreed.

## **IX. QUALIFIED INSTITUTIONS**

The Town shall use institutions which meet the criteria as outlined in APPENDIX F.

## **X. SAFEKEEPING AND COLLATERALIZATION**

Securities, except securities held as collateral, shall be purchased using the Delivery versus Payment procedure. Unless prevailing practices or economic circumstances dictate otherwise, ownership of collateralized securities shall be protected through third-party custodial safekeeping (See APPENDIX H).

Safekeeping procedures shall be reviewed annually by the Town's independent auditors.

## **XI. ACCOUNTING/REPORTING**

Monthly cash balances, as evidenced through interfund accounting records, will be the basis for allocating investment earnings, which will be based on proportional balances in pooled account of contribution funds.

## **XII. PERFORMANCE EVALUATION**

The Town shall require, from any institution in which investing activity is conducted, sufficient routine reports/documentation to enable an accurate evaluation to be made as to the results of investment program relative to stated objectives, guidelines and policies, and to assist in revealing areas for potential improvement.

## **XIII. OTHER**

This policy shall be reviewed at least annually by April 30 by the Board of Selectmen, with changes made as warranted, followed by re-adoption by the governing body.

The Board of Selectmen reserves the right to implement changes to this policy without prior notice if it is deemed in the Town's best interest.

This policy is available for public review and inspection. A copy may be obtained by contacting the Board of Selectman's office.

## **XIV. POLICY APPROVAL/AMENDMENTS**

Town of Milford, New Hampshire  
INVESTMENT POLICY

The Board of Selectmen approved adoption of the Town of Milford Investment Policy at their meeting held August 21, 1991, and amended and adopted per the Schedule in Appendix H. (See APPENDIX I).

## APPENDIX A. RSA 41:9

### 41:9 Financial Duties. –

I. The selectmen shall pay all sums of money received by them in behalf of the town to the town treasurer immediately after receipt, and state to him from whom and for what received.

II. They shall draw orders upon the treasurer for the payment of all accounts and claims against the town allowed by them, and take proper vouchers therefor.

III. They shall keep a fair and correct account of all moneys received, all accounts and claims settled and all orders drawn by them, and of all their other financial transactions in behalf of the town.

IV. They shall publish in the next annual report, or post at the annual meeting, the general fund balance sheet from the most recently completed audited financial statements or from the financial report filed pursuant to RSA 21-J:34, V.

V. In the case of an accumulated general fund deficit, the selectmen shall insert an article in the warrant recommending such action as they deem appropriate, which may include, but is not limited to, raising a sum of money for the purpose of reducing that deficit.

VI. The selectmen shall be responsible for establishing and maintaining appropriate internal control procedures to ensure the safeguarding of all town assets and properties.

VII. The selectmen shall annually review and adopt an investment policy for the investment of public funds in conformance with applicable statutes and shall advise the treasurer of such policies.

VIII. The selectmen shall be responsible for establishing procedures to ensure that all funds paid to the town from any department shall be remitted to the treasurer at least on a weekly basis or daily whenever such funds total \$500 or more. Remittances to the treasurer from the tax collector shall be in accordance with RSA 41:35 and remittances from the town clerk shall be in accordance with RSA 261:165.

## APPENDIX B. RSA 41:29

### 41:29 Duties of Elected and Appointed Town Treasurers. —

I. The town treasurer shall have custody of all moneys belonging to the town, and shall pay out the same only as follows:

(a) Upon orders of the selectmen in a public meeting or by a noncontemporaneously signed manifest signed by a majority of the board; or,

(b) In the case of a conservation fund established pursuant to RSA 36-A:5, upon the order of the conservation commission; or

(c) In the case of a heritage fund established pursuant to RSA 674:44-d upon the order of the heritage commission; or

(d) In the case of fees held pursuant to RSA 673:16, II, upon the order of the local land use board or its designated agent; or

(e) In the case of a recreation revolving fund established pursuant to RSA 35-B:2, upon the order of the recreation or park commission; or

(f) In the case of fees deposited by the town clerk pursuant to RSA 41:25, upon the invoice of the town clerk, or other board or body designated by the town to expend such a fund.

II. The treasurer shall deposit all such moneys in participation units in the public deposit investment pool established pursuant to RSA 383:22 or in federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state, except that funds may be deposited in federally insured banks outside the state if such banks pledge and deliver to a third party custodial bank or the federal reserve bank collateral security for such deposits of the following types:

(a) United States government obligations;

(b) United States government agency obligations; or

(c) Obligations of the state of New Hampshire in value at least equal to the amount of the deposit in each case.

III. The town treasurer shall keep in suitable books provided for the purpose a fair and correct account of all sums received into and paid from town treasury, and of all notes given by the town, with the particulars thereof. At the close of each fiscal year, the treasurer shall make a report to the town and to the department of revenue administration, giving a particular account of all his or her financial transactions during the year and account balances at year end. The treasurer shall furnish to the selectmen statements from the treasurer's books, and submit the books and vouchers to them and to the town auditors for examination, whenever so requested.

IV. Whenever the town treasurer has in custody an excess of funds which are not immediately needed for the purpose of expenditure, the town treasurer shall invest the same in accordance with the investment policy adopted by the selectmen under RSA 41:9, VII. The treasurer may invest in the public deposit investment pool established pursuant to RSA 383:22, or in deposits, including money market accounts, or certificates of deposit, or repurchase agreements, and all other types of interest bearing accounts, of federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state, or in obligations fully guaranteed as to principal and interest by the United States government. The obligations may be held directly or in the form of securities of or other interests in any open-end or closed-end

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management-type investment company or investment trust registered under 15 U.S.C. section 80a-1 et seq., if the portfolio of the investment company or investment trust is limited to such obligations and repurchase agreements fully collateralized by such obligations.

V. (a) The treasurer shall insure that prior to acceptance of any moneys for deposit or investment, including repurchase agreements, the federally insured bank shall make available at the time of such deposit or investment an option to have such funds secured by collateral having a value at least equal to the amount of such funds. Such collateral shall be segregated for the exclusive benefit of the town. Only securities defined by the bank commissioner as provided by rules adopted pursuant to RSA 383-B:3-301(e) shall be eligible to be pledged as collateral.

(b) As an alternative to the option of collateralization for excess funds provided in subparagraph (a), the town treasurer may also invest public funds in interest-bearing deposits which meet all of the following conditions:

(1) The funds are initially invested through a federally insured bank chartered under the laws of New Hampshire or the federal government with a branch within the state, selected by the treasurer.

(2) The selected bank arranges for the redeposit of funds which exceed the federal deposit insurance limitation of the selected bank in deposits in one or more federally insured financial institutions located in the United States, for the account of the treasurer.

(3) The full amount of principal and any accrued interest of each such deposit is covered by federal deposit insurance.

(4) The selected bank acts as custodian with respect to each such deposit for the account of the treasurer.

(5) On the same date that the funds are redeposited by the selected bank, the selected bank receives an amount of deposits from customers of other federally insured financial institutions equal to or greater than the amount of the funds initially invested through the selected bank by the treasurer.

VI. The treasurer may delegate deposit, investment, recordkeeping, or reconciliation functions to other town officials or employees provided such delegation is in writing and includes written procedures acceptable to the selectmen, or in the case of a town operating under RSA 37, to the town manager, and is agreeable to all parties involved. However any such delegation shall only be made to a town official or employee bonded in accordance with RSA 41:6 and rules adopted by the commissioner of revenue administration under RSA 541-A. Such delegation shall not eliminate the responsibility of the treasurer to comply with all statutory duties required by law.

VII. The treasurer shall ensure that all moneys remitted shall be deposited at least on a weekly basis, or daily whenever funds remitted from all departments collectively totals \$1,500 or more. Such deposit function may be delegated pursuant to paragraph VI. However, failure to ensure that funds are being deposited on a timely basis as required by this paragraph shall be cause for immediate removal from office pursuant to RSA 41:26-d. In any municipality where there is either no bank or other depository institution within the municipality the treasurer shall make deposits consisting of funds remitted from all departments and collectively totaling \$1,500 or more on a weekly basis or more frequently as directed by the board of selectpersons in the investment policy adopted pursuant to RSA 41:9, VII.

## APPENDIX C. RSA 35:9

### 35-A:9 Terms of Agreement with Holders of Securities.

In any resolution of the bank authorizing or relating to the issuance of any bonds or notes, the bank, in order to secure the payment of such bonds or notes and in addition to its other powers, shall have power by provisions therein which shall constitute covenants by the bank and contracts with the holders of such bonds or notes;

- I. To pledge to any payment or purpose all or any part of its revenues to which its right then exists or may thereafter come into existence, and the moneys derived there from, and the proceeds of any bonds or notes;
- II. To covenant against pledging all or any part of its revenues, or against permitting or suffering any lien on such revenues or its property;
- III. To covenant as to the use and disposition of any and all payments of principal or interest received by the bank on municipal bonds or other investments held by the bank;
- IV. To covenant as to establishment of reserves or sinking funds, the making of provision for the same, and the regulation and disposition thereof;
- V. To covenant with respect to or against limitations on any right to sell or otherwise dispose of any property of any kind;
- VI. To covenant as to any bonds and notes to be issued and the limitations thereon and the terms and conditions thereof and as to the custody, application and disposition of the proceeds thereof;
- VII. To covenant as to the issuance of additional bonds or notes or as to limitations on the issuance of additional bonds or notes and on the incurring of other debts by it;
- VIII. To covenant as to the payment of the principal of or interest on the bonds or notes, as to the sources and methods of such payment, as to the rank or priority of any such bonds or notes with respect to any lien or security or as to the acceleration of the maturity of any such bonds or notes;
- IX. To provide for the replacement of lost, stolen, destroyed or mutilated bonds or notes;
- X. To covenant against extending the time for the payment of bonds or notes or interest thereon;
- XI. To covenant as to the redemption of bonds or notes and privileges of exchange thereof for other bonds or notes of the bank;



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XII. To covenant as to any charges to be established and charged, the amount to be raised each year or other period of time by charges or other revenues and as to the use and disposition to be made thereof;

XIII. To covenant to create or authorize the creation of special funds or moneys to be held in pledge or otherwise for operating expenses, payment or redemption of bonds or notes, reserves or other purposes and as to the use and disposition of the moneys held in such funds;

XIV. To establish the procedure, if any, by which the terms of any contract or covenant with or for the benefit of the holders of bonds or notes may be amended or abrogated, the amount of bonds or notes the holders of which must consent thereto, and the manner in which such consent may be given;

XV. To covenant as to the custody of any of its properties or investments, the safekeeping thereof, the insurance to be carried thereon, and the use and disposition of insurance moneys;

XVI. To covenant as to the time or manner of enforcement or restraint from enforcement of any rights of the bank arising by reason of or with respect to nonpayment of any principal or interest of any municipal bonds;

XVII. To provide for the rights and liabilities, powers and duties arising upon the breach of any covenant, condition or obligation and to prescribe the events of default and the terms and conditions upon which any or all of the bonds, notes or other obligations of the bank shall become or may be declared due and payable before maturity and the terms and conditions upon which any such declaration and its consequences may be waived;

XVIII. To vest in a trustee or trustees within or without the state such property, rights, powers and duties in trust as the bank may determine, which may include any or all of the rights, powers and duties of any trustee appointed by the holders of any bonds or notes and to limit or abrogate the right of the holders of any bonds or notes of the bank to appoint a trustee under this chapter or limiting the rights, powers and duties of such trustee;

XIX. To pay the costs or expenses incident to the enforcement of such bonds or notes or of the provisions of such resolution or of any covenant or agreement of the bank with the holders of its bonds or notes;

XX. To agree with any corporate trustee which may be any trust company or bank having the powers of a trust company within or without the state, as to the pledging or assigning of any revenues or funds to which or in which the bank has any rights or interest, and may further provide for such other rights and remedies exercisable by the trustee as may be proper for the protection of the holders of any bonds or notes of the bank and not otherwise in violation of law, and which agreement may provide for the restriction of the rights of any individual holder of bonds or notes of the bank;

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XXI. To appoint and to provide for the duties and obligations of a paying agent or paying agents, or such other fiduciaries as such resolution may provide within or without the state;

XXII. To limit the rights of the holders of any bonds or notes to enforce any pledge or covenant securing bonds or notes; and

XXIII. To make covenant other than and in addition to the covenants herein expressly authorized, of like or different character, and to make such covenants to do or refrain from doing such acts and things as may be necessary, or convenient and desirable, in order to better secure bonds or notes or which, in the absolute discretion of the bank, will tend to make bonds or notes more marketable, notwithstanding that such covenants, acts or things may not be enumerated herein.

## APPENDIX D. RSA 41:6

### 41:6 Surety Bond Required.

I. Town treasurers, trustees as provided in RSA 31:22 and 23, trustees as provided in RSA 53-B:8-a, I, library trustees including alternate library trustees, if any, town clerks, tax collectors and their deputies, agents authorized to collect the boat fee, and persons delegated treasury functions under RSA 41:29, VI shall be bonded by position under a blanket bond from a surety company authorized to do business in this state. The bond shall indemnify against losses through:

(a) The failure of the officers covered to faithfully perform their duties or to account properly for all moneys or property received by virtue of their positions; or

(b) Fraudulent or dishonest acts committed by the covered officers.

II. A blanket bond may exclude the town treasurer if a separate fidelity bond for the faithful performance of his duties is furnished by the surety writing the blanket bond.

III. Premiums shall be paid by the town.

IV. The required bonds shall provide for at least a 2-year discovery period from the date their coverage terminates.

V. The commissioner of revenue administration shall adopt rules under RSA 541-A, concerning the amount and form of the surety bonds required under this section.

## APPENDIX E. BIDDING PROCEDURES

### LEGAL BASIS

Investment of excess Town funds in legally permissible instruments is governed by RSA 41:29 (see Appendix A), and the Town of Milford's adopted Investment Policy.

### GENERAL

In accordance with RSA 41:29 (see Appendix A), the Town Treasurer, or his designee with the approval of the Town Administrator or Board of Selectmen, is responsible for the investing of Town Funds.

If events do not permit the following of an orderly bidding procedure, the existing investment outstanding may be rolled-over once, for a time frame not to exceed thirty (30) days.

### PROCEDURE

The following procedures shall pertain to investments made directly by the Treasurer or his designee, but are not intended to pertain to investments made by banking, investment or cash-management providers hired or employed by the Town to assist in the management and investment of Town funds:

- 1) Bids shall be obtained telephonically by the Treasurer or his designee, from at least three Qualified Institutions (see Appendix E).
- 2) Institutions will respond telephonically with bids by the date and time designated.
- 3) Awards of investments will be determined as follows:
  - a.) The Treasurer or his designee will accept bid(s) which provide the highest rate of return, within the maturity required, and within the parameters of the Town's Investment Policy, taking into consideration all associated charges and fees, legal and cash flow considerations [and the Town's cash management repurchase agreement relationship].
  - b.) A tie bid will be resolved by a coin toss, or drawing of lots in the event there are more than two tie bids.
  - c.) A transfer of funds will be made to the winning bidder by the Town Treasurer or his designee no later than the next business day. If the transfer is made by wire or electronic funds transfer (EFT), the recipient shall be instructed to call-back receipt of the funds to the Treasurer or his/her designee.
  - d.) Interest paid shall be from the date of bid award funds are transferred to the date of maturity

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- e.) All bidders shall be notified by telephone following the award and should be instructed that, in the absence of notification, they call the Treasurer, or his/her designee.
- f.) Records shall be kept by the Treasurer or his designee, for the duration of the accounting year, including information pertaining to bids offered, bids accepted, and the rationale for the decision regarding the investment and any special circumstances attending the bidding.
- g.) Purchases of securities shall be acknowledged either by a written safekeeping receipt or Certificate of Deposit for each investment made with same transmitted to the Town of Milford no later than the next business day as proof of purchase.
- h.) The Treasurer, or his designee, is responsible for making necessary entries to Town accounts to reflect investments, balances, income earned and accrued.

## APPENDIX F. QUALIFIED INSTITUTIONS CRITERIA

### PROCEDURES / METHODS

- 1) A "Qualified Institution shall be identified by the following criteria.
- 2) No investment or deposit shall be made in any institution whose financial well-being is considered in jeopardy.
- 3) Qualifying Criteria:
  - a.) Institutions must be qualified depositories in accordance with RSA 41:29 (see Appendix A) and RSA 383:22-24 (see Appendix F).
  - b.) The creditworthiness of each banking institution being considered as part of this investment policy shall be analyzed through the use and assistance of Veribanc, Inc., a recognized bank evaluation service. The New Hampshire Public Deposit Investment Pool shall be deemed creditworthy so long as the New Hampshire Bank Commissioner successfully operates the Pool for the purpose for which it was created.
  - c.) Analysis of an institution's condition and economic viability shall take into consideration overall operations and
    - Key operating measures;
    - Compliance with federal capital requirements;
    - Loan management measures;
    - Liability measures; and
    - Any other measurements, standards, criteria and principles deemed pertinent.
  - d.) The resulting evaluations and recommendations shall be considered and weighed by the Board of Selectmen, or its designee, in making judgment as to whether an institution is "Qualified".
  - e.) In the event an institution, which is serving as the Town's primary bank (as selected through the Town's Banking and Cash Management Service Request for Proposal), is deemed not qualified, the Town shall take whatever steps necessary to terminate relations with that institution, consistent with relevant RFP provisions, and to select a new primary bank.
  - f.) Using Veribanc Inc.'s evaluation as a basis of qualification, institutions must at a minimum be rated "yellow, one star."
- 4.) Depositories shall be selected through the Town's banking services procurement process, which shall include the policy herein established and a formal request for proposals issued every two or three years, or as the Board of Selectmen deems necessary.
- 5.) Letters of Credit, Performance Bonds, or other instruments of guarantee shall not be considered acceptable unless the issuing institution is otherwise eligible as a qualified institution.

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- 6.) For brokers and dealers of government securities, only primary government securities dealers may be selected that report daily to the New York Federal Reserve Bank and that have verifiable records of successful and competent service in other public jurisdictions. Such firms must undergo scrutiny no less vigorous than that indicated above.



## APPENDIX G. RSA 383:22-24

### 383:22 Public Deposit Investment Pool.

I. The commissioner shall, with the assistance of the advisory committee created under RSA 383:24, establish and operate, beginning on January 1, 1992, a public deposit investment pool, for the purpose of investing funds of the state, and funds under the custody of governmental units, pooled risk management programs established pursuant to RSA 5-B, agencies, authorities, commissions, boards, political subdivisions and all other public units within or instrumentalities of the state.

II. The public deposit investment pool shall be operated under contract with a private investment advisor, approved by the bank commissioner and advisory committee. The commissioner and advisory committee shall choose an investment advisor by requesting proposals from advisors and reviewing such proposals based on criteria adopted by rule under RSA 383:23.

III. The commissioner shall make available to prospective depositors detailed information on the public deposit investment pool, similar to that information generally contained in a securities prospectus. The commissioner shall also ensure that periodic statements of accounts and reports on holdings are provided to pool participants relative to their proportionate share of the pool.

IV. The commissioner shall cause an independent audit of the pool to be conducted on an annual basis. The auditor shall be selected by the advisory committee.

### 383:23 Rulemaking.

Prior to January 1, 1992, the commissioner shall, with the approval of the advisory committee, adopt rules, pursuant to RSA 541-A, relative to:

I. Formulation of a disclosure policy and materials to be included in a prospectus and in periodic reports to participants, including:

- (a) A written statement of policy and pool objectives;
- (b) Investment objectives designed to meet the pool objectives;
- (c) A description of eligible investment instruments;
- (d) The credit standard of investment;
- (e) Allowable maturity range of investments;

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- (f) The limits of portfolio concentration permitted for each type of security;
- (g) Safekeeping practices;
- (h) Definition of pool participant eligibility;
- (i) Disclosure of size of accounts, size of transactions and administrative costs; and
- (j) Instructions for establishing and utilizing accounts.

II. Investment and administrative policies, practices and restrictions, including the frequency and method used for calculating valuation, yields and earnings.

III. Requests for proposals from investment managers and criteria for reviewing such proposals.

**383:24 Advisory Committee.**

I. There is established an advisory committee on the public deposit investment pool, consisting of the following members:

- (a) The state treasurer.
- (b) The commissioner of the department of revenue administration or designee.
- (c) Two members appointed by the New Hampshire Government Finance Officers Association.
- (d) Two members appointed by the New Hampshire Bankers Association.
- (e) One county finance officer appointed by the New Hampshire Association of Counties.
- (f) One city finance officer, appointed by the New Hampshire Municipal Association.
- (g) One school district finance officer, appointed by the New Hampshire School Boards Association.

II. The advisory committee shall assist and advise the commissioner on the establishment and operation of the investment pool, including:

- (a) Formulating the disclosure policy.
- (b) Determining eligible investment vehicles.

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- (c) Establishing performance standards.
- (d) Monitoring the outflow of funds from financial institutions.
- (e) Determining compliance with written investment policies.
- (f) Conducting periodic reviews of the public deposit investment pool.

## APPENDIX H. SAFEKEEPING AND COLLATERAL

Certificates of Deposit and Deposit Accounts: Those amounts in excess of Federal Deposit Insurance limits shall be collateralized.

Repurchase Agreements: Securities being purchased (underlying collateral) shall be limited to United States Treasury securities or United States government Agency securities. Insurance policies (underlying collateral) shall be limited to GAAP Category I Insurance policies which name the Town of Milford as the only insured party.

### GENERAL

- 1) Safekeeping receipts shall list the specific instrument, rate, maturity and other pertinent information, and shall indicate that securities are being held exclusively for the account of the Town of Milford, New Hampshire.
- 2) Repurchase agreements shall be subject to a master repurchase agreement between the institution and the Town.
- 3) Specific, identifiable securities must be used as collateral. Collateral shall be placed in third-party safekeeping and documented by a written receipt acknowledging that the securities are being held for the account of the Town of Milford, New Hampshire. The Trust Department or Safekeeping Division or like designation within a bank, is not to be considered a third party for the purpose of safekeeping securities used as collateral on investment purchases transacted within the same bank.

## APPENDIX I. POLICY ADOPTION/AMENDMENTS

8/21/91 Original

7/26/93 1<sup>st</sup> Amendment

12/1/97 2<sup>nd</sup> Amendment

11/30/98 3<sup>rd</sup> Amendment

11/27/00 4<sup>th</sup> Amendment

03/23/09 5<sup>th</sup> Amendment

04/11/16 6<sup>th</sup> Amendment

## APPENDIX J. TREASURER DELEGATION

In accordance with RSA 41:29, VI, the Town Treasurer and Board of Selectmen as shown below delegate deposit, investment, recordkeeping and reconciliation functions to the Director of Financial Operations, \_\_\_\_\_, as of the date of this document effective through April 30, \_\_\_\_\_. Said designee shall follow the policies outlined in the Town's Investment Policy and New Hampshire Law RSA 41:29, I-V. Such delegation shall not eliminate the responsibility of the Treasurer to comply with all statutory duties required by law.

Treasurer	Date
Board of Selectmen:	Dates
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**Finance Department Update, Investment Policy Review and Re-adoption, and Treasurer's Delegation.**

An update on Property Tax Collection will be given during the meeting.

NOVA time is now in place for all departments.

The Audit field work will be completed Thursday, July 11<sup>th</sup>.

DRAFT

MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING – Special Meeting

June 17, 2019

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<b>PRESENT:</b>	Gary Daniels, Chairman	Mark Bender, Town Administrator
	Paul Dargie, Vice Chairman	Tina Philbrick, Recording Secretary
	Mike Putnam, Member	Tylor Berry , Videographer
	Laura Dudziak, Member	
	Chris Labonte, Member	

1. **CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING INSTRUCTIONS -** Chairman Daniels called the public meeting to order at 6:45 p.m., introduced Board members and then led the audience in the Pledge of Allegiance. Chairman Daniels indicated that those people in the audience who want to speak or add to the discussion should please use a microphone in order to be heard on the PEG Access live broadcast.

2. **5:30 - Dispatch RFQ Discussion** – Captain Frye presented the (RFQ) Request for Quote for Milford Dispatch. The Town of Milford seeks to procure the services of a qualified, professional public safety consulting engineering firm to assist and support the Town of Milford. The primary focus is on developing requirements for a 911 communication (dispatch) center for the Town of Milford to serve Police, Fire, Ambulance, Public Works, and Water Utilities. This is a result of a Warrant Article passed in March. We expect a consultant to study this information and come to us with a conclusion of, if we need a regional dispatch center or just a dispatch center for Milford with the capabilities of a regional center.

The consultant will put together an information packet and bring it back to the Board to review and decide what is best and put forth a warrant article hopefully by the next Deliberative Session. This will also give the consultant a basis to write an RFP for someone to build and design a dispatch center.

Chairman Daniels clarified that when we are talking regional, it means looking at what MACC Base already serves and its current location. Selectman Putnam asked how many consultants do this type of work. Captain Frye replied, only three in the State of New Hampshire but there are more all over the country. This isn't an easy thing to do and the reports can be confusing. Chairman Daniels said his interest in going through this project is to make sure we address some of the questions that were brought up through the Budget & Bond Hearing, the Deliberative Session and several other meetings. Captain Frye said this is a draft copy and things can be added. When we choose a consultant, he suggests that we review this with him again.

Chairman Daniels presented two questions that Paul Bagley gave him.

1. Notification that any town that withdraws from MACC Base forfeits the right to any assets owned by MACC Base as well as giving up their rights to vote on any budgetary issues or any income it may receive.
2. MACC Base maintains 12 radio transceiver sites and antennas at 6 different locations throughout the three towns that are partners in the inter-municipal agreement. These sites are currently being linked to the microwave technology so that they will function under any and all conditions. Is that going to have any effect on when we are looking at sites and we are tying into that? Captain Frye said that's what the quote was from Motorola. Chairman Daniels said that the quote from Motorola was that they would be tying into the current microwave connectivity that MACC Base is doing now. He asked if anyone disagrees with that statement, they need to come up now.

Paul Bagley, Milford resident, asked how Motorola will link into this system because this is a licensing issue with all 6 sites. He doesn't think it will happen.

Jason Johnson, Director of MACC Base said the microwave system currently being worked on is owned by the Town of Mont Vernon through a grant. This has to be considered when attaching anything to it. The sites it would go to is the Town Hall, Federal Hill, Birch Hill in Hollis, the Amherst water tower, the Mont Vernon Fire Station, Abbot Hill and Pead Hill. Captain Frye clarified that it will go to all these places once it's done. Jason said the first step is between Birch Hill and here, then to either Amherst Water Tower or Federal Hill depending on the licensing. Captain Frye said licensing is something the consultant would have to work out. The Motorola system was just for Milford to build a microwave system, the same system that MACC Base is trying to reach.

Selectman Putnam said it's also an ownership problem. If Mont Vernon has the grant for it and MACC Base puts it in, if we start our own dispatch center we won't have access to it. We will have to establish our own. Captain Frye said it's all through the Southern New Hampshire Collaborative agreement that they are trying to work on to have all Nashua, Londonderry and us connected to the microwave system. Selectman Putnam pointed out that we have a DPW full of junk that we haven't funded to do any replacement with until just recently. It's the same thing with the MACC Base equipment, just because Milford owns it doesn't mean it will get fixed.



**APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 6/17/2019**

61 Chairman Daniels said it's worth noting that the microwave belongs to Mont Vernon. Mont Vernon is saying that they really  
62 don't have a problem. They put repeaters into their cars. If MACC Base is going to exist as a system, you have to see if Mont  
63 Vernon will be looking to pay 11% of the cost to fix Milford's problem. He doesn't know how Mont Vernon owning this ties  
64 in with Southern New Hampshire Collaborative agreement.  
65

66 Selectman Labonte asked, per the conversation last week, if any of the other Boards have been notified of these discussions.  
67 Chairman Daniels said he left a message for Mont Vernon and talked to Wilton today. Selectman Labonte replied, "so there's  
68 been no letter or anything sent out to them". Chairman Daniels said no. He did let the other Boards know that we wanted to get  
69 together, but we just have to figure out what day and time that works for everyone. Selectman Labonte asked what it would  
70 take to send them a letter. He knows there's been discussion with other Chairs, but other representatives haven't been in the  
71 loop. Chairman Daniels repeated, "we have to figure out what day and time that works for everyone". Selectman Labonte  
72 asked if there was a way we could formally send them an invitation. Chairman Daniels said we will send them a letter but  
73 there is no sense in sending them one if we don't have a date and time. Selectman Labonte said he feels that some of them  
74 might be willing to reschedule their meetings. If Mont Vernon was here tonight, the microwave question could be answered.  
75 Chairman Daniels repeated tonight was to concentrate on Milford and what we are doing here. We will be getting the three  
76 Boards together.  
77

78 Chairman Daniels asked how many antennas does Milford own, what do we have on other people's antennas and what are we  
79 forfeiting if we leave MACC Base. Captain Frye said the town of Milford owns the one on top of the roof of the Town Hall.  
80 Jason said on Federal Hill there are two licenses, one to MACC Base and one to Milford Fire. The only other ones that Milford  
81 owns are the ones at the Fire Station, Police Station and Ambulance Facility. The majority of their licenses are setup for mo-  
82 bile. Birch Hill is setup with an agreement with Hollis. The other antenna sites in Milford, Wilton and Mont Vernon are all  
83 licensed to MACC Base or one of the other towns. Captain Frye said the consultant will also tell us what we need for these  
84 areas.  
85

86 Selectman Dudziak said, these all issues that the consultant will address, it's premature to be asking these questions at this  
87 time. Chairman Daniels said he is trying to gain an understanding of the whole picture. Selectman Dudziak said we have the  
88 funding to do a study, the consultant will do that and give us their opinion as to which direction we should go.  
89

90 Selectman Putnam said the RFQ has information in it that we've already done through MRI. All we need the consultant to do is  
91 design a radio system that will work for the town of Milford. It was his understanding at the Deliberative Session that people  
92 wanted an itemized accounting of where the money was going to go. He doesn't think the consultant needs to talk to MACC  
93 Base and get that deep into it. He asked if any of the Board has gone up to visit MACC Base or look at antenna sites. You're  
94 not going to get up to speed on this now. Selectman Dudziak said she isn't going to get up to speed by looking at an antenna  
95 site, it doesn't mean anything to her and that's why we need a consultant. It's not her area of expertise. Selectman Putnam said  
96 we need to make decisions, are we going to bring the other two towns in or go on our own.  
97

98 Chairman Daniels said it isn't a question of bringing the other two towns in; it's whether or not the other towns want to or can  
99 afford to stay with us. He knows enough to know that Mont Vernon is sitting in good shape; all they need is a signal. Wilton  
100 has dead spots and Milford has the largest problem as far as how to fix it. He's fine with a consultant, but doesn't want this to  
101 be another study, we've already had three. Captain Frye repeated the consultant will look at the antenna sites, review the in-  
102 formation, tell us what we need to build and an RFP will be sent out based on that information.  
103

104 Selectman Labonte said he reviewed the Deliberative Session video again and some people asked if it would be Milford only or  
105 all other possibilities. Would the equipment list resulting in the RFQ be Milford only or all other possibilities, like MACC  
106 Base? Selectman Putnam said that's what we need to decide on. Selectman Labonte said the \$85,000 was designed for whether  
107 it is Milford Communications, MACC Base or all other possibilities.  
108

109 Selectman Putnam said the issue is can we work with the other towns. It's been difficult in the last 6 months to a year. The  
110 Mont Vernon representative is insinuating that he was embezzling from MACC Base and he takes offense with that. Maybe it's  
111 time we established our own and get rid of the partners because we can't work with them. Selectman Labonte thinks we need  
112 to sit at the table, Chairman Daniels asked Selectman Labonte to please be recognized to speak. Selectman Labonte said we all  
113 need to take a step back. Directing this to Chairman Daniels he said, "You say that Mont Vernon has no problems, he does not  
114 doubt him, but he wants to hear it from their board". He repeated that Chairman Daniels said he spoke with the Mont Vernon  
115 Chairman but he feels that there is too much hearsay in that. He's talked to some of the Select boards as individuals on differ-  
116 ent issues. They gave him their opinions and some matches up to yours, and some of it doesn't. Everyone needs to be at the  
117 same table.  
118

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119 Selectman Dudziak said we have sat with the other Boards on two occasions since she’s been here. They haven’t seemed will-  
120 ing to want to work with us. Selectman Labonte said from a public stand point in the past, everything’s been put out that we are  
121 looking for a communications center and we are not even going to talk with the other towns. Selectman Dudziak started to  
122 speak, but Selectman Labonte interrupted and replied that’s how it’s been perceived in the newspaper and in public. Selectman  
123 Dudziak said Selectman Labonte should go back and look at all the minutes to get a better understanding. Chairman Daniels  
124 asked that we have some decorum on speaking. Go through the Chair and be recognized so we don’t have conversations going  
125 back and forth. Chairman Daniels repeated that they will be getting together with all three Boards to discuss this.

126  
127 Kevin Federico, Milford resident said they have a social issue and a technical issue tonight. You can sit here for the next 4  
128 hours and debate the social issue of do we go or do we stay. Throw that out the window. This meeting was set up to talk about  
129 an RFQ to hire a consultant. The clear picture coming from the Deliberative Session was they didn’t like the design and build  
130 RFP or the fact that we only received one quote. Fifty people truncated a \$2,500,000 warrant article for a Milford only dispatch  
131 center into a quivering mass of indecision that had to go to the DRA for an interpretation. It’s up to this Board to do something  
132 about it. He agrees and disagrees with what Selectman Putnam is saying. Of all the people in this room, there might be one  
133 expert on designing, implementing, installing and maintaining radio systems. That’s it, no one else. The town of Milford asked  
134 for a consultant to come in and look at the technical side of it, not the social issue. What is it going to cost, where are you going  
135 to put the antennas and show me an itemized list of equipment. The consultant will look at a Milford only dispatch, but they  
136 have to look at what’s existing. Task the consultant to look at both and let us know what it will cost to renovate MACC Base  
137 and what will it cost us to do it on our own.

138  
139 Ted Bartlett, Milford resident has been with Tower Communication for around 40 years. He agreed with a lot of what Kevin  
140 just said. We need a more robust system for the entire network in this town. The question is “where do we spend the money to  
141 do it”. He feels we should improve the existing system. Going with a Milford Dispatch Center is going to cost us more money,  
142 not including structural upgrades. Spend the money with MACC Base to improve it and meet the needs of the Police Depart-  
143 ment or will the money be well spent putting in something similar to Motorola. There are a number of companies that meet the  
144 department of homeland security requirements of P25 networks. We need to determine the best bang for our buck.

145  
146 Captain Frye said as far as the structural upgrades to the tower on Summer Street and Crown Castle there were sent to spec.  
147 and no upgrades were needed. Chairman Daniels asked if there was any point in analyzing First Net in the RFQ and should we  
148 consider it while this is being done. Captain Frye said FirstNet works with dispatch centers. It’s used with cell phones. Verizon  
149 offers the same thing but they are in the new stages with people jumping on board. We could ask the consultant that.

150  
151 Jason said FirstNet said to continue to maintain the land mobile radio systems, this is not going to be a replacement for any of  
152 that. Their focus is data.

153  
154 Chairman Daniels asked the Board if they think there is everything in the RFQ that is needed to go forward. Selectman Labonte  
155 questioned portable radios for DPW and Water Utilities and Police. Why are we building a bigger problem by putting addition-  
156 al things that may not be needed in the RFQ? Chairman Daniels spoke with Captain Frye and Administrator Bender earlier  
157 today about this. If you want to set up some type of communication system, you would want to include DPW and Water Utili-  
158 ties in with the emergency services since they all work together. He asks that the cost of the DPW and Water Utilities be sepa-  
159 rated out when we start talking to the other towns. They are only doing emergency services. Including DPW and Water Utili-  
160 ties opens it to the other towns to include theirs as well.

161  
162 Captain Frye said in the realm of putting it out there, it doesn’t hurt to get a cost. He reminded Selectman Labonte that while  
163 he served on the Budget Committee, he hounded Captain Frye about the portable radios, now you are hounding me because I  
164 have them listed? Selectman Labonte said the portable radio questions came down to DPW saying they didn’t have communi-  
165 cation. He’s been told that DPW just doesn’t have the radios in their trucks. Captain Frye said they may need one or two if they  
166 are doing traffic control and other functions for the Town. It doesn’t hurt to put a price on it. If you want to subtract it you can  
167 do that as well. Selectman Labonte said it inflates the \$2,500,000 number, he feels we can cut it out. Captain Frye said we can  
168 get away from the \$2,500,000 because we don’t know what it is going to cost until we get the information back. We are start-  
169 ing at zero and going up. Selectman Dudziak agrees with that.

170  
171 Ted Bartlett said he reached out to Harris Corporation prior to the Deliberative Session. They came up with a solution from the  
172 outside looking in. It might be beneficial to have the other vendors do the same without having to go to a whole new network.  
173 Chairman Daniels said he’s just interested in fixing the problems. Ted said it’s his tax payer’s money too. His tax bill climbs  
174 every year. We need a robust system, but be cost effective doing it. Chairman Daniels agrees but it doesn’t do any good to  
175 update the equipment and still not have the connectivity that you need. He wants to solve the problem in the least expensive  
176 way, but also to have it last.

177

**APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 6/17/2019**

178 Selectman Dudziak asked if we need a motion. Selectmen Putnam said he would rather see a vote because this is way too  
179 much information and it should be paid down. Have someone come in to tell us what we need electronically. Selectman  
180 Dudziak doesn't agree. She replied, this is what the residents wanted. Selectman Putnam replied, what do we need to cure Mil-  
181 ford's problem. Once we know that, we can talk to the other towns and ask if they want to come on board. Selectman Labonte  
182 asked, how we phrase that? What do we need for the town of Milford, are they better off on their own or with MACC Base.  
183 Chairman Daniels turned the question and asked Selectman Putnam what does he think is in the RFQ that doesn't need to be in  
184 it.  
185

186 Selectman Putnam said they don't have to look at the inter-municipal agreement, they don't need to talk to MACC Base, they  
187 don't have to figure out staffing because that's something we can figure out. We already have a quote to putting an addition  
188 onto the Police Station. Captain Frye said we have an estimate for an addition. It's \$45,000 to get a quote.  
189

190 Karen Blow, Milford resident addressed the Board and said they have to make a decision. This keeps being kicked down the  
191 road. You have to start somewhere, and somewhere is what was voted on at the Deliberative Session, to get a consultant and  
192 get a quote. You are going to be asking them what it is that you want with questions that are of concern. You need to start  
193 somewhere and right now, it just keeps going. I sit home and watch these meetings and it's frustrating. Make a decision.  
194 Chairman Daniels said he doesn't think they are kicking it down the road. If you are asking someone to give you a quote and  
195 start loading them up with other questions that are beyond what was originally giving, they may just say for the extra things,  
196 my price is higher. We need everything on the table prior to going out for a quote. Karen said, respectively, there will always  
197 be another question, you have to start somewhere. She's not the only one frustrated.  
198

199 Kevin Federico repeated, stick to the technology. He agrees that you don't have to have the consultant get into the inter-  
200 municipal agreement. The consultant needs to stick to the technology. He repeated his statement, one expert in the room. You  
201 can debate the social issue all day long, but you can't answer the technical questions. Move on after the consultant answers the  
202 technical issues. Chairman Daniels said we are not debating the social issues, his last question was, what should be taken out  
203 of this. Selectman Putnam suggested that Captain Frye and he sit down and go through the RFQ and eliminate what isn't need-  
204 ed. Captain Frye said the RFQ was written to give a lot of information to an outsider who may not watch this show. Selectman  
205 Putnam said they don't need that information. Captain Frye said the technical information is laid out in the RFQ. The things  
206 that have already been done would need to be revised, because it's old. Whatever firm is chosen should look at everything to  
207 see what we've done so far, then prepare their professional opinion in writing and prepare us for an RFP. Selectman Putnam  
208 said it just muddies the water. Captain Frye replied, if you are going to go to all the towns, they will want a little more back-  
209 ground than us just sitting here saying, this is what we want. They know that the town of Milford voted for a consultant to pre-  
210 pare a document for a dispatch center. It needs to be done professionally. We are not experts.  
211

212 Selectman Labonte suggested breezing through the document and removing what we feel isn't pertinent to see where we end  
213 up. Captain Frye said if you take away stuff then you get a consultant then say, maybe we are going to add this, and this, and  
214 this, the next thing you know the price goes up after we choose someone. It's easier to subtract things, the cost will go down.  
215

216 Paul Bagley agrees with what Captain Frye is saying. The inter-municipal agreement is in fact germane in a technical study. He  
217 also takes issues with the term "social issues". Licensing is as technical as it gets. If we don't have a relationship with our  
218 neighboring towns relative to MACC Base then we have a licensing problem. The technical side of licensing is just as im-  
219 portant as the technical equipment that we are talking about purchasing. Are we going to have to license more sites than we  
220 have now through MACC Base? That's the question that needs to be answered. It has to be done inclusively. Include infor-  
221 mation. More is better than not enough. He hopes we find someone that is impartial.  
222

223 Selectman Labonte asked if we could give a more basic description of the information. He referred to a paragraph in the RFQ  
224 about pre-proposal information and asked if that would be when you would fill in the gaps. He assumes this meeting will be  
225 mandatory for whoever is going to bid on this. Captain Frye said yes. Selectman Labonte again repeated, do you need all of  
226 this information there. Captain Frye said it gives the consultant somewhat of an idea of what we are looking at. Selectman  
227 Labonte replied, that's a matter of opinion. Some of the information in the RFQ that references the MRI report said there is a  
228 need for the town to operate their own but the MRI report is also states that there could be could be a need to operate their own  
229 or stay with MACC Base, it is relevant to include this. Captain Frye said in the MRI study, as a consultant or someone looking  
230 in, they going to try to grab all the information, all the studies, all the quotes that we've had because that is what a consultant  
231 does. It's going to be a huge information gathering and sifting through the weeds. Selectman Labonte said he has no problem  
232 with them going through the MRI report, he repeated, the MRI report said there is a need for the town to operate their own but  
233 the MRI report is also states that there could be could be a need to operate their own or stay with MACC Base. He thinks it  
234 could be a weighted statement in the RFQ.  
235

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236 Chairman Daniels said there merit in the consultant understanding what the people are looking for and where we’ve been.  
237 Chief Viola said one of the main issues people had at the Deliberative session was not enough detail in the previous RFQ.  
238 Captain Frye has now made it a more detailed RFQ. He agrees with Captain Frye on the amount of detail in the RFQ, it’s all up  
239 front; we can remove some at our conference if needed. The more detail the better it is.  
240

241 Chairman Daniels asked Captain Frye if he felt that the RFQ encompasses everything that residents voiced. Captain Frye be-  
242 lieves that most of it is in the report. Administrator Bender said, as part of the RFQ process we’re going to give them the MRI  
243 study, the RFP’s, the MACC Base study by Communication Design Consulting Groups, the minutes from the Deliberative Ses-  
244 sion, and the document that Paul Bagley and Ted Bartlett put together. They will have all of the information they need. At the  
245 Deliberative Session he observed the first amendment get shot down and then we added a single word to the amendment, the  
246 word possibly. That takes this from being just a Town of Milford dispatch system and opens it up to also a regional dispatch  
247 system which is what the residents wanted. This RFQ meets those requirements. The consultant will study everything and  
248 come back with a pretty comprehensive proposal.  
249

250 Ted Bartlett said this is a better RFQ than the last time. Providing all the information is a big plus to any of the venders that  
251 may provide services for this. He offered his time to help develop the list of vendors we may want to send the RFQ out to and  
252 the for the review process when the time comes. Kevin Federico clarified that he thought we wanted the consultant to review  
253 the inter-municipal agreement for content not just for review for themselves. He thinks that information should be passed  
254 along to them and they should go through it. He thought they were going to re-write it, that’s what he thought the interpreta-  
255 tion was. He also offers his time for a review committee if there is going to be one.  
256

257 Selectman Labonte asked if we can have the proposals be addressed to the Town of Milford Dispatch Board of Selectmen, 1  
258 Union Square instead of the Police Department. Some people feel there is a biased side of the Police Department wanting their  
259 own Communications Center. Chairman Daniels said he doesn’t have a problem with that.  
260

261 Paul Bagley wanted to clarify that many of you refer to emergency services as Police, Fire and Ambulance. Public Works and  
262 the Water Department are also considered emergency services. When we have a water main break, emergency Police cars, Fire  
263 trucks and Ambulance vehicles won’t be getting anywhere in a blizzard unless Public Works helps. Chairman Daniels agrees.  
264 He repeated, for the sake of talking to other towns only dealing with Fire, Ambulance and Police, we will want to separate the  
265 cost out for Water Utilities and Public Works.  
266

267 Selectman Labonte wanted to clarify for help, are they helping with this RFQ, or the information when it comes back. Chair-  
268 man Daniels said they will be included when the RFQ comes back.  
269

270 Selectman Dargie asked how much time will be allowed for responses. Administrator Bender said they would need more than  
271 30 days if they are going to have a mandatory conference. He suggests 45 days including the conference.  
272

273 A motion was made by Selectman Putnam to approve the RFQ with amendments as specified and for information to be filled  
274 in areas like dates and things. Seconded by Selectman Dudziak. All were in favor. The motion passed 5/0.  
275

- 276 **3. DECISIONS - N/A**
- 277 **4. CONSENT CALENDAR - N/A**
- 278 **5. APPROVAL OF FINAL MINUTES: N/A**
- 279 **6. NOTICES**

280

- 281 **7. ADJOURNMENT -** Selectman Putnam moved to adjourn at 6:34. Selectman Dudziak seconded. All were in favor.  
282 The motion passed 5/0.  
283  
284  
285

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

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

288 \_\_\_\_\_  
289 Paul Dargie, Vice Chairman

\_\_\_\_\_   
Chris Labonte, Member

290 \_\_\_\_\_  
291 \_\_\_\_\_  
292 \_\_\_\_\_  
293 Mike Putnam, Member





## DRAFT

## MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

June 24, 2019

**PRESENT:** Gary Daniels, Chairman  
 Paul Dargie, Vice Chairman  
 Mike Putnam, Member  
 Laura Dudziak, Member  
 Chris Labonte, Member

Mark Bender, Town Administrator - excused  
 Tina Philbrick, Recording Secretary  
 Alex Berry, Videographer

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

**INSTRUCTIONS:** Chairman Daniels called the public meeting to order at 5:30 p.m., introduced Board members and then led the audience in the Pledge of Allegiance. Chairman Daniels indicated that those people in the audience who want to speak or add to the discussion should please use a microphone in order to be heard on the PEG Access live broadcast.

**2. APPOINTMENTS: (Approximate times)****5:30 p.m. – 1st Public Hearing in accordance with RSA 147:1 Local Regulations – Ordinance for “Fletcher Site Land Use Restrictions.**

Administrator Bender gave a brief summary of the public hearing. The purpose of the hearing is to implement a Town Ordinance pursuant to NH RSA 147:1 Local Regulations. The ordinance (Chapter 5:34) is referred to as “Fletcher Site Land Use Restrictions”. The 1998 Consent Decree with the EPA requires the Town of Milford to implement activity and use restrictions to protect the low permeability cap on the Elm Street property (Lot 25-12) and a portion of the abutting cemetery (Lot 25-13). Practical restrictions include recreation land use only and no disturbance of the surface without prior contact with the US EPA and NH DES. These protections are similar to the groundwater management zone (GMZ) restrictions implemented in 2018.

Chairman Daniels opened the Public Hearing, there were no questions, and he closed the public hearing. Administrator Bender said the 2<sup>nd</sup> public hearing will be held on July 8<sup>th</sup> at 5:30 in the Board of Selectmen’s meeting room and the Board can vote on the ordinance at that time.

**5:40 p.m. - Approval to Appoint John Yule to the Conservation Commission**

Andy Hughes, Conservation Commission Chairman said the Milford Conservation Commission voted at the June 13<sup>th</sup> meeting to recommend that the Board of Selectmen appoint John Yule as an Alternate Member to the Conservation Commission, with a three year term to expire in 2022. John attended 3 meetings and went on several site visits.

John Yule, Milford resident said he has lots of relevant experience and knowledge that should serve well to assist the Conservation Commission with its very important job of protecting our natural resources in town. He was educated as a forester including wildlife management. He worked for 35 years in land surveying. This experience has given him valuable experience in things like soil, wetlands and developments effect on our land and the regulatory framework at the town and state level we need to work within.

A motion was made by Selectman Putnam to appoint John Yule as an alternate to the Conservation Commission. Seconded by Selectman Labonte. The motion passed 5/0. The Board thanked John for volunteering.

**5:45 p.m. - Permission to Allow Snow Mobile use on the Granite Town Rail Trail.**

Andy Hughes, Conservation Commission Chairman has a grant application in process to receive funding from the Recreational Trails program (RTP) to help reopen the filled underpass at Melendy Road. One condition of the application is to make sure that snowmobiles can access that area. This is to reaffirm what has always been an existing right. They also have a LWCF grant application in. The LWCF is more demanding and we have to make sure there is no encumbrance on the rail trail. Snowmobilers maintain the trails to the south but can get any further than the tunnel.

Chairman Daniels asked if they will require both grants to do the tunnel. Andy said no, one or the other. Chairman Daniels asked if the LWCF looks at the total amount given to the town. We are also using them for the dredging of Osgood Pond. Andy said this isn’t contingent to anything else.

Selectman Putnam has concerns about the infrastructure under the tunnel. Andy said they will have a proper engineering plan in place. One of the main concerns is drainage. The grant covers engineering and excavation. The RTP grant is matching funds. Conservation has a fund dedicated to the rail trail and we will be using funds from that for matching funds. Administrator Bender asked how much they will be applying for. Andy said the total cost of the project is between \$75,000 and \$120,000. The RTP grant is for \$80,000. Administrator Bender clarified that it isn’t to replace the tunnel, just to dig it out. Andy said yes and put a structure in place and pave Melendy Road where they dig out.

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64 Selectman Putnam made a motion to allow the rail trail to have snow mobile usage. Seconded by Selectman Dudziak.  
65 All were in favor. The motion passed 5/0.  
66

67 **5:50 p.m. - Abatements – Marti Noel**

68 **Approval of (1) Property Abatement Application, Map 43, Lot 33**

69 This abatement was an error on Marti’s part where the height of the cell tower was incorrect. Selectman Putnam made a  
70 motion to approve the abatement as presented. Selectman Dudziak seconded. All were in favor. The motion passed  
71 5/0.  
72

73 **Denial of (2) Property Abatement Applications, Map 53-37-2 Lot 5-3 and Map 30**

74 These were two request for value changes, the first on Poles, conduit, and ROW (right of way) for telephone poles. The  
75 owner is looking for more value than what we have. They feel we didn’t have the right to tax the ROW, which we do.  
76 The second one requested a reduction in value. The owner purchased the property for significantly more than the analy-  
77 sis provided. The owner has not replied to Marti’s request to provide the appraisal for that property. She is requesting  
78 denial for lack of information.  
79

80 Chairman Daniels asked if they would have a chance to come back on the denials. Marti said they have the right to ap-  
81 peal through Superior Court or the Board of Tax and Appeal. They have until September 1<sup>st</sup>. Selectman Labonte asked  
82 if it’s required to provide an appraisal. Marti said it wouldn’t be required for the abatement itself but because they just  
83 purchased the property, for more money than they were requesting it be assessed for, she felt that it was reasonable to  
84 ask them to produce the appraisal. Selectman Labonte asked if they could still be eligible for the abatement even if they  
85 didn’t provide the appraisal. Marti said yes, if they had additional information that could substantiate their request an  
86 appraisal would be a good piece of information to use. Upon appeal they would have to bring something to back up  
87 what they were saying. Selectman Dargie said they paid more than what they are asking the property to be appraised  
88 for.  
89

90 Selectman Putnam made a motion to deny the abatements as presented. Selectman Dudziak seconded. All were in fa-  
91 vor. The motion passed 5/0.  
92

93 **Approval for (1) Land Use Change Tax, Map 45 Lot 3-35**

94  
95 This parcel is located in the Autumn Oaks Subdivision and construction for a new single family home has begun, ren-  
96 dering the lot ineligible for Current Use. The property owners have been notified of the action being taken tonight.  
97 The Land Use Change Tax is based on 10% of estimated market value at the time of removal from current use.  
98

99 Selectman Putnam made a motion to approve the Land Use Change Tax as presented. Selectman Dudziak seconded.  
100 All were in favor. The motion passed 5/0.  
101

102 **6:00 p.m. - Fundraising for purchase of Recreation Bus – Arene Berry**

103 Arene referred the Board to a power point in their package. In summary, the Recreation Department is looking for au-  
104 thorization to fund raise for the purpose of purchasing a bus for trips. Their senior trips have increased. She provided  
105 data from 2014 to current. They currently contract buses through Jaffrey Recreation Department and Southern NH Ser-  
106 vices. They’ve used Amherst Recreation Department buses twice and for two trips they added a second date as another  
107 bus was not available. Anything larger than a 14 passenger bus requires a CDL and restricts where they drop the seniors  
108 off due to walking constraints. Their current contract with Jaffrey Recreation ends at the end of 2019. They are unsure  
109 of the availability and/cost in 2020 due to program restructuring current taking place in Jaffrey.  
110

111 She thanked the Board for coming out to see a bus similar to the one they are looking to purchase. The bus will include  
112 wheelchair tie downs with a handicap access lift. If they don’t have a wheelchair, they could only transport 13 people.  
113 They are looking at other models to see if they can have 14 seats.  
114

115 The purchase cost is around \$68,400. She provided terms and lease options for monthly payments. No voter require-  
116 ment would be needed according to New Hampshire Law. The financing may be prepaid at any time. Local incentives  
117 and rebates are for the exclusive use of the Town of Milford. The new Finance Director may be able to provide other  
118 lease options with lower interest rates. If a warrant article is needed and for some reason the item is not funded, we will  
119 have a non-appropriation clause so we will not be obligated to continue the payments.  
120

121 They currently have \$2,100 designated for bus purchase in the Recreation Revolving Fund. The Recreation Committee  
122 is in full support and they are waiting for the end of the summer programs to determine how much money they can pro-

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123 vide towards this. They are researching possible grants but haven't found one that doesn't restrict either seniors or chil-  
124 dren. They are putting together a sponsorship program, for a certain level they can get a logo of their company on the  
125 bus. Their plan is to raise all the money but if they are short in October, they want to put in a warrant article. Once we  
126 are through budget season and as other donations come in, they can lower the warrant article.  
127

128 Additional uses for the bus will be to expand their youth programs. The schools have expressed interest in using the bus  
129 for some of their smaller programs. They could also charge rental rates to other Recreation Departments and combine  
130 trips with Amherst to meet minimum group rates. Primex said their insurance would increase \$540 per year.  
131

132 Selectman Dargie is in favor and if we were to fund the \$68,000 completely, the increase in the tax rate would be 05.  
133 Selectman Labonte asked if they had a guess on what they could raise. Arene said no, but they fund raised \$190,000 for  
134 the 127 Elm Street project. Chairman Daniels doesn't have a problem authorizing the fund raising, but would have to  
135 revisit it if it becomes a warrant article.  
136

137 Zack Williamson, Recreation Chairman said they have filled all of their sponsorships for all events this year and doesn't  
138 feel this will be an issue. Selectman Dargie cautioned that they keep track of the donations in case they have to return  
139 the money for any reason.  
140

141 Selectman Putnam made a motion to authorize the Recreation Department to pursue fundraising for the bus. Seconded  
142 by Selectman Dudziak. All were in favor. The motion passed 5/0.  
143

144 **6:15p.m. - Civil Forfeiture Fines – Joan Dargie**

145 Joan asked the Board to authorize a warrant for unlicensed dogs. Pursuant to NH RSA 466:14 they are directed to col-  
146 lect the fees due the Town of Milford, to be turned over to the Town Clerk, or seize any unlicensed dog for holding in  
147 an appropriate facility. They are down to 885 dogs that are not registered. Working with the Police Department, they  
148 will be sending a letter out on Police letterhead informing people about their civil forfeiture fine. There is also a \$7  
149 processing fee, a \$6.50 registration fee plus all late fees.  
150

151 Chairman Daniels asked what the process was for enforcement after the letter is sent. Joan said if they don't come in to  
152 take care of the \$25 fine, they will have to go to court and it could be up to \$100 if that happens. Selectman Labonte  
153 asked what's been done in the past. Joan said it wasn't enforced in the past but its state law and she's been bringing it  
154 up the past two years. Selectman Labonte asked if any of the additional fees go to the Police Department for compensa-  
155 tion for their time. Joan said no, it goes into the general fund. She suggested increasing the dog fee by \$1 in the future to  
156 go towards an animal control officer. Selectman asked what the Police Department thought of this. Joan said the Chief  
157 and she talked and that's why they are going to send the civil forfeiture notice out on Police letterhead. They provide  
158 the letterhead and her department will send it out. If the dog owners don't comply, they will get another letter and be  
159 obligated to go to court.  
160

161 Chief Viola said they discussed this last year and felt it was something that needed to be done. Other towns around us  
162 do this. We are taking the extra steps using our letterhead. Selectman Labonte asked if someone from the Police De-  
163 partment would have to go to court if someone has to go for non-payment of the fine. Chief Viola said he doesn't know  
164 the process yet, he would find out. Joan said if the town had an animal control officer, they would go, since they don't,  
165 the Police Department would have to go to court.  
166

167 Chairman Daniels asked if the letters were being sent out based on the last registration. Joan said it's the last registra-  
168 tion and anyone that brought in a new dog. Local Veterinarians are required by law to notify us if any dog gets rabies  
169 shots. People who no longer have pets should notify us. Selectman Labonte asked why they have to approve this if it's  
170 already an RSA. Joan said its part of the RSA. Selectman Labonte asked if Joan felt it would be a positive financial  
171 impact or a negative one. Joan repeated, we are 885 dogs at \$25 each. The whole dog licensing is not a positive finan-  
172 cial thing and the state is looking at some changes. It isn't whether or not it's a financial gain or loss, it's a state law.  
173 The only way for the Police to locate a dog's owner is by enforcing this. Administrator Bender asked how many dogs  
174 are currently registered in town. Joan said about 1,500.  
175

176 Selectman Putnam made a motion to authorized letters to be sent out regarding civil forfeiture fines. Seconded by Se-  
177 lectman Dudziak. The motion passed 4/1 with Selectman Labonte opposed.  
178

179 Chief Viola said this won't be high on the priority list. We will work with the Town Clerks office as time permits. Se-  
180 lectman Labonte said he assumes the Police Departments workload is enough already. Chief Viola said everything in  
181 his department is prioritized, we are busy, but this is one of the things that need to be looked at. Hopefully the letter will



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182 make an impression on people. We will also be checking with other departments to see about other options. Joan said  
183 she would also like to re-look at adding an additional dollar to dog licensing in a few months.  
184

185 **6:30 p.m. - Pumpkin Festival Update -Wade Scott Campbell – Verbal**

186 Wade and Carol Gates gave an update on the pumpkin festival. Things are moving along everything is filling up. They  
187 are looking for volunteers to help setup all four days. Rates increased based on the power bill per each unit renting  
188 space. There is a \$15 to \$20 increase to offset what they were paying for the electrician. Non-profits in lieu of doing a  
189 payment for a spot, can volunteer their time to help out. No amount of time is too small or too much. Volunteers can  
190 come from anywhere; they don't have to be town's people. It's a lot for a small amount of people to cover.  
191

192 They are meeting with the Masons about the haunted trail to make sure their needs are taking care of. They also need  
193 volunteers. The talent show is still on; they will start promoting it in July. There will not be carnival rides on the oval  
194 this year. They are transitioning towards the grass roots like before. There will be food trucks coming in. They are cur-  
195 rently meeting every two weeks until the middle of August then they will meet weekly. The Board thanked Wade and  
196 Carol for heading this. Administrator Bender said they had a meeting around town and everyone is very cooperative  
197 and have lots of energy. Wade said the music is also a huge part of the festival. Carol asked the Board to think about  
198 doing something special for the pumpkin festival's 30<sup>th</sup> anniversary. The Pumpkin Festival web site will be up to date in  
199 a couple of weeks.  
200

201 They will be having another mural painted but they need to look more into it. There was talk about having it at Emer-  
202 son Park on the back side of the Post office. Wade asked if some the Town Hall windows can be painted this year. The  
203 Board will think about it.  
204

205 **3. PUBLIC COMMENTS.** - There were no public comments at this time.  
206

207 **4. DECISIONS.**

208 **a) CONSENT CALENDAR.** Chairman Daniels asked if there were any items to be removed from the consent calen-  
209 dar. Selectman Dargie asked that 4. a) 2) be removed for discussion. Selectmen Putnam made a motion to accept the  
210 4. a) 1, 3 and 4 as presented. Selectman Dudziak seconded. All were in favor. The motion passed 5/0.  
211

212 1) Approval of Two (2) Intent to Cut Wood or Timber, Map 54 Lot 2 and Map 54 Lot 6

213 2) Approval of 2019 Application for Reimbursement to Towns and Cities in which Federal and State Forest Land is  
214 Situated - \$127,300

215 3) Request for Approval for New Hampshire American Physical Therapy Association to do a day of Service at Keyes  
216 Field on October 12, 2019.

217 4) NH RSA (31:95(b)) Request for Acceptance and Appropriation of Unanticipated Revenues under \$10,000 – Milford  
218 Rotary Club Foundation gave a donation of \$1,700 to the Milford Recreation Department to purchase benches at Shep-  
219 ard Park.  
220

221 Selectman Dargie clarified that for 4. a) 2), the \$127,300 is the assessed value of the property, not the actual reim-  
222 bursement. Administrator Bender said the impact is \$1,750. Selectmen Putnam made a motion to accept the 4. a) 2) as  
223 presented. Selectman Dudziak seconded. All were in favor. The motion passed 5/0.  
224

225 **b) OTHER DECISIONS.**

226 1) N/A  
227

228 **5. TOWN STATUS REPORT – Administrator Bender**

229 **a. MS4 Update** - The US EPA has accepted the town's Notice of Intent under the 2017 General Permit for Stormwater  
230 Discharges from Municipal Separate Storm Sewer Systems. The town continues compliance efforts. Residents will  
231 receive mailings regarding stormwater management and ways they can help improve our surface waters. They may also  
232 notice interns who are tracking and monitoring our storm water system and outfalls. The interns will carry identification  
233 and wear high visibility safety vests.  
234

235 **b. Solar Lease Update** - Staff continues working with Granite Apollo and attorneys on the long-term lease of town  
236 land. Water Utilities exploration for a potential municipal water source in the area is adding time to the process. We do  
237 not yet have a lease for public review.  
238

239 Selectman Labonte asked if TRC was still working at the Solar site. Administrator Bender said not now. They were  
240 surveying wetlands and vernal pools in the Spring.

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**c. Paving 101/101A Update** - This is just a reminder for residents that the State will be reclaiming and paving the 101/101A intersection in the near future. This is scheduled for night work.

Other scheduled town paving projects include:

- Crack Sealing starts June 26.
- Chip & Seal on Savage, Mason, McGettigan and Whitten Roads starts July 2.

Starting the week of July 8 we will be working on:

- Milling and paving West and South
- Top paving King, George, Ford and Clinton
- Reclaiming and paving on Cottage, Garden and Union
- Updates will be posted on the Town Website.

The process will take three to four weeks for completion.

**d. Stone Structure Update** - Work is progressing on the stone cutting shed that we are transforming into a stage at the entry to Keyes Park. Excavation, footings and foundation are complete. Reconstruction of the three sided stone stage is underway.

Chairman Daniels said nixle has been very helpful in keeping up to date on happenings around town. He encourages residents to use it. Administrator Bender said it's on the town's web site, easy to use and it's free.

**6. DISCUSSIONS:**

a) N/A

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

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

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

Chairman Daniels said people were asking why they were getting scoop the poop mailings, how much did the town pay for that and was it households. Administrator Bender said the requirement for the MS4 permit was to send a notice to all households in towns whether they have pets or not.

Selectman Labonte referenced the July 12<sup>th</sup> pre-proposal conference for the RFQ on dispatch and asked if the Board will be there for that. Administrator Bender said it's open and anyone can attend. Chairman Daniels said it wasn't a scheduled meeting for the Board. Selectman Labonte asked who would be conducting the meeting. Administrator Bender said staff will be taking questions, and providing answers for this. It would include himself, Captain Frye and Chief Viola. Selectman Labonte asked if other emergency services will be there, it seems like we are focusing on the Police Department. Administrator Bender said they put the RFQ together. Selectman Labonte feels it should non biased. He feels that the Board should be there. Administrator Bender said the proposals are to be sent to the attention of the Board of Selectman, it doesn't mean they have to be there for the conference. They can be, but if three of you are here, it needs to be posted as a meeting. Selectman Labonte asked if the public could come and should it be posted as a meeting. Administrator Bender already stated that anyone could attend the conference.

Administrator Bender said in the RFQ under proposal instructions, item 14 states "Questions regarding this bid shall be made in writing only and should be directed to the individual listed below no later than five working days prior to the bid closing date and time. He is listed as that individual. He would need to know how many Board members will be there so it can be posted. Selectman Labonte and Selectman Putnam plan on attended. Chairman Daniels said to post it anyway. Chairman Daniels repeated that it is a public meeting and anyone can show up for it. It will be posted as a Board meeting.

Selectman Putnam said the committee for the 127 Elm Street building met Thursday and approved an RFQ, (request for qualifications), to study the feasibility study for programs and what their opinions are. Chairman Daniels asked how long before the RFQ had to be back. Administrator Bender said they are making a few modifications based on meeting last Thursday and then they will allow 45 days.

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297 Chairman Daniels said the Recycling Committee meet and they were able to get signs previously discussed for half the  
298 cost of the \$500 allotted. They chose to use the remaining money for additional signage so they will have signage at all  
299 the places at the Transfer Station.

300

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

302

303 **9. APPROVAL OF FINAL MINUTES.** Selectman Putnam moved to approve the minutes of June 10, 2019, as  
304 amended. Selectman Dudziak seconded. All were in favor. The motion passed 5/0.

305

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

307

308 **11. NOTICES.** Chairman Daniels read the notices.

309

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

311

312 **13. ADJOURNMENT:** Selectman Putnam moved to adjourn at 6:46. Selectman Dudziak seconded. All were in fa-  
313 vor. The motion passed 5/0.

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Gary Daniels, Chairman

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Laura Dudziak, Member

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Paul Dargie, Vice Chairman

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Chris Labonte, Member

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Mike Putnam, Member

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