



# TOWN OF MILFORD DEPARTMENT OF PUBLIC WORKS

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

5:30 Public Works  
Department Update -  
Director Leo Lessard

DATE: 9/19/2023

TO: Board of Selectmen  
Lincoln Daley, Town Administrator

FROM: Leo Lessard, Public Works Director

RE: Public Works Department Update

## Employee Update:

The Department continues to experience a shortfall in personnel which has impacted operations significantly. .

- Two employees out on workmen's compensation.
- One operator retiring after 23 years of service. Position is currently advertised.
- Continue outreach efforts to hire assistance and drivers for the winter season.

## Department Vehicle/Equipment Maintenance:

- Beginning to prepare for the upcoming winter months and assess the conditions of the municipal fleet.
- Anticipate an over expenditure in the Contractual Vehicles and Maintenance Supply of Vehicles. Due to the age of the fleet, the maintenances costs are higher for repairs, tires etc. with trucks being 15+ years old.
- Upon inspection, several of the trucks will require new tires at a cost of approximately \$5000.00 +/-.

## Project Updates:

- Continue to repair the numerous washouts due to various storms.
- Installation of 300 linear feet of pipe along with 2 structure on Mason Road and Bolder Drive.

289 South Street Milford, NH 03055  
(603) 673-1662 Fax: (603) 673-2206  
TDD Access: Relay NH 1-800-735-2964

# **TOWN OF MILFORD**

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- Installation of a structure on King Street and drainage berms on Spaulding Street, Osgood Road, Young Road.
- Installation of drain pipe on Osgood.
- Continual maintenance of the Town right of ways, road edge cutting, and stop bar installation.

### Work Hour Days:

- The 10-hour day 4 day per week schedule for road and highway staff will go back to 8 hour, 5-day work week on November 6<sup>th</sup> till April
- The 10-hour days has been a large success. With the extended workday, the Departmental realized operations efficiencies and budgetary savings due to reduced mobilization, overtime costs, fuel savings, and general vehicle/equipment wear and tear.
- The success of the 10-hour work day and the work completed this year is a direct result of the quality personnel within the Public Works Department.

### Departmental 2023 Goals & Objectives:

- Unfortunately, some of the planned projects scheduled for this year did not get done for the reason of emergency jobs take president over them.
- I continue to develop and update the list of forecasted projects and associated costs for 2023 and now 2024.
- Paving schedule is anticipated to resume in mid-October.

### Pipe Crew:

- The Pipe crew this season just starting in June has installed 1,200 linear feet of drainage pipe and installed several structures.
- On the water side they installed approximately 1,250 feet of water main, 16 water taps and services, several hydrants, and replaced several gate valves sewer connections.



# TOWN OF MILFORD

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Buildings • Cemeteries • Engineering • Highway • Parks  
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### Inter-Departmental Memo

DATE: 9/19/2023

TO: Lincoln Daley, Town Administrator  
Leo Lessard, Public Works Director

FROM: Nicole Crawford, Town Engineer

RE: General list of Town Engineer's tasks

The Job Duties of the Town Engineer are wide and varied including the design and overseeing of Town Projects to helping all of the other Town Departments, Commissions and Boards. The following list is to further identify various projects and duties that were part of the engineer's task list in 2023:

- **MS4 Permit**
  - Water sampling, catch basin and outfall inspections, update spreadsheets as required by permit
  - Update required plans as necessary including but not limited to IDDE plan, Stormwater Ordinance, Stormwater Management Plan (SWMP), Stormwater Pollution Prevention Plans (SWPPPs), Winter Operation and Maintenance Manual for salt reduction
  - IDDE Sampling as necessary
    - This year we were able to follow up on test results for a location that required additional testing. This required coordination with Water and Sewer Department and included multiple days of testing. This kind of coordination and follow up can be difficult when using a subconsultant for individual tasks.
  - Annual report for permit compliance
  - Attend regular stormwater coalition meetings
- **Town Projects**
  - Mont Vernon Street Parking
    - Design
    - Shoreland Exemption Application
  - Clinton Street Parking
    - Design
  - Elm Street Dog Park

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- Design
- Shoreland Permit
- Wetland Permit
- Whitten Road Culvert
  - Wetland Permit
- Mason Bridge
  - Review Construction Documents
  - Construction Oversight/Coordination with RE
- Hartshorn Bridge
- **Training and Certifications**
  - LPA Training as required by NHDOT
  - Completed EPA Construction General Permit (CGP) training for construction site SWPPP inspections
  - Review of GPS/GIS data collection devices owned by the Town to consider future use and capabilities
- **Construction Site Inspections**
  - Tonella Road
  - Crosby Townhomes
  - Wheeler Street
  - Summer Street
  - Falcon Ridge
  - Self-Wise Self Storage
  - Webster Street
- **Floodplain Manager**
  - Required for our participation in NFIP
  - Review and implement Floodplain Management Ordinance
  - Attended training webinars on updates to flood elevation certificates/floodproofing certificate
- **Fletcher Site Inspection**
  - The Fletcher Site is a brownfield that requires annual inspections and reports to ensure that we are compliant with our part of the agreement with EPA
- **GIS Mapping/Asset Management**
  - Cartegraph
  - GIS mapping review and organization
  - Collect data with GPS
- **Site Plan/Subdivision Application reviews of roadway and drainage plans**

# **TOWN OF MILFORD**

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- In-house review is more detailed and includes site visits as necessary. Coordination with concerns from residents is an important part of the process. Developments design to certain criteria but that does not mean that they will not have any off-site impacts.
- **Review of grants and funding opportunities**
  - Looking into Clean Fleets Grant for DPW vehicles
  - Preparing Local Road Safety Plan (LRSP) for possible opportunities for Safe Streets and Roads for All (SS4A)
- **Coordinate with NRPC as needed**
  - Request and review traffic counts
  - Coordinate and provide information for RSMS inventory and analysis
  - Attend TTAC meetings
- **Coordinate and implement intern program**

### **Additional Tasks**

- Start process of watershed mapping for town to fully understand where stormwater flows and what developments contribute to each waterbody
  - Need to monitor existing flows and patterns during large rain events in order to be better prepared for future development
  - Need to review and assess existing stormwater infrastructure to determine condition and capacity needs
- Address complaints/requests from property owners, residents in regards to stormwater or construction site concerns
- Access town files on existing developments/historical plans as needed to assist DPW
  - Questions on existing culverts, elevations, old site plans, etc.
- Assist with Community Development as needed
  - Elm Street Motel - Attended pre-application meeting with property owners at Community Development
  - Attended meeting on-site at Boys & Girls Club to discuss existing easement and current application in progress (for buses)
  - Reviewed application for proposed South Street Gas Station in Groundwater Protection District and assisted with interpretation and enforcement of ordinance
- Attend training/workshops as necessary
  - UNH Road Safety Advocate Program (RSAP)

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

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- Goal to create Local Road Safety Plan (LRSP) to use to apply for future funding for roadway/transportation safety projects
- Maintain relationships with state/municipalities

4. a. 1) Approval of one (1) Petition and Pole License, Amherst Street

362883

22-2500

**PETITION AND POLE LICENSE**  
**PETITION**

Manchester, New Hampshire  
To the Selectmen of Milford, New Hampshire.

Date: October 10, 2022

**CONSOLIDATED COMMUNICATIONS OF NORTHERN NEW ENGLAND COMPANY, LLC and PUBLIC SERVICE OF NEW HAMPSHIRE d/b/a Eversource Energy**; desire a license to erect and maintain poles and structures, with wires, cables, conduits and devices thereon, together with sustaining, strengthening and protecting fixtures along, across and under the following highways in said municipality:

The licensing of 1 new pole **13/2.5 (ESNH 561/1Y)** on Amherst St, in the Town of Milford, New Hampshire, as per attached.

**CONSOLIDATED COMMUNICATIONS OF NORTHERN NEW ENGLAND COMPANY, LLC**

**PUBLIC SERVICE OF NEW HAMPSHIRE d/b/a Eversource Energy**

by Kimberley Burgess  
Right-of-Way Department

Janet Naudreault  
Right of Way Department

Upon petition of the **CONSOLIDATED COMMUNICATIONS OF NORTHERN NEW ENGLAND COMPANY, LLC and PUBLIC SERVICE OF NEW HAMPSHIRE d/b/a EVERSOURCE ENERGY**, it appearing that the public good so requires, it is hereby

**ORDERED**

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

That **CONSOLIDATED COMMUNICATIONS OF NORTHERN NEW ENGLAND COMPANY, LLC and PUBLIC SERVICE OF NEW HAMPSHIRE d/b/a EVERSOURCE ENERGY** be and hereby are granted a license to erect and maintain poles and structures, with wires, cables, conduits and devices thereon, together with sustaining, strengthening and protecting fixtures, in the highways covered by said petition. All of said wires except such as are vertically attached to poles and structures shall be placed in accordance with the National Safety Code in effect at the time of petition and/or license is granted.

The approximate location of the poles and structures shall be shown on plan marked **CONSOLIDATED COMMUNICATIONS OF NORTHERN NEW ENGLAND COMPANY, LLC and PUBLIC SERVICE OF NEW HAMPSHIRE d/b/a Eversource Energy** No. 362883 dated July 13, 2022, attached to and made a part thereof.

\_\_\_\_\_  
Selectmen

By vote of Board of Selectmen  
Town of Milford, New Hampshire

\_\_\_\_\_  
Selectmen

\_\_\_\_\_  
Selectmen

Attest \_\_\_\_\_  
Town Clerk

of the Town of Milford, New Hampshire  
Received and entered in the records of the Town of Milford, New Hampshire,

Book \_\_\_\_\_, Page \_\_\_\_\_.

Date \_\_\_\_\_

*AL 9/11/23 Pole License 114.*

## 4. a. 2) Acceptance and Appropriations of Unanticipated Revenues Under \$10,000

Board of Selectmen  
Agenda Date: 9/25/2023

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

| Source                           | Amount   | Purpose  |
|----------------------------------|----------|--|
| Leighton A. White Inc.           | \$200.00 | Donation to support the Labor Day Parade   |
| The Loft Event Center Music Hall | \$100.00 | Donation to support the Labor Day Parade   |
| Tony & Tara Kalish               | \$300.00 | General donation to the Milford Fire Department. The Fire Dept. wishes to designate the donation to the Fire-Rescue Special Purpose Fund. See attached memo. |
| NH Preservation Alliance         | \$300.00 | Award to reimburse for assessment cost of the Allott/Laurel Schoolhouse. This is for the Scout House Special Purchase Fund.                                  |

### 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:** 7/28/23

**SUBJECT:** Donation

The Milford Fire Department has received a donation of \$300.00 from Tony & Tara Kalish, a local family from Milford. We ask that you accept the donation and apply to account #48149 Fire-Rescue Donations.

Regards,

A handwritten signature in black ink, appearing to read "Kenneth Flaherty".

Kenneth Flaherty  
Chief of Department



BOARD OF DIRECTORS

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CONCORD

VICE CHAIR  
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MEREDITH

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MATTHEW D'AMORE  
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ROBERT WERNER  
CONCORD

BENJAMIN WILSON  
HOPKINTON

EXECUTIVE DIRECTOR  
JENNIFER GOODMAN

August 24, 2023

Katherine Kokko  
Milford Heritage Commission  
1 Union Square  
Town of Milford  
Milford, NH 03055

Dear Katherine:

Enclosed please find the Town of Milford's grant award of \$1,951 to help fund the condition assessment for the Abbott/Laurel Schoolhouse made possible with support from N.H. Land and Community Heritage Investment Program.

We applaud the Milford Heritage Commission's dedication to the preservation of this last remaining one-room schoolhouse in town. We hope the assessment provides a strong "road map" for the building's needed repairs and helps strengthen your LCHIP application.

Please feel free to reach out at any time with questions or concerns.

Sincerely,

Beverly Thomas  
Deputy Director

## 5. Town Status Report

### TOWN STATUS REPORT

September 25, 2023

#### 1. Milford Teamsters – Surrender of Certification

On Wednesday, September 20, 2023, the Town received a notice from the Teamsters Local Union No. 633 and Order of Voluntary Surrender of Certification from the NH Public Employee Labor Relations Board. (See Attached) Beginning on September 20, 2023, the Teamsters Local Union No. 633 will have no further responsibilities under any collective bargaining agreement in Milford. It is our understanding that the surrender of certification is the result of limited participation and payment of dues by Milford employee union members. The surrender of certification impacts 22 positions in Milford and will have financial ramifications to the Town.

The Teamsters' health insurance through AllegiantCare will remain in effect until October 31, 2023. We are currently in discussions with the company to extend coverage to the end of the year to minimize disruption to employees, manage the administrative transition, and allow the Town to complete its health insurance bidding process. The preliminary cost estimate for transitioning 22 employees to Town Health Insurance (Health Trust) is currently be calculated. However, the result will be an overall increase to the Town budget.

In addition, staff is currently reviewing the Teamsters Union agreement and health insurance plan to the Town's plan and policies to identify the differences/similarities. The effort may result in the development of departmental Standard Operating Procedures to codify specific existing conditions/allowances (e.g. clothing, shoes, equipment) within the Union agreement.

#### 2. Milford Power Contract Update – Verbal Discussion

#### 3. Board, Commission, Committee Volunteers

The Town is actively seeking volunteers seeking to serve on the various boards, commissions, and committees. The following is a listing of current vacancies:

- |   |                       |
|---|-----------------------|
| • Board of Adjustment                   | 2 Alternate Positions |
| • Budget Advisory Committee             | TBD                   |
| • Conservation Commission               | 2 Alternate Positions |
| • Economic Development Advisory Council | TBD                   |
| • Granite Town Media                    | 1 Full Time Position  |
| • Recycling Committee                   | 1 Full Time Position  |
| • Planning Board                        | 2 Alternate Positions |

If you are interested in applying, please contact the Administration Office or visit the Town website at [www.milford.nh.gov](http://www.milford.nh.gov) and download /complete the volunteer application.


## 5. 1) Milford Teamsters - Surrender of Certification

# TOWN OF MILFORD

TOWN ADMINISTRATION



## MEMORANDUM

**From:** Lincoln Daley, Town Administrator   
**To:** All Staff  
**Date:** September 21, 2023  
**Subject:** Teamster Contract – Notice of Surrender of Certification

Greetings all,

We received notice on Wednesday evening, September 19, 2023, that effective September 20, 2023 at 12:01 a.m. the Teamster Union issued a Notice of Surrender of Certification.

What this means is that Teamsters Local 633 of NH shall have no further responsibilities under any existing collective bargaining agreement. The terms of the current collective bargaining agreement are null and void as of September 20, 2023. I am attaching a copy of this notice for your records and for posting on any union/employee boards.

The Teamsters health insurance through AllegiantCare will remain in effect until October 31, 2023. Human Resources is in discussion with HealthTrust about possible plans that could be offered to the Teamsters as of 11/1/2023 to ensure continuity of coverage.

We have been informed that the NHPelRB notified dues paying members of this change, but we are not sure if the remainder of the Teamsters have been notified.

Please don't hesitate to contact me and/or Human Resources with any questions.



**State of New Hampshire**  
Public Employee Labor Relations Board

**Teamsters Local 633 of New Hampshire**

**And**

**Town of Milford**

**Case No. G-0010-3**  
**Decision No. 2023-249**

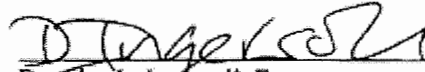
**Order of Voluntary Surrender of Certification**

On September 19, 2023, the Teamsters Local 633 of New Hampshire submitted a notice of surrender of the bargaining unit certification set forth in PELRB Decision No. 2022-026 (February 11, 2022). Based on this filing, the certification has been surrendered in accordance with the requirements of Admin. R. Pub 301.03 (j). Therefore, the Teamsters Local 633 of New Hampshire shall have no further responsibilities under any existing collective bargaining agreement or under any applicable provisions of RSA 273-A granting the right to bargain collectively, and the terms of any collective bargaining agreement shall be void as of September 20, 2023. See Admin. R. Pub 301.03 (j)(2) and (3). This order is effective as of September 20, 2023.

So ordered.

Date:

9/19/2023

  
Douglas L. Ingersoll, Esq.  
Executive Director/Presiding Officer

Distribution: Jeffrey Padellaro, Secretary-Treasurer, Teamsters Local Union No. 633 of NH  
Lincoln Daley, Town Administrator  
Karen Blow, HR Director



# TEAMSTERS LOCAL UNION NO. 633

AFFILIATED WITH THE  
INTERNATIONAL BROTHERHOOD OF TEAMSTERS



53 Goffstown Road, Suite A, Manchester, NH 03102  
Mailing address: PO Box 870, Manchester, NH 03105  
(603) 625-9731 • Fax (603) 625-6767  
www.teamsters633.com

September 15, 2023

JEFFREY PADELLARO  
Secretary-Treasurer

New Hampshire Public Employee  
Labor Relations Board  
2-1/2 Beacon St., Suite 200  
Concord, NH 03301

JEFFREY PARKINSON  
President

JAMES PETRILLO  
Vice-President/Organizer

Re: Notice of Surrender of Certification  
Town of Milford – Certification Number G-0010

SCOTT GOVE  
Recording Secretary

Dear Executive Director Ingersoll,

DONNA LEMAY  
Trustee

Pursuant to Pub 301.03 (j), Teamsters Local Union No. 633 of Manchester, New Hampshire hereby surrenders its Certification for the Town of Milford. The Certification for the bargaining unit in question includes the titles, Maintenance Mechanic (Water Utilities Department), Laborer (Transfer Station), Laborer (DPW), Equipment Operator (WUD), Equipment Operator (DPW), Maintenance Mechanic (DPW), Truck Driver (DPW), Custodian (DPW), Water System Technician (WUD-2022), Full-time Clerk (Police), Collection System Technician (WUD-2022) and Billing/Accounts Receivable Clerk (Water and Sewer).

ALYSSA CROTEAU  
Trustee/Organizer

RYAN SMITH  
Trustee

SHAUN GILMAN  
Advisory Trustee

RICHARD LAUGHTON, JR.  
Business Agent

Teamsters Local Union No. 633 has provided the members of this unit with this requisite notice via U.S. mail on September 15, 2023.

KEITH JUDGE  
Business Agent

Sincerely,

WILLIAM CAHILL, JR. ESQ.  
Business Agent

MARK CLIFFORD  
Field Representative

Jeffrey Padellaro  
Secretary-Treasurer  
Teamsters Local Union No. 633 of  
Manchester, New Hampshire

Cc: Mr. Lincoln Daley, Town Administrator  
Ms. Karen Blow, Human Resources Director  
Employees

RECEIVED  
SEP 20 9 00  
2023

JP:blr

CHAUFFEURS, TEAMSTERS & HELPERS  
WE WILL ONLY ACCEPT DELIVERIES FROM UNION CARRIERS



## 6. 1) Traffic Safety Concern - Union Street

Hello Board of Selectmen,

Greetings

I have lived at 103 Union Street for over 40 years and have seen many changes to this part of Milford. Among those changes are the demographics of Park Street which is across Union Street from my house. In the past few years several houses have changed hands bringing in younger families than in the past. More of the adults will walk downtown for various reasons, or just go for a walk. And these younger families means more school age children that need to get to and from school.

Another thing that has changed drastically is the traffic on Union Street. The traffic is, for various reasons, much heavier than in the past and also much faster. The speeds have increased considerably in the past few years. The volume of traffic is, understandably, heavier in the morning and afternoon before school hours and again after school.

Having said all of the above, I would like to inquire about having a cross walk put in where Park Street connects to Union Street as there is a sidewalk on only one side of Union Street.

How would one go about having this action taken? Please advise.

Thank you

Bob Farrow  
103 Union Street  
farrowmrbob@comcast.net

## 6.2) Traffic Safety Concern - N. River Road

Joint Loss Management Committee  
1 Union Square  
Milford, NH 03055

September 14, 2023

Dear Town Safety Committee,

Thank you for taking the time to read this letter and review our situation. My name is Kim Eves, I have been a resident of Milford, NH for 5 years, living with my husband and two young kids (ages 6 and 3) and have enjoyed all that the town has to offer. My daughter is a first grader at Jacques Memorial Elementary School and uses the school bus transportation to get to and from school each day. We live at 41 N. River Road across from the MCAA fields and her bus stop is at the end of our driveway. If you have traveled on this road in this area, you know when coming onto the street from Route 13, there is a lot going on. Our driveway is directly across from the entrance to the MCAA fields, the town transfer station is after that, and there are multiple businesses in between with heavy duty vehicles such as dump trucks traveling on the road. In addition to all of that, our driveway is ~100 ft from a curve making it very difficult to see. Please see the image below. The red arrow is the direction the bus takes to pick up my daughter and the X is the bus stop.



Currently when my daughter is picked up from the bus company, she is required to walk across the street which has become more dangerous this year from last. Many times, the bus arrives, stops and waits for a minute or two to signal my daughter to cross the street due to cars not recognizing the bus has stopped in time. In addition to not seeing the bus stopped, we have witnessed a motorcycle try to pass a car that was stopped, during a time the bus was stopped to pick up my daughter, for the motorcyclist to realize the car was stopped for the bus and they had to slam on their brakes. This was very concerning to see as a mother when your child is crossing the street and following the safe bus



rules. I understand you cannot control every driver, but I believe the issue is the stop is immediately after the curve making it a blind spot for drivers to see a bus is even there picking up a child.

Outside of the bus stop hours, we have witnessed many drivers speeding down the road making it very difficult for us to leave our driveway safely. We have also seen drivers drive into our driveway to pass other cars that are awaiting traffic to get into the MCAA fields parking lot. Lastly, we have had to replace our mailbox in the last year due to cars speeding down the hill from the transfer station in the opposite direction. I noticed last week a portable police sign was placed between the entrance and exit of the MCAA fields warning drivers coming from the transfer station that a stop is ahead and to drive safely due to the curve making it difficult to see how quickly the stop sign approaches.

I would like to request that the safety committee review the traffic flow in this area and to post up a sign for blind driveway and bus stop ahead or lower the speed limit until after the transfer station. Currently this poses a high risk to the safety of the children living in this area trying to get on the bus and the children using the playing fields across the street. I am seeking your expertise on what you feel is safest for our community and hope that you consider a change to help eliminate the cause for potential accidents in the future.

Sincerely,

A handwritten signature in black ink that reads "Kim Eves". The signature is written in a cursive, flowing style.

Kim Eves  
41 N. River Rd  
Milford NH, 03055  
C: 978-726-5462

# Town of Milford Warrant & Financials DRAFT Budget and Bond Hearing

January 8, 2024

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

You are hereby notified that the Annual Meeting of the Town of Milford will be held, in accordance with RSA 40:13, in said Milford, with the first session (also known as "Deliberative Session") at the Town Hall Auditorium on Saturday, February 3, 2024, at 9:00 am, to transact all business other than voting, and on Tuesday, March 14, 2023, at the Milford High School Gymnasium, for the second session (also known as "Town Vote") for voting by official ballot at the polls on all matters in the warrant as well as officers and other matters to be voted on. The polls will be open on March 12, 2024, at 6:00 a.m. and will not close earlier than 8:00 p.m.

In accordance with the Americans with Disabilities Act, the services of an interpreter will be provided as requested. Such requests must be received in the Milford Board of Selectmen's Office, Town Hall, One Union Square, Milford, NH 03055-4240, at least two (2) calendar weeks before the event. The Town will attempt to honor any requests received after this time.

## ARTICLE 1 – ELECTION OF OFFICERS

## ARTICLE 2 – BALLOT VOTE – ZONING CHANGES

There are no Zoning Changes for 2023

## WARRANT ARTICLE - TOWN OPERATING BUDGET - \$ \_\_\_\_\_

Shall the Town vote to raise and appropriate an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts outlined in the budget for the purposes set forth herein, totaling \$ \_\_\_\_\_? Should this Article be defeated, the default budget shall be \$ \_\_\_\_\_ which is the same as last year with certain adjustments required by previous actions of the Town, or by law; or the governing body may hold one special meeting in accordance with RSA 40:13 X and XVI, to take up the issue of a revised operating budget only. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). Voting YES on this article has an estimated tax impact of \$ \_\_\_\_\_ on an assessed valuation of \$100,000 when compared to voting NO on this article.**

## WARRANT ARTICLE - WASTEWATER DEPARTMENT OPERATING BUDGET - \$ \_\_\_\_\_

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

## **WARRANT ARTICLE - WATER DEPARTMENT OPERATING BUDGET - \$ \_\_\_\_\_**

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

## **WARRANT ARTICLE - RAZE AND REMOVE 127 ELM STREET BUILDING - \$520,000**

Shall the Town vote to raise and appropriate a sum not to exceed \$\_\_\_\_\_ to raze and remove the existing industrial/commercial building located at 127 Elm Street, Milford NH? This is a special warrant article in accordance with RSA 32. The purpose of this special Warrant article is to remove the boarded-up building which if left standing on town property could become a potential hazard as it is accessible from the park. Removal of this building was recommended in the original Keyes Park Expansion Project submitted to the Board of Selectmen in December 2016. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$\_\_\_\_\_ on an assessed valuation of \$100,000**

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

Shall the Town vote to raise and appropriate the sum of \$400,000 to reconstruct or repair Town roads? This will be a non-lapsing appropriation per RSA 32:7, VI. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$\_\_\_\_\_ on an assessed valuation of \$100,000.**

## **WARRANT ARTICLE - CONTINGENCY FUND - \$125,000**

Shall the Town vote to establish a contingency fund for the current year, in accordance with NH RSA Section 31:98-a, for unanticipated expenses that may arise and further to raise and appropriate the sum of \$125,000 to go into the fund? Said sum shall come from the unassigned fund balance and no amount to be raised from taxation. Any appropriation left in the fund at the end of the year will lapse to the general fund. This is a Special Warrant Article in accordance with RSA 32. This article requires a majority vote. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$\_\_\_\_\_ on an assessed valuation of \$100,000.**

## **WARRANT ARTICLE - SOCIAL SERVICES - \$40,000**

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

## **WARRANT ARTICLE - NON-EMERGENCY COMMUNITY TRANSPORTATION BUS SERVICES – \$32,000**

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

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

Shall the Town vote to raise and appropriate the sum of \$40,000 to be placed in the DPW Vehicles and Heavy Equipment Capital Reserve Fund? Expenditures from this fund will require a vote at the town meeting. The \$40,000 adds to the DPW Vehicles and Heavy Equipment Capital Reserve approved by voters in 2018. The current available balance in this capital reserve account as of **November 2021 is approximately \$720.62**. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$\_\_\_\_\_ on an assessed valuation of \$100,000.**

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

Shall the Town vote to raise and appropriate the sum of \$25,000 to be placed in the Town Facilities Renovation and Major Repair Replacement Capital Reserve Fund? Expenditures from this fund will require a vote at the town meeting. The \$25,000 adds to the Town Facilities Renovation and Major Repair Replacement Capital Reserve approved by voters in 2017. The current available balance in this capital reserve account as of **November 2021 is approximately \$100,734.13**. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$\_\_\_\_\_ on an assessed valuation of \$100,000.**

## **WARRANT ARTICLE - AMBULANCE VEHICLE REPLACEMENT CAPITAL RESERVE - \$25,000**

Shall the Town vote to raise and appropriate the sum of \$25,000 to be placed in the Ambulance Vehicle Replacement Capital Reserve Fund? Expenditures from this fund will require a vote at the town meeting. The \$25,000 adds to the Ambulance Vehicle Replacement Capital Reserve approved by voters in 2017. The current available balance in this capital reserve account as of **November 2021 is approximately \$100,734.13**. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$\_\_\_\_\_ on an assessed valuation of \$100,000.**

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

Shall the Town vote to raise and appropriate the sum of \$25,000 to be placed in the Fire Apparatus Replacement Capital Reserve Fund? Expenditures from this fund will require a vote at the town meeting. The \$25,000 adds to the Fire Apparatus Replacement Capital Reserve approved by voters in 2017. The current available balance in this capital reserve account as of **November 2021 is approximately \$100,734.13**. **The Board of Selectmen does not recommend this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$\_\_\_\_\_ on an assessed valuation of \$100,000.**

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

Shall the Town vote to raise and appropriate the sum of \$25,000 to be placed in the Keyes Park Expansion Committee Project Capital Reserve Fund? The purpose of this Fund is for the design, development, and construction of improvements to Keyes Memorial Park, as outlined in the Keyes Memorial Park Expansion Committee Report, (December 20, 2016, and as amended). The Board of Selectmen has the authority to expend from this fund. The \$25,000 adds to the Keyes Park Expansion Committee Project Capital Reserve approved by voters in 2017. The current available balance in this capital reserve account as of **November 2021 is approximately \$547.93**. **The Board of Selectmen recommend this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$\_\_\_\_\_ on an assessed valuation of \$100,000.**

## **WARRANT ARTICLE - ASSESSING REVALUATION CAPITAL RESERVE - \$22,500**

Shall the Town vote to raise and appropriate the sum of \$22,500 to be placed in the Assessing Revaluation Capital Reserve Fund? The current available balance in this capital reserve account as of **November 2021 is approximately \$31,484.12**. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$\_\_\_\_\_ on an assessed valuation of \$100,000.**

## **WARRANT ARTICLE - CONSERVATION LAND FUND - \$20,000**

Shall the Town vote to raise and appropriate the sum of \$20,000 for the purpose of adding it to the conservation fund created in accordance with RSA 36-A, said land fund being allowed to accumulate from year to year and to be available for the acquisition of property, conservation easements and other RSA 36-A allowable purposes? Contribution furthers the protection of the town's natural resources. The current available balance in this land fund account as of **December 2022 is approximately \$105,221**. **The Board of Selectmen does not recommend this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$\_\_\_\_\_ on an assessed valuation of \$100,000.**

## **WARRANT ARTICLE - INFORMATION TECHNOLOGY INFRASTRUCTURE CAPITAL RESERVE - \$ 20,000**

Shall the Town vote to raise and appropriate the sum of \$20,000 to be placed in the Information Technology Infrastructure Capital Reserve Fund? The Board of Selectmen has the authority to expend from this fund. The \$20,000 adds to the Information Technology Infrastructure Capital Reserve Fund approved by voters in 2021. The current available balance in this capital reserve account as of **November 2021 is approximately \$21,124.21**. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$0 on an assessed valuation of \$100,000.**

## **WARRANT ARTICLE - WADLEIGH LIBRARY MAINTENANCE AND UPKEEP CAPITAL RESERVE - \$25,000**

Shall the Town vote to raise and appropriate the sum of **\$25,000** to be placed in the Library Maintenance and Upkeep Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of future library building repairs and improvements of the existing facility for the benefit of the Town approved by voters in 2022? The Library Trustees have been appointed as agents to expend from this fund. The \$25,000 builds upon the Wadleigh Library Maintenance and Upkeep Capital Reserve approved by voters in 2022. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$\_\_\_\_\_ on an assessed valuation of \$100,000.**

## **WARRANT ARTICLE - INDEPENDENCE DAY CELEBRATION FIREWORKS - \$15,000**

Shall the Town vote to raise and appropriate the sum of **\$15,000** for the purpose of providing the Independence Day celebration fireworks display at a time and location to be determined by the Board of Selectmen? This is a Special Warrant Article in accordance with RSA 32. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$\_\_\_\_\_ on an assessed valuation of \$100,000.**

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

Shall the Town vote to raise and appropriate the sum of **\$9,000** for the purpose of holding the annual summer evening Band Concerts (bands, sound system, crossing detail)? This is a Special Warrant Article in accordance with RSA 32. **This is a non-lapsing article until 12/31/24**. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$\_\_\_\_\_ on an assessed valuation of \$100,000.**

## **WARRANT ARTICLE - MEMORIAL, VETERANS & LABOR DAY PARADES AND RECOGNITION SUPPORT - \$8,000**

Shall the Town vote to raise and appropriate the sum of **\$8,000** for the purpose of town support relative to the observance of Memorial, Veterans, and Labor Day Parades? These funds shall be used to cover parade costs incurred by Public Works, Police Departments, and other Town departments, and to purchase flags to be placed on the graves of veterans 30 days before Memorial Day and removed 30 days after Veterans Day. Departmental support costs and materials associated with the provision of these services will be charged against this appropriation. This is a Special Warrant Article in accordance with RSA 32. **This is a non-lapsing article until 12/31/24.** **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$\_\_\_\_\_ on an assessed valuation of \$100,000.**

## **WARRANT ARTICLE - ANNUAL LABOR DAY PARADE SUPPORT - \$3,000**

Shall the Town vote to raise and appropriate the sum of \$3,000 for the purpose of funding bands, musicians and other allied expenses directly attributed to the annual Labor Day Parade? This is a Special Warrant Article in accordance with RSA 32. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$\_\_\_\_\_ on an assessed valuation of \$100,000.**

## **WARRANT ARTICLE - BANDSTAND RENOVATION - \$90,000**

Shall the Town vote to raise and appropriate the sum of \$90,000 for the purpose of renovating the Pillsbury Bandstand on the Milford Oval. **\$42,000** has been raised in private donations to offset this expenditure. The Board of Selectmen are hereby authorized to apply for, obtain and accept federal, state or other aid, if any, which may be available for said project and to comply with all laws applicable to said project, to take any and all action necessary to carry out any vote hereunder or take any other action relative thereto? This is a Special Warrant Article in accordance with RSA 32. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has an estimated tax impact of \$\_\_\_\_\_ on an assessed valuation of \$100,000.**

## **WARRANT ARTICLE - MUNICIPAL TRANSPORTATION IMPROVEMENT FEE 1<sup>st</sup> option**

Shall the Town vote to adopt the provisions of NH RSA 261:153 (VI) to levy an additional motor vehicle registration fee in the amount of \$\_\_\_\_\_ to be used to support a municipal transportation improvement fund; and to further provide that the adoption of this article the Town shall establish a Capital Reserve Fund pursuant to RSA Chapter 35 to be known as the Municipal Transportation Improvement Fund, and to name the Select Board as agents to expend? The funds shall be used for road improvement only. These funds shall not be used to offset any other non-transportation appropriations made by the Town. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has no tax impact.**

## **WARRANT ARTICLE - MUNICIPAL TRANSPORTATION IMPROVEMENT FEE 2<sup>nd</sup> option**

Shall the Town vote to adopt the provisions of RSA 261:153 to collect an additional motor vehicle registration fee of \$\_\_\_\_\_ per registration for the purpose of supporting a municipal transportation improvement fund. Said fund shall be a capital reserve fund established for this purpose and governed by the provisions of RSA 35, and the Board of Selectmen shall be appointed as agent to expend from said fund. All fees collected will be deposited in the newly created Municipal Transportation Improvement Capital Reserve Fund to fund, wholly or in part, improvements to Milford NH Town roads only. The additional fee shall be collected from all vehicles, both passenger and commercial, with the exception of all-terrain vehicles as defined in RSA 215-A:1, I-b and antique motor vehicles or motorcycles, as defined in RSA 259:4. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This Article has no tax impact.**

## **WARRANT ARTICLE – DISCONTINUE OSGOOD POND CAPITAL RESERVE TRUST FUND - \$0**

Shall the Town vote to discontinue the Osgood Pond Capital Reserve Trust Fund created in 1997 with a current balance of .88, per RSA 35:16-a. Said funds, with accumulated interest to date of withdrawal, are to be transferred to the municipality's general fund. This is a housekeeping Warrant Article. This fund is no longer utilized, and has not been for some time. **The Board of Selectmen recommends this Article (0-0). The Budget Advisory Committee recommends this Article (0-0). This article has no tax impact.**

## 6. 4) Board of Selectmen's Policies

### TOWN OF MILFORD BOARD OF SELECTMEN POLICIES FOR ALL YEARS

#### INDEX

| POLICY NO.    | TITLE  |
|---------------|--|
| <b>2023</b>   |  |
| 2023-01       | Right to Know Policy   |
| <b>2022</b>   | <b>There were no polices enacted by the Board of Selectmen in 2022</b>   |
| <b>2021</b>   | <b>There were no polices enacted by the Board of Selectmen in 2021</b>   |
| <b>2020</b>   | <b>There were no polices enacted by the Board of Selectmen in 2020</b>   |
| <b>2019</b>   | <b>There were no polices enacted by the Board of Selectmen in 2019</b>   |
| <b>2018</b>   | <b>There were no polices enacted by the Board of Selectmen in 2018</b>   |
| 2018-01       | Rule - Municipal Oval Flag Rule  |
| <b>2017</b>   |  |
| 2017-01       | Rule - Target shooting prohibited on town community lands  |
| <b>2016</b>   | <b>There were no polices enacted by the Board of Selectmen in 2016</b>   |
| <b>2015</b>   |  |
| 2015-01       | Personnel Use of Town Vehicles   |
| <b>2014</b>   | <b>There were no polices enacted by the Board of Selectmen in 2014</b>   |
| <b>2013</b>   |  |
| 2013-01       | Administration of Commissions, Committees and Special Boards   |
| <b>2012</b>   |  |
| 2012-01       | Credit Card Purchasing Policy (May 14, 2012)   |
| <b>2011</b>   | <b>There were no polices enacted by the Board of Selectmen in 2011</b>   |
| <b>2010</b>   | <b>There were no polices enacted by the Board of Selectmen in 2010</b>   |
| <b>2009</b>   | <b>There were no polices enacted by the Board of Selectmen in 2009</b>   |
| <b>2008</b>   | <b>There were no polices enacted by the Board of Selectmen in 2008</b>   |
| <b>2007</b>   |  |
| 2007-01       | Policy Regarding Purchasing and Procurement (revised 9-23-19)  |
| <b>2006</b>   |  |
| 2006-01       | Policy Regarding E-mail (May 22, 2006)   |
| 2006-02       | Policy Regarding Hiring Process/Criminal Record Check  |
| 2006-03       | Policy Regarding Deductions From Salaries for Employees Exempt from Overtime Pay Requirements (Safe Harbor Policy) |
| 2006-04       | Ethics Policy  |
| <b>2005</b>   | <b>There were no polices enacted by the Board of Selectmen in 2005</b>   |
| <b>2004</b>   |  |
| 2004-01       | Policy Regarding Matters Before NH House of Representatives or Senate  |
| 2004-02       | Policy on Exit Interviews  |
| <b>2003</b>   |  |
| 2003-01 (Rev) | Procedure to be Followed in the Establishment of New Positions   |
| 2003-02 (Rev) | Policy Regarding Employee Identification Badges  |
| <b>2002</b>   | <b>There were no polices enacted by the Board of Selectmen in 2002</b>   |
| <b>2001</b>   |  |
| 2001-01 (Rev) | Limiting Legal Advice Requests   |

|               |  |
|---------------|--|
| 2001-02       | Employee Performance Reviews                               |
| 2001-03       | Admendment to Policy 2000-11 / Wages for Hiring/Promotions |
| <b>2000</b>   |  |
| 2000-02 (Rev) | Over-Expenditure Procedure                                 |
| 2000-02 (Rev) | Program / Budget Revisions                                 |
| 2000-03 (Rev) | Emergency Expenditures                                     |
| 2000-04       | Citizen's Complaint/Dispute Resolution Procedure           |
| 2000-05       | Water & Wastewater Depreciation Accounts                   |
| 2000-06       | Cashing out of Sick Leave due to Worker's Comp Injury      |
| 2000-07       | Reimbursement for Personal Credit Card Expenses            |
| 2000-08       | Grant Application Procedure                                |
| 2000-09       | Seat Belt Policy   |
| 2000-10       | Request for Trust Funds                                    |
| 2000-11       | Policy Re Wages for Hiring/Promotions                      |
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TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2000-01

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** KATHERINE E.L. CHAMBERS, TOWN ADMINISTRATOR

**SUBJ :** OVER-EXPENDITURE PROCEDURE – POLICY NO. 2000-01

**DATE:** MARCH 20, 2000 (REVISED NOVEMBER 10, 2003)

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At their meeting on Monday, 13 March 2000, the Milford Board of Selectmen adopted the following Policy concerning the over-expenditure of funds within line items in a budget as follows:

**POLICY:**

1. Department heads will manage their budgets in such a way that each category of expenditure (Salaries, Professional Services, Property Services, Other Services,, Supplies and Materials, Capital Outlay, Debt Service, etc.) is never over-expended by more than \$3,500 without prior notice to the Town Administrator and prior authorization from the Board of Selectmen.
2. Over-expenditures in one budget category must be offset by under-expenditures of the same dollar value in other categories. A Budget Transfer Request Form shall be submitted indicating the Org/Object/Description and amount of the account to increase and the corresponding Org/Object/Description/Amount of the account to decrease. All Transfer Request Forms must contain a detailed reason for the transfer.
3. Upon approval by the Board of Selectmen, the Budget Transfer Form shall be forwarded to the Finance Office for completion of the Budget Transfer

**EFFECTIVE DATE:** 1 January 2000 (REVISED November 10, 2003)

# REVIEWED 9/11/23

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2000-02  
(REVISED)**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** LEE F. MAYHEW, TOWN ADMINISTRATOR

**SUBJ :** PROGRAM / BUDGET REVISIONS – POLICY NO. 2000-02

**DATE:** MARCH 20, 2000 (REVISED MAY 28, 2003)

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At the Wednesday, May 28, 2003, Board of Selectmen's meeting an amendment to Policy 2000-02 was approved replacing procedure number 3 which stated "The Town Administrator will send his comments to the Board of Selectmen with the department head's request." The policy now reads as follows:

**POLICY:**

1. Department heads will manage their budgets in such a way that they follow the budget proposal endorsed by the Board of Selectmen and funded by the Town for the current fiscal year.
2. The Board of Selectmen, through the Town Administrator, must be apprised of - and authorize - significant expenditures (having a cost of \$1,000 or more) that a department head has determined are necessary [but] which were not part of the department's endorsed and funded budget proposal. In the notice, the department head will address the necessity of the new project/program/initiative as well as sources of funding, if any.
3. The Town Administrator will send comments to the Board of Selectmen with the department head's request.

**EFFECTIVE DATE:** 1 January 2000

# REPEALED 9/11/23

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2000-03  
(REVISED)**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** LEE F. MAYHEW, TOWN ADMINISTRATOR

**SUBJ :** EMERGENCY EXPENDITURES – POLICY NO. 2000-03

**DATE:** MARCH 20, 2000 (REVISED MAY 28, 2003)

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At the Wednesday, May 28, 2003, Board of Selectmen's meeting an amendment to Policy No. 2000-03 was approved replacing procedure number 1 which stated "For emergency expenditures, department heads should contact the Town Administrator and, with his approval, may proceed without waiting for Board approval." The policy now reads as follows:

**POLICY:**

1. For emergency expenditures, department heads should contact the Town Administrator and, with Town Administrator approval, may proceed without waiting for Board approval.
2. In such instances, the Board – at their next regularly-scheduled meeting – will be notified of the expenditure, source of funds for the expenditure, if any, and the circumstances of the emergency.

**EFFECTIVE DATE:** 1 January 2000

# REVISED 9/11/23

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## TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2000-04

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** LEE F. MAYHEW, TOWN ADMINISTRATOR

**SUBJ :** CITIZEN'S COMPLAINT/DISPUTE RESOLUTION PROCEDURE – POLICY NO. 2000-04

**DATE:** MARCH 29, 2000

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At their meeting on Monday, 27 March 2000, the Milford Board of Selectmen adopted the following Policy concerning the process to be followed as a result of citizen's complaints / dispute resolution procedures as follows:

**POLICY:**

1. If a complaint is made by a citizen that involves an employee or a department head (other than the Town Administrator), the complaint will be filed with the Town Administrator and investigated by either the Town Administrator or the appropriate supervisor to report to the Town Administrator.
2. If a complaint is made by a citizen that involves the Town Administrator, the complaint will be filed with, and investigated by, the Board of Selectmen.
3. If a complaint is made by a citizen that involves either Fire or Wadleigh Library personnel, the foregoing procedures will be followed with the appropriate forms for Fire or Library with the ultimate responsibilities resting with either the Board of Fire Wards or the Board of Library Trustees, as appropriate.

A copy of the Town of Milford Citizen's Complaint Procedures and Citizen's Complaint Form is attached to this Policy for your information and/or use.

**EFFECTIVE DATE:** 27 March 2000

# REPEALED 9/11/23

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2000-05**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** LEE F. MAYHEW, TOWN ADMINISTRATOR

**SUBJ :** WATER AND WASTEWATER DEPRECIATION ACCOUNTS – POLICY NO. 2000-05

**DATE:** APRIL 05, 2000

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At their meeting on Monday, 3 April 2000, the Milford Board of Selectmen adopted the following Policy concerning the application and use of Water and Wastewater Depreciation Reserve Accounts as follows:

**POLICY:**

These accounts, established and budgeted annually in the water and wastewater funds, are for the sole purpose of repair and replacement of existing capital items having a value equal to or greater than Five Thousand (\$5,000) Dollars and a useful life equal to or exceeding five (5) years. Any use of available depreciation reserve funds must be approved in advance by a majority vote of the Board of Selectmen and so recorded in the Minutes of their meeting.

**EFFECTIVE DATE:** 3 April 2000

# SENT TO HR FOR REVIEW 9/11/23

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## TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2000-06

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** LEE F. MAYHEW, TOWN ADMINISTRATOR

**SUBJ :** CASHING OUT OF SICK LEAVE DUE TO WORKER'S COMPENSATION INJURY –  
POLICY NO. 2000-06

**DATE:** APRIL 26, 2000

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At their meeting on Monday, 24 April 2000, the Milford Board of Selectmen adopted the following Policy concerning the annual cashing out of sick leave balance due to worker's compensation injury as follows:

**POLICY:**

If, in the course of employment, an employee is injured and, as a result of this injury, has to be absent from work and out on Worker's Compensation, the Town will charge that employee's sick leave hours in order to make that employee "whole" during the course of this absence so that there is no loss of income to the employee. Any sick leave hours charged as a result of this worker's compensation absence will reduce the number of sick leave hours remaining to the employee for the remainder of the year, however, this absence will be considered as "non-chargeable" sick leave hours towards the sick leave incentive cash out at the end of the year. If and when the employee is compensated for the absence by Compensation Funds of New Hampshire as a result of the injury, that income shall be conveyed to the Town of Milford and applied towards the reinstatement of the charged sick leave hours, thereby increasing the number of sick leave hours available to that employee for the remainder of the year.

**EFFECTIVE DATE:** Retroactive to 1 January 1999 for Non-Union Personnel

REVISED 9/11/23

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2000-07**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** LEE F. MAYHEW, TOWN ADMINISTRATOR

**SUBJ :** REIMBURSEMENT FOR PERSONAL CREDIT CARD EXPENSES – POLICY NO. 2000-07

**DATE:** MAY 17, 2000

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At their meeting on Monday, 15 May 2000, the Milford Board of Selectmen adopted the following Policy concerning the reimbursement for personal credit card expenses as follows:

**POLICY:**

On occasions when an employee – who is not a department head – uses a personal credit card for a Town purchase, that employee may be reimbursed when and if his/her department head, the Town Administrator, and the Finance Director have indicated their approvals with their respective signatures.

**EFFECTIVE DATE:** 15 May 2000

# TABLED FOR DISCUSSION 9/25/23

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2000-08**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** LEE F. MAYHEW, TOWN ADMINISTRATOR

**SUBJ :** GRANT APPLICATION PROCEDURE - POLICY NO. 2000-08

**DATE:** JUNE 2, 2000

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At their meeting on Monday, 30 May 2000, the Milford Board of Selectmen adopted the following Policy concerning the procedure to be followed for the application of a Federal, State or other Grants as follows:

**POLICY:**

1. Any entity under the jurisdiction of the Board of Selectmen can not apply for any grant unless a submittal request is made in advance to the Board of Selectmen for authorization to apply for said grant. This submittal should outline all of the cost issues relating to the grant such as current match required during the period of the grant and all future obligations that the Town could incur as a result of said grant. The Board of Selectmen will then review this information and vote on whether or not they desire to have the grant applied for.
2. After the grant is applied for, the administrative and financial aspects of the grant will be “managed” by the Town Administrator and the Finance Director and will be coordinated with the lead person from each respective department.

**EFFECTIVE DATE:** 30 May 2000



REVIEWED 9/11/23

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2000-09**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** LEE F. MAYHEW, TOWN ADMINISTRATOR

**SUBJ :** SEAT BELT POLICY – POLICY NO. 2000-09

**DATE:** AUGUST 22, 2000

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At their meeting on Monday, 7 August 2000, the Milford Board of Selectmen adopted the following Policy concerning the use of seat belts by Town of Milford personnel as follows:

**POLICY:**

1. All employees of the Town of Milford and [their] passengers are required to wear seatbelts while operating or riding in any moving, Town-owned, vehicle or operating a personal or any other vehicle while in the course of conducting Town of Milford business. This requirement shall not apply in the case of vehicles for which the manufacturer or the Town has not installed seatbelts. This requirement shall not apply to Milford Ambulance Service members or others functioning in a similar capacity and actually involved in patient/victim emergency care. All employees are forbidden from disengaging or otherwise disarming automatic seatbelt systems.
2. Any employee who, in the opinion of his/her supervisor, is found to be in violation of this policy shall be subject to disciplinary procedures as outlined in the current Town of Milford Employee Handbook of Personnel Rules.

**EFFECTIVE DATE:** 7 August 2000

# REPEALED 9/11/23

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## TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2000-10

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** LEE F. MAYHEW, TOWN ADMINISTRATOR

**SUBJ :** REQUEST FOR TRUST FUNDS – POLICY NO. 2000-10

**DATE:** SEPTEMBER 7, 2000

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At their meeting on Monday, 7 August 2000, the Milford Board of Selectmen adopted the following Policy concerning the request for Trust Funds by Town of Milford personnel as follows:

**POLICY:**

1. No department head, commission/committee chair, etc. may directly make a request to the Trustees of the Trust Funds for funds but that all such requests are to come through the Board of Selectmen who will determine the need for the request and, if deemed appropriate, will forward the request on to the Trustees.

**EFFECTIVE DATE:** 7 August 2000

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2000-11**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** LEE F. MAYHEW, TOWN ADMINISTRATOR

**SUBJ :** POLICY RE WAGES FOR HIRING/PROMOTIONS – POLICY NO. 2000-11

**DATE:** OCTOBER 17, 2000

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At a meeting of the Milford Board of Selectmen held on Tuesday, 17 October 2000, the Board of Selectmen adopted the following Policy concerning remuneration for new hires/promotions of personnel as follows:

**POLICY:**

1. Effective this date, it is the policy of the Board of Selectmen that any employees hired to work for the Town of Milford and/or promoted to a higher position within the Town structure are to be compensated at an appropriate and competitive wage within the industry standard for that position.
2. The former policy of providing an increase following completion of a 6-month probationary period is hereby rescinded. No increase shall be granted following completion of the probationary period unless said increase has been approved by the Town Administrator prior to any offer of employment or promotion being tendered to any individual. Said approval may only be granted due to highly-extenuating circumstances.

EFFECTIVE DATE: 17 October 2000

**FY 2001**

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2001-01  
(REVISED)**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** LEE F. MAYHEW, TOWN ADMINISTRATOR

**SUBJ :** POLICY RE LIMITING LEGAL ADVICE REQUESTS – POLICY NO. 2001-01

**DATE:** MARCH 1, 2001 (REVISED MAY 14, 2003)

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At the May 12, 2003 Board of Selectmen's meeting an amendment to Policy No. 2001-1 was approved replacing procedure number 3 which stated "In the absence of the Town Administrator as noted in Paragraph (2) above, clearance must be obtained from the Assistant Town Administrator." The policy now reads as follows:

**POLICY:**

- (1) Only the Town Administrator and the Board of Selectmen are authorized to inquire concerning legal advice from NHMA; and
- (2) With regard to any staff, boards or commissions, with the exception of members of the Board of Selectmen, going to meet with Attorney Drescher, it has to be cleared through and by the Town Administrator – the focus being to save money and, if we can resolve the issue in house, we will do it in that manner.
- (3) In the absence of the Town Administrator as noted in Paragraph (2) above, clearance must be obtained from the Chairman of the Board of Selectmen, or in the Chairman's absence, the Vice-Chairman, or in the Vice-Chairman's absence, other members of the Board, by seniority.

EFFECTIVE DATE: 12 February 2001

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2001-02**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** LEE F. MAYHEW, TOWN ADMINISTRATOR

**SUBJ :** POLICY RE EMPLOYEE PERFORMANCE REVIEWS – POLICY NO. 2001-02

**DATE:** AUGUST 24, 2001

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At a meeting of the Milford Board of Selectmen held on Monday, 23 August 2001, the Board of Selectmen adopted the following Policy concerning employee performance reviews as follows:

**POLICY:**

- (1) Employee performance reviews will be based on a Supervisor's review of the employee's performance during the past year;
- (2) The employee may, if he/she so desires, accomplish a self-evaluation and share same with the Supervisor, however, it is the responsibility of the Supervisor to accomplish the annual review based upon his/her direct observation of the employee's performance and other work-related materials but *not* on the employee's self-evaluation;
- (3) It is apparent to the Board of Selectmen that departmental employees produce various levels and quality of work and, as such, it is not appropriate that all departmental employees should receive the same score / pay raise;
- (4) As such, all Department Heads are to submit their employee performance reviews to the Town Administrator for review to insure compliance with the aforementioned concepts and with the Town of Milford Wage and Compensation Administration Manual.

EFFECTIVE DATE: 23 AUGUST 2001

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2001-03**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** LEE F. MAYHEW, TOWN ADMINISTRATOR

**SUBJ :** AMENDMENT TO POLICY NO. 2000-11  
POLICY RE: WAGES FOR HIRING/PROMOTIONS

**DATE:** AUGUST 24, 2001

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At a meeting of the Milford Board of Selectmen held on Monday, 10 December 2001, the Board of Selectmen adopted the following amendment to Policy No. 2000-11 concerning wages for hiring/promotions as follows:

**AMENDMENT:**

Paragraph 2 of Policy No. 2000-11 to be amended as follows:

2. The former policy of providing an increase following completion of a 6-month probationary period is hereby rescinded. No increase shall be granted following completion of the probationary period unless said increase has been approved by the Town Administrator (and concurred with by the Board of Selectmen) prior to any offer of employment or promotion being tendered to any individual. Said approval may only be granted due to highly-extenuating circumstances.

EFFECTIVE DATE: 1 January 2002

**FY 2003**

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2003-01  
(REVISED)**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** KATHERINE E.L. CHAMBERS, TOWN ADMINISTRATOR

**SUBJ :** PROCEDURE TO BE FOLLOWED IN THE ESTABLISHMENT OF NEW POSITION(S)

**DATE:** FEBRUARY 25, 2003 (REVISED APRIL 28, 2003)

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At the April 28, 2003 Board of Selectmen's meeting an amendment to Policy No. 2003-1 was approved removing procedure number 5 which stated "Presentation to Personnel Committee for concurrence of job classification and placement on the Town's Wage and Salary Plan." The policy now reads as follows:

1. Initial consultation with the Town Administrator to explain unmet staffing needs; concept of the duties to be performed by the position; and structure and placement of this position in the overall departmental organization.
2. Preliminary discussion by the Department Head and the Town Administrator with the Board of Selectmen to determine if the members will entertain new position(s) in the budget process.
3. Preparation of a draft job description to include minimum knowledge, skills, and ability requirements; and whether these are exact or if any combination of education and experience is appropriate for this position. Identification of ADA characteristics.
4. Review by the Town Administrator and Human Resources Director of the draft job description to determine Fair Labor Standards Act (FLSA) characteristics, placement on the Wage and Salary Plan, and review of the job description to insure clarity of position description.
5. Presentation to the Board of Selectmen for approval/support.

The foregoing is intended to outline a standard process for department heads to follow when requesting new positions.

**EFFECTIVE DATE:** 1 March 2003

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2003-02**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** KATHERINE E.L. CHAMBERS, TOWN ADMINISTRATOR

**SUBJ :** POLICY REGARDING EMPLOYEE IDENTIFICATION BADGES

**DATE:** SEPTEMBER 9, 2003

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At a meeting of the Milford Board of Selectmen held on Monday, September 8, 2003, the Board of Selectmen adopted the following policy concerning "Employee Identification" badges:

1. All employees of the Town of Milford will be issued an "Employee Identification" badge ("Badge") which shall contain at a minimum: Town of Milford logo, photo of the employee, employee name, department, department phone number, department supervisor and the Town seal.
2. The "Badge" must be worn during working hours by employees working outside of Town buildings and having direct contact with the public. To guard against loss, theft, or misuse, the "Badge" must be maintained securely in the employee's possession when the employee is working within Town buildings, is working outside Town buildings but having no direct contact with the public, or when the employee is not working. The "Badge" shall be offered as identification if requested by a member of the public or another Town employee.
3. Unauthorized or inappropriate use of the "Badge" is prohibited and may result in disciplinary action up to and including termination.
4. The Human Resources Director shall be responsible for issuing the "Badge" upon commencement of employment. Should a "Badge" be lost, damaged or destroyed, it should be immediately reported to the Human Resources Director.
5. The "Badge" shall contain accurate information at all times. Employees may request that the Human Resources Director re-issue their "Badge" – at no charge to the employee – to reflect a change in name or department. All "Badges" shall be returned to the Human Resources Director before a new "Badge" can be issued. The Town will replace lost, damaged or destroyed "Badges" one time at no cost to the employee. The employee will reimburse the Town in the amount of Five (\$5.00) Dollars for the cost of issuing subsequent "Badges."
6. All "Badges" are the property of the Town of Milford and shall be returned to the Human Resources Director during the exit interview or upon termination of employment if no exit interview is warranted.

**EFFECTIVE DATE:** September 8, 2003



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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2004-01**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** KATHERINE E.L. CHAMBERS, TOWN ADMINISTRATOR

**SUBJ :** POLICY REGARDING MATTERS BEFORE THE NH HOUSE OF REPRESENTATIVES OR SENATE

**DATE:** JULY 20, 2004

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At a meeting of the Milford Board of Selectmen held on Monday, July 12, 2004, the Board of Selectmen voted to adopt the following Policy regarding Town of Milford employees taking positions on matters before the State of New Hampshire House of Representative or the Senate:

1. No Town of Milford employee shall, without the prior approval of the Board of Selectmen or the Town Administrator, make statements or release for publication any written materials or photographs concerning the operations or administration of the Town to any body of the State Legislature while holding themselves out as representing the Town or the Department in such matters,.
2. When an individual is acting as a representative or employee of the Town, the use of discretion regarding public statements on governmental policy shall at all times be consistent with the philosophy, Mission Statement, goals, and objectives of the Town of Milford.
3. Any employee who is found to be in violation of this policy shall be subject to disciplinary procedures as outlined in the current Town of Milford Employee Handbook of Personnel Rules.

There is nothing in the foregoing policy to preclude an employee from taking a personal position on matters before any body of the State Legislature, so long as the employee does so solely as a private citizen and does not hold him/herself out as representing the philosophy, Mission Statement, goals or objectives of the Town of Milford or his/her Department.

**EFFECTIVE DATE:** July 20, 2004

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2004-02**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES  
**FROM:** KATHERINE E.L. CHAMBERS, TOWN ADMINISTRATOR  
**SUBJ :** POLICY ON EXIT INTERVIEWS  
**DATE:** OCTOBER 28, 2004

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At a meeting of the Milford Board of Selectmen held on Monday, October 25, 2004, the Board of Selectmen voted to adopt the following Policy regarding Exit Interviews:

**Purpose:**

To ensure that exiting employees are informed of their benefits and rights and to maintain accurate records on reasons for employee terminations.

**Policy:**

It is the policy of the Town of Milford to ensure that any employee whose employment is being terminated (voluntarily or involuntarily) receives an exit interview. The exit interview shall be held at the time of the employee's discharge. The interview will be conducted by the Human Resources Director. The objectives of the exit interview are as follows:

- ❖ To determine the actual reason for an employee's resignation;
- ❖ To discover any grievances the employee may have about the department in order that corrective action(s) may be undertaken;
- ❖ To discover any misunderstandings the employee may have had about his/her job, or with his/her supervisor(s) in order that corrective action(s) may be undertaken;
- ❖ To retain the goodwill of the employee toward the Town;
- ❖ To review administrative details with the employee such as benefits continuation rights and conversion privileges, if any, final pay, re-employment policy, and employment compensation; and
- ❖ To arrange for the return of any Town of Milford property which has not already been returned to the department supervisor.

**Procedure:**

1. When an employee announces his/her intention to resign, the supervisor/department head should schedule an exit interview for the employee with the Human Resources Director as soon as possible.
2. When a decision has been made to terminate an employee, the employee should meet with the Human Resources Director for an exit interview as soon as possible, as appropriate.

3. During the exit interview, the Human Resources Director will seek to meet all objectives listed in this Exit Interview Policy statement.
4. The departing employee will complete the Exit Interview Form (sample attached) as thoroughly as possible.
5. Any information obtained during the exit interview shall be disclosed to (and/or discussed with) the supervisor, the Department Head, the Town Administrator and the Board of Selectmen in order to investigate any allegation(s) made and/or to be made aware of emerging problem(s). The Department Head, the Town Administrator and/or the Human Resources Director may make recommendations to the Board of Selectmen for corrective action based on the information contained in the exit interview.

**EFFECTIVE DATE:** October 28, 2004

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TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2006-01

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** KATHERINE E.L. CHAMBERS, TOWN ADMINISTRATOR

**SUBJ :** POLICY ON EMAIL

**DATE:** JUNE 05, 2006

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At a meeting of the Milford Board of Selectmen held on Monday, May 22, 2006, the Board of Selectmen voted to adopt the following Policy regarding email correspondence:

**Definitions:**

**Administrative matters** – the one-way dissemination of information to Town Board members, where no further related email correspondence is exchanged between Town Board members on the subject matter of the information being disseminated.

**Conduct business** - make decisions or discuss substantive matters or affairs related to the town or the Town Board when such activity takes place among a quorum of Town Board members.

**Meeting** – two-way communication among a quorum of Town Board members.

**Scheduling** – the activity specifically associated with determining a date and time at which Town Board members would be available to meet in public session or non-public session.

**Application:**

This Email Policy applies to email initiated by the Board of Selectmen and all other town boards, committees, subcommittees and commissions whose members are appointed by the Board of Selectmen. This Email Policy shall also apply to email initiated by all other boards and commissions whose members adopt the provisions of this policy. Each such organization is referred to herein as a “Town Board”.

**Accepted Use:**

This Email Policy is not meant to limit or restrict emails sent between individual members of a Town Board as long as the number of members involved in the email exchange does not constitute a quorum.

Members of a Town Board may use emails for scheduling or other administrative matters and to send information and updates to one another, subject to the “Restrictions” section below.

**Restrictions:**

Email exchanges shall be considered public information and subject to disclosure under the Right to Know law if they:

- ❖ ·pertain to the business or affairs of a Town Board; and
- ❖ ·are initiated by a Town Board member; and
- ❖ ·involve a quorum of a Town Board.

Example: If three members of a Town Board constitute a quorum, then an email regarding the business of the Board that is sent by one member to two or more other members is public information.

A Town Board will not use email to hold a meeting or conduct business.

**Record Keeping:**

Each Town Board shall designate a person (who may be a member of the board or a town employee) who shall maintain a hard copy of public emails.

A member of a Town Board who sends an email regarding the business or affairs of such Town Board to other members of the same Town Board, such that a quorum is involved, shall make the email public by forwarding a copy of the email to the person so designated for record keeping.

Those individuals designated by Town Boards to maintain a hard copy of public emails shall make the email available as follows:

- ❖ Hard copies of public emails shall, upon request, be made available to members of the public for inspection.
- ❖ Public emails shall, upon request, be copied for members of the public upon payment of reasonable copying charges.
- ❖ Hard copies of public emails shall be kept no less than one year, after which they may be destroyed.

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2006-02**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** GUY SCAIFE, TOWN ADMINISTRATOR

**SUBJ :** POLICY ON HIRING PROCESS/CRIMINAL RECORD CHECK

**DATE:** OCTOBER 9, 2006

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At a meeting of the Milford Board of Selectmen held on Monday, August 14, 2006, the Board of Selectmen voted to adopt the following Policy regarding Hiring Process/Criminal Record Check:

**Purpose:**

It is the intent of this Policy to establish a written guideline in order to ensure that all potential employees/volunteers meet or exceed the hiring standards of the Town of Milford.

**Policy:**

The Town of Milford shall maintain a standardized hiring policy inclusive of conducting or requiring criminal record checks on potential employees/volunteers in certain job categories. In order to maintain a professional work force within the Town of Milford, the following procedures shall be used by Department Heads during the hiring process:

- 1) Following a conditional offer of employment being tendered, potential employees/volunteers in the following work force categories shall be required to undergo criminal records checks:
  - a) Employees/volunteers working directly in contact with children (e.g., Recreation Department personnel).
  - b) Employees/volunteers working around children (e.g., Library personnel)
  - c) Employees/volunteers working with/handling money (e.g., Town Clerk's Office; Tax Collector's Office, Finance Department, etc.)
  - d) Employees/volunteers having to enter residences (e.g., Building Inspector's Office; Assessor's Office, Welfare Office; etc.)
  - e) Employees/volunteers working with sensitive/potentially hazardous equipment/chemicals (e.g., WWTF personnel)
  - f) Employees/volunteers for the Police Department, the Fire Department and the Ambulance Service.

- 2) Following acceptance of the conditional offer of employment being tendered, the applicant will be required to complete an FBI Identification Record Request (\$18.00/fee) and a State of NH Criminal Record Release Authorization Form (\$15.00/fee) authorizing the release of this information to the Human Resources Director. Fees to cover the costs of these record checks will be paid out of the Human Resources budget for employees. Fees to cover costs of record checks for Volunteers will be paid by the appropriate department/office.
- 3) If the results of the criminal records check are negative, the Human Resources Director shall inform the Department Head that he/she may proceed with the hiring process. The negative criminal record check shall be destroyed immediately as required by law.
- 4) If the criminal records check reveals any court records, the Human Resources Director shall inform the Department Head who shall review same as follows:
  - a) The Department Head shall make a determination as to whether the applicant is suitable for the position applied for.
  - b) The Department Head may solicit the opinion of the Chief of Police or designee relative to the criminal record check document.
  - c) The Department Head shall be responsible for making the final decision as to the suitability of the candidate – taking the totality of the circumstances into consideration.
  - d) Regardless of the decision of the Department Head as to whether or not to hire the candidate, the criminal record check will be destroyed within thirty (30) days as required by law.
- 5) Failure to comply with the foregoing process will result in the termination of the application process.

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2006-03**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** GUY SCAIFE, TOWN ADMINISTRATOR

**SUBJ :** POLICY ON DEDUCTIONS FROM SALARIES FOR EMPLOYEES  
EXEMPT FROM OVERTIME PAY REQUIREMENTS (SAFE HARBOR POLICY)

**DATE:** OCTOBER 9, 2006

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At a meeting of the Milford Board of Selectmen held on Monday, August 14, 2006, the Board of Selectmen voted to adopt the following Policy regarding Deductions From Salaries For Employees Exempt From Overtime Pay Requirements (Safe Harbor Policy):

**Introduction:**

The US Department of Labor regulations regarding payment of overtime require – as a preliminary threshold for exemption from overtime pay requirements – that an employee be paid on a salary basis.

The Regulations review the types of deductions which may be made from an employee's salary during any pay period and their effect on the employee's status as exempt or non-exempt from overtime pay requirements

The Department of Labor has provided some examples of permissible deductions in Fact Sheet 17G – a copy of which is attached to this Policy and made a part hereof. As with any sampling, caution must be exercised by noting that the specific requirements in any given case will be governed by application of the laws and rules in question. Here is how the US Department of Labor describes exemptions from salary:

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; for penalties imposed in good faith for infractions of safety rules of major significance; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. Also, an employer is not required to pay the full salary in the initial or terminal week of employment, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act.



**Policy:**

The Town of Milford is committed to avoiding improper deductions and will act promptly to remedy any situation in which such a deduction may have been made by reimbursing the employee for any such improper deduction not later than the first pay day upon which the reimbursement reasonably may be made following a timely final determination that the deduction was improper.

Any employee who believes that a deduction from salary is improper should discuss the matter with his/her Supervisor who will promptly (normally within twenty-four (24) hours) make an initial determination as to whether the deduction is proper, including a written explanation if it is found that the deduction was proper. The employee should ordinarily initiate this inquiry within forty-eight (48) hours after being paid or being notified of the deduction unless special circumstances justify later action. If the employee is not satisfied with the decision of the Supervisor, the employee may file a written appeal within forty-eight (48) hours to the Board of Selectmen which states the basis for disagreeing with the decision. The appeal shall be considered within seventy-two (72) hours with a final decision issued within ninety-six (96) hours whenever possible. Any final decision of the Board of Selectmen may be appealed in accordance with State or Federal requirements as applicable.

If any deduction was found to have been made improperly, the Town of Milford shall make a sincere and good faith effort to avoid any such improper deductions in the future for the employee and any similarly situated employees.

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2006-04.08**

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**TO:** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, AND COMMITTEES

**FROM:** GUY SCAIFE, TOWN ADMINISTRATOR

**SUBJ:** POLICY AND PROCEDURE ON TOWN OFFICIALS AND TOWN EMPLOYEE ETHICS

**DATE:** ENACTED TUESDAY, DECEMBER 26, 2006 (AMENDED JUNE 25, 2012, MAY 23, 2011, NOVEMBER 2009, JULY 14, 2008, JUNE 23, 2008, MAY 27, 2008 & AUGUST 27, 2007)

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At a meeting of the Milford Board of Selectmen held on Tuesday, December 26, 2006, the Board of Selectmen voted to adopt the following Policy regarding Town Officials and Town Employee Ethics (this Policy amended by the Board of Selectmen on June 25, 2012, May 23, 2011, November 2009, July 14, 2008, June 23, 2008, May 27, 2008 & August 27, 2007):

**2006.04.010 Definitions**

In this policy:

- A. "Town official" means any elected Town official or individual appointed by the Board of Selectmen to serve on a Town board, committee, subcommittee or commission.
- B. "Town employee" means any individual employed by the Town of Milford.
- C. "Gift" or "Contribution" means any money, discount, or thing of value received in excess of \$50 from any single source during any calendar year. "Gift" shall not include contributions as defined in RSA 664; a commercially reasonable loan made in the ordinary course of business; meals and beverages consumed in the course of official business; ceremonial gifts or awards which have insignificant monetary value; unsolicited gifts of nominal value or trivial items of informational value; reasonable expenses for food, travel, and lodging for a meeting at which a Town official or Town employee participates in a panel or a speaking engagement; gifts of tickets or free admission extended to a Town official to attend charitable or political events, if the purpose of such gift or admission is a courtesy customarily extended to the office; gifts that are purely private and personal in nature; or gifts from relatives by blood or marriage, or a member of the same household.

### 2006.04.020 Principles of Public Service

The following section describes a set of values that should be aspired to by all Town officials and Town employees. These items in and of themselves *do not* form the basis for an ethics complaint.

A. Public Service as a Public Trust -

Town officials and Town employees should treat their positions as a public trust, only using the powers and resources of their positions to advance public interests, and not to attain personal benefits or pursue any other private interest incompatible with the public good.

B. Principle of Independent Objective Judgment -

Town officials and Town employees should employ independent objective judgment in performing their duties, deciding all matters on the merits free from conflicts of interest and both real and apparent improper influences.

C. Principle of Accountability -

Town officials and Town employees should assure that government is conducted openly, equitably and honorably in a manner that permits the citizenry to make informed judgments and hold Town officials and Town employees accountable.

### 2006.04.030 Grounds for an Ethics Complaint

The following sections describe the items upon which an ethics complaint may be based. Any ethics complaint must specify the section or sections of this paragraph upon which the complaint is based.

A. Impression of Influence

Town officials and Town employees shall conduct their official and personal affairs in such a manner that they cannot be improperly influenced, and so as to avoid any appearance of improper influence, in the performance of their official duties.

B. Conflict of Interest

Town officials and Town employees shall avoid conflicts of interest. "Conflict of interest" means a situation, circumstance, or financial interest, which has the potential to cause a private interest to interfere with the proper exercise of a public duty. Town officials and Town employees shall not participate in any matter in which they, or their spouse or children, have a private interest which may directly or indirectly affect or influence the performance of their duties. In any instance where there is a conflict of interest or there could be the appearance of a conflict of interest, the Town official or Town employee shall disclose the circumstances prior to the time the matter arises for official consideration or decision. Such disclosures by Town officials shall be made to the board, committee, subcommittee or commission on which the official serves, and disclosures by Town employees shall be made to the Town Administrator.

C. Misuse of Position

No Town official or Town employee shall disclose or use confidential or privileged information for personal benefit or for financial gain. Town officials and Town employees shall not use their governmental positions to secure privileges or advantages for themselves, which are not generally available to Town officials or Town employees, or to improperly secure governmental privileges or advantages for others.

D. Acceptance and Giving of Gifts

Any Town official and any Town official's spouse or dependent, and any Town employee and any Town employee's spouse or dependent, who gives, solicits, accepts, or agrees to accept a gift from a person or entity who is subject to any matter or action pending before or contemplated by the Town official, Town employee, or by the governmental body with which that individual is affiliated shall disclose the gift prior to the time the matter or action arises for official consideration or decision. Disclosure by Town officials shall be made to the board, committee, subcommittee or commission on which the official serves, and disclosure by Town employees shall be made to the Town Administrator. Disclosure made by Town officials or Town employees shall be recorded in the official minutes of all meetings at which the matter or action is discussed or considered. Nothing in this section shall be construed to prohibit gifts made to the Town of Milford and accepted in accordance with the law.

**2006.04.040 Supplemental Policies**

In addition to this Ethics Policy, each Town board, committee, subcommittee and commission, and each Town department, may promulgate a supplemental ethics policy to address issues specific to that organization. In the event of a conflict, the provisions of this Ethics Policy shall supersede any such supplemental policy; provided however, that for those Town of Milford departments or agencies who have established Codes of Conduct or Codes of Ethics with provisions that are more stringent than those contained herein, then those more stringent provisions shall apply.

**2006.04.050 Milford Board of Selectmen Procedure for Implementing the Ethics Policy**

A. Filing the Complaint

1. Any individual having information that any town official or town employee is or has been engaged in activities, or is or has been subject to a condition that constitutes a violation of the Ethics Policy, may present a complaint to the Ethics Committee. The conduct that is the basis for the complaint must have occurred within one year prior to the date the complaint is filed.
2. The complaint form can be obtained from the Town's Web site or in person from the Board of Selectman's office at Town Hall during normal business hours.

3. A complaint shall be presented in writing and shall be signed under oath before a notary public. The complaint shall allege the specific facts constituting the alleged violation of the Ethics Policy, shall name a specific person or persons who are alleged to have violated the Ethics Policy, and shall specifically state the particular provisions of section 2006.04.030 of this document that are alleged to have been violated.
  4. The complaint shall be submitted to the Board of Selectmen's office at Town Hall during regular business hours in a sealed envelope addressed to the Ethics Committee
- B. Requests for advice relating to compliance with the Ethics Policy can be submitted in writing or by email directed to the Ethics Committee. A request for advice must identify the person requesting the advice.
- C. The Ethics Committee

In the event of an alleged ethics violation, the complaint will be addressed according to one of the following three scenarios:

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

In any of the above scenarios, if a member of the Ethics Committee, Board of Selectmen, or the Town Administrator feels that he or she would not be able to impartially conduct the business of the Committee/Board, he or she shall bring it to the attention of the Committee/Board chair person for replacement or recusal.

- D. Formation of the Ethics Committee
1. The Ethics Committee shall consist of five (5) voting members and two (2) alternates. Members and Alternates shall be private citizens who are residents of the Town of Milford and who do not hold any town official position in the Town.
  2. The first Ethics Committee shall be appointed by the Board of Selectmen with preferential consideration being given to members of the ad hoc Ethics Committee that was appointed by the Board of Selectmen in March of 2008. At the Committee's first meeting the appointed members shall determine by lot:
    - a. which member will serve for a one-year term
    - b. which two members will serve for a two-year term

- c. which two members will serve for a three-year term
  3. The two Alternate members shall be appointed by the Board of Selectmen to serve terms of three (3) years.
  4. The Board of Selectmen will appoint members to the Ethics Committee after these initial terms are completed. All newly appointed and reappointed members shall serve terms of three (3) years.
  5. Should a vacancy on the Committee arise, the remaining members of the Ethics Committee will nominate to the Board of Selectman a town resident to serve out the remainder of the term.
- E. Purpose and Charge

The purpose of the Ethics Committee is to:

  1. Educate Town Officials regarding the provisions of the Town of Milford Ethics Policy.
  2. Provide advice and counsel to Town Officials regarding ethical issues with which they are confronted.
  3. Hear and resolve ethics complaints which are filed against Town Officials.
- F. Confidentiality
  1. All regular business of the Ethics Committee, including training, working on policies, and deliberations on requests for advice shall be conducted in public sessions, in accordance with RSA 91-A.
  2. All reviews of complaints, preliminary hearings, hearings, and deliberations on complaints or hearings shall be conducted in non-public session, in accordance with RSA 91-A:3(c).
  3. Any complaint received by the Ethics Committee is a confidential document and is not disclosable under RSA 91-A.
  4. If the person against whom the complaint is made requests that the proceedings be conducted in public session, that request will be honored only if permissible by law.
- G. Preliminary Review
  1. Within two weeks of receiving a complaint, the Ethics Committee shall consider the complaint at a meeting and determine if the complaint has sufficient merit to warrant a hearing or further investigation. The Ethics Committee shall dismiss the complaint if any of the following applies:
    - a. The complaint does not meet the requirements of section 2006.04.050 (A) of this document. If the complaint is dismissed on this basis, the committee shall invite the complainant to resubmit the complaint in proper form.

- b. The complaint alleges facts that, if true, would not constitute a violation of the Ethics Policy or alleges facts that constitute constitutionally protected or legally protected conduct.
  - c. The complaint is frivolous, scurrilous, or retaliatory in nature.
  - d. The complaint alleges facts that may constitute a violation of criminal law. In this case, the Ethics Committee may consult with the Town's Chief of Police, in accordance with all confidentiality provisions of RSA 91-A, and, if necessary, shall refer the complaint to the applicable law enforcement authorities and shall take no further action on the complaint until notified of the conclusion of any criminal investigation or criminal proceeding.
  - e. If the complaint is being investigated by law enforcement, the Ethics Committee shall notify the complainant that the matter has been transferred to law enforcement.
  - f. If the complaint is investigated by law enforcement and there is a determination that no criminal activity occurred, the complaint shall be returned to the Ethics Committee and it shall follow its standard process for reviewing a complaint.
2. Regardless of whether the Ethics Committee dismisses the complaint or finds the complaint to have sufficient merit to warrant a hearing or further investigation, the Committee shall promptly notify the complainant and the person against whom the complaint is made. The notification shall be in writing and shall include a copy of the Committee's written finding.
  3. If the complainant fails to move forward to proceed with the complaint, the Ethics Committee may, at its discretion, continue to review the complaint and make a determination if a violation of the Ethics Policy has occurred.

#### H. The Hearing

1. The hearing shall be held within four weeks of the date the complaint is received by the Ethics Committee.
2. The Ethics Committee shall request that the complainant and the person against whom the complaint is made attend the hearing.
3. The hearing shall provide the opportunity for all parties to be heard and to present evidence. Witnesses shall testify under oath.
4. The Ethics Committee shall determine all cases by a preponderance of the evidence in deciding whether or not there has been a violation of the Ethics Policy.
5. The Ethics Committee shall have all powers at the hearing available under applicable law, including subpoena authority.

6. The Ethics Committee may dismiss the complaint at any stage of the proceedings if the Ethics Committee determines that one or more of the reasons for dismissal, as stated in section 2006.04.050 (F:1) of this document, are applicable.

I. The Findings

1. Within one week of the conclusion of the hearing, the Ethics Committee shall make a determination, in writing, of whether the person against whom the complaint is made has violated the Ethics Policy.
2. The Ethics Committee shall notify the complainant, the person against whom the complaint is made, and the Selectmen, in writing, of the determination of the complaint and the applicable recommendation.
3. Any determination by the Ethics Committee shall become public upon being forwarded to the Board of Selectmen. If it is determined by the Ethics Committee that a violation has occurred, the Ethics Committee shall recommend such sanctions, if any, that it deems appropriate. Such sanctions may include, but are not limited to, any one or more of the following:
  - a. In the case where the person who violated the Ethics Policy is a Selectman or the town administrator, the Ethics Committee may:
    - I. Vote to recommend the removal of the person from office (to the extent authorized by law);
    - II. Vote to recommend that the person resign from his or her office;
    - III. Vote to recommend a public censure of the person;
    - IV. Vote to recommend a private censure of the person;
    - V. Vote to recommend that a letter of counseling be issued to the person regarding the determination.
4. The factual findings and determination of the Ethics Committee shall be final and are not to be overruled or modified by the Board of Selectmen, it being further understood that the Board of Selectmen is not obligated to take action on any recommendations forwarded to it by the Ethics Committee.
5. The Board of Selectmen shall notify the complainant and the person against whom a complaint is made, in writing, of the disposition of the complaint.

J. Other Issues

1. To the extent that these procedures may conflict with the terms of any collective bargaining agreement that is binding on the Town of Milford, the terms of the collective bargaining shall apply.



**Severability:**

If any provision of this Policy or the application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of this Policy which can be given effect without the invalid provision or application, and to this end the provisions of this Policy are severable.

**Effective Date:**

This Policy shall become effective upon adoption by the Milford Board of Selectmen and upon its distribution to Town Departments and any other relevant governing bodies/organizations (if applicable).

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Gary L. Daniels, Chairman

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Tim Finan, Vice Chairman

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Katherine Bauer, Member

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Mike Putnam, Member

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Mark Fougere, Member

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

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

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

**SECTION I: PURPOSE**

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

**SECTION II: AUTHORITY**

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

**SECTION III: CONFLICT OF INTEREST**

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

**SECTION IV: OBJECTIVES**

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

**SECTION V: EXEMPTIONS**

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

**SECTION VI: PROCUREMENT AUTHORITY**

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

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

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

## **SECTION VII: PROCUREMENT PROCESS**

The process for procurement of goods and services shall be as outlined below with each amount designated to be a gross amount:

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

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

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

## **SECTION VIII: ADDITIONAL PROVISIONS**

- A) **Sole Source Proposals:** The Town of Milford will not entertain the solicitation of a single source vendor for supplies and/or services unless the competitive bid requirements are explicitly waived by vote of the Board of Selectmen. Absent such vote, the Town will consider a vendor if they are the only bidder, provided that the procedural steps in soliciting bids has been followed and documented.
- B) **Emergency Procurements:** An emergency purchase may be made by a Department Head only if the normal operations of the department are in jeopardy. This shall generally mean or relate to emergency repairs to equipment or facilities which must be kept operating to protect the health and/or safety of persons, or property.  
For purposes of this paragraph only, the competitive procurement provisions of these policies may only be waived in case of an emergency by the Town Administrator, Chairman of the Board of Selectmen, or their designee (whoever is most readily available). This waiver shall only be considered when there exists a special emergency involving the health and safety of the people or their property.
- C) **Disposal of Surplus Property:** The Department Head must present any property (non-real estate), which is considered to be surplus and valued at over \$500, to the Town Administrator with a recommended method of disposition for approval. Various possible disposition means are the sealed bid or auction process, State surplus auction, trade in usage, retained for usage as parts, or transfer to another Town Department. The Department Head may dispose of any surplus items with a value of less than \$500, as they deem appropriate.

**SECTION IX: AMENDMENTS**

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

**SECTION X: EFFECTIVE DATE**

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

**SECTION XI: PURCHASE ORDERS**

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

**SECTION XII: CREDIT CARDS**

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

## Appendix A

### REQUEST FOR PROPOSALS

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

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

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

### COMPETITIVE BID

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

under what conditions. The specifications shall include a statement, which requires the bidder to submit documentation for all substitutions and exceptions.

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

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

\_\_\_\_\_  
(Name of person signing bid)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Company)

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

The invitation to Bid shall include the following information:

- a. time and date of receipt of bids
- b. address to which the bid is to be delivered
- c. date by which the Town may accept the bid and contract with the vendor
- d. a general description of the good or service being purchased
- e. any and all contractual terms and conditions applicable to the purchase
- f. indicate where and when an invitation to Bid may be obtained
- g. indicate where and by what date bids must be submitted
- h. indicate where and when bids will be opened, and by whom
- i. provide a description of the good or service requested
- j. reserve the Town's right to reject any and all bids

5. **AVAILABILITY OF SPECIFICATIONS:** The Town Administrator shall mail copies of the specifications to those firms/vendors as listed in the contract files as well as additional firms who may request a copy. The Town Administrator reserves the right to charge for copies according to size and complexity (i.e. construction drawings, etc.)

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

The Town Administrator shall award the contract to the successful bidder or Board of Selectmen approved bidder and be responsible for preparing Notice of Bid Awards and submitting same to the successful bidder as well as all other bidders.
11. **CONTRACTOR QUALIFICATIONS:** To be determined responsible, a prospective contractor must:
  - a) have adequate financial resources to perform the contract, or the ability to obtain them;
  - b) be able to comply with the required or proposed delivery or performance schedules;
  - c) have a satisfactory performance record;
  - d) have a proven record of integrity and business ethics;
  - e) have the necessary organization, experience, technical skills, and support staff, or the ability to obtain them;
  - f) have the necessary production, construction, and repair equipment and parts required to fulfill the contract requirements.
  - g) provide at least two references and phone numbers.

Approved by Board of Selectmen:

February 8, 2021  
Date

Gary Daniels  
Chairman

Paul Dorigo  
Vice Chairman

Lauram Dodge  
Selectman

[Signature]  
Selectman

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Selectman



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TOWN OF MILFORD FINANCE DEPARTMENT

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TO: Bill Parker  
FROM: JACK SHEEHY, DIRECTOR OF FINANCIAL OPERATIONS  
SUBJECT: CREDIT CARD PURCHASING POLICY  
DATE: 6/7/2012



A credit card purchasing policy was adopted by the Board of Selectmen at their May 14, 2012 meeting. Please read the attached policy. Also attached for your information is the Town's Purchasing and Procurement Policy, which is referenced by the credit card policy.

The Credit Card Purchasing Policy is in effect immediately and requires a signed "Agreement to Accept Town Credit Card" form for those employees with a Town credit card. This form is attached. Please complete, sign and return to the Finance Department.

If you have any questions or concerns, please feel free to call me or stop by to see me.

Please remember that all credit card transactions shall be processed immediately upon use by submitting a completed and signed Accounts Payable Distribution slip along with the credit card receipt to the Finance Department. Do not wait for the credit card statement, as this will result in delays in processing payments and could result in unnecessary finance charges.

Town of Milford  
Town Hall  
1 Union Square  
Milford NH 03033

## Credit Card Purchasing Policy

### 1. Authority

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

### 2. Purpose

To establish the policy for the use of Town credit cards by Town employees for Town purchases and intended to accomplish the following:

- a. To ensure that the procurement with credit cards is accomplished pursuant to the policy established by the Board of Selectmen.
- b. To enhance productivity, significantly reduce paper work, improve controls, and reduce the overall cost associated with approved purchases.
- c. To ensure appropriate internal controls are established so that credit cards are used for authorized purposes only.
- d. To ensure that the Town bears no legal liability from inappropriate use of credit cards.

### 3. Scope

The Finance Director along with the Town Administrator will make all decisions regarding the issuing of individual cards and the establishment of any and all additional controls for their use.

### 4. Policy

- a. A Town credit card shall only be issued to a Department Manager, or the Department Manager's designee with approval of the Town Administrator.
- b. The credit limit of each card shall be \$2,000 with the exception of the Recreation Department Director's credit card, which shall be \$5,000.
- c. All requirements of the Town's Purchasing Policy shall apply to the use of credit cards.
- d. All purchases of goods or services made with the Town credit card shall be budgeted and allowable.
- e. Town issued credit cards SHALL NOT be used:
  - To purchase alcohol or entertainment.
  - For cash advances (ATM's, traveler's checks, money orders, etc.)
  - To pay invoices or statements of any kind.
  - For personal purchases of any kind, even with the intention of reimbursing the Town.
  - For any purchase not for the benefit of the Town of Milford.
- f. All purchases made with credit cards shall be paid for within the grace periods so that no interest charges or penalties will accrue.

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Town of Milford Board of Selectmen Policy No. 2013-001

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# Administration of Commissions, Committees, and Special Boards

**Policy applies to:** All Department Heads, Staff, Boards, Commissions, Committees, and Volunteers

**Approved:** September 9, 2013

**Amended:** NA

**Sections:**

1. Authority and Purpose
2. Definitions
3. Group Basics
4. Setting Up Meetings
5. Conducting a Meeting
6. Meeting Minutes
7. Communication within Groups, with the Public and with Other Groups
8. Appendixes

**1. Authority and Purpose**

The Board of Selectmen adopted this policy to facilitate efficient and consistent administration of the various commissions, committees, and special boards created by the Board of Selectmen and/or town vote.

**2. Definitions**

- a. **“Chair”** – nominated or appointed administrative leader of a group who serves as the head administrative officer. In most instances, the chair is appointed/elected/chosen annually by the other members of the group. Typically, the chair runs meetings, maintains meeting flow and order, and oversees the overall purpose of the group.
- b. **“Group”** – an officially sanctioned (elected, appointed, nominated, etc.) group of volunteers and/or staff members tasked to accomplish, study, support, or steward a particular project, goal, or overall vision/mission
- c. **“Meeting”** –The convening of a quorum (majority) of any public body to discuss or act on any of that body’s business.
- d. **“Member”** – volunteers and/or staff members (elected or appointed) to fill an open position within a group
- e. **“Quorum”** – a simple majority of the membership of a group
- f. **“Subcommittee”** – any members of a group that have been directed to accomplish a specific task.
- g. **“Secretary”** - nominated or appointed officer of a group who fills the roll of maintaining the group’s documents, and taking or ensuring that meeting minutes are taken, maintained, posted or submitted for posting. In most instances, the other members of the group appoint/elect/choose the secretary annually.
- h. **“Session”** –This word shall have the same meaning as “meeting”

- i. **“Term”** – the length of time that a member is appointed, reappointed, or elected to serve on a group. Typically the term length is 3 years and expires on March 31<sup>st</sup> of the final year of their term.
- j. **“Vice-Chair”** - nominated or appointed alternate administrative leader of a group who serves as the secondary administrative officer. In most instances, the other members of the group appoint/elect/choose the vice-chair annually. The vice-chair is typically tasked with running meetings, maintaining meeting flow and order, and overseeing the overall purpose of the group in the absence of the chair.

### **3. Group Basics**

#### **a. Creation of Groups**

Groups can be created by a town-vote-approved warrant article that details the purpose and construction of a group, or they can be created by a majority vote of a different group that has the authority to create subordinate groups.

#### **b. Membership**

Members are approved, appointed, or elected to participate by a group, town voters, or other sanctioned official that has the authority to appoint members to a subordinate group. As example, the Board of Selectmen appoint members to the Conservation Commission, the Planning Board appoints members to the Capital Improvements Plan Advisory Committee, and the Town Moderator appoints members to the Budget Advisory Committee (see Appendix A for details on specific groups and by whose authority members are appointed).

#### **c. Appointment and Reappointment of Members**

##### **I. Budget Advisory Committee**

Appointments or reappointments to the Budget Advisory Committee are made by the Town Moderator.

##### **II. Trustees**

Appointments or reappointments to the Cemetery Trustees and Library Trustees are made via election by the voters.

- ##### **III. Land Use Boards** - Planning Board and Zoning Board of Adjustment candidates desiring appointment are required to have a face-to-face interview with the Board of Selectmen. No face-to-face interview is required for candidates desiring reappointment. Prior to the appointment or reappointment of a candidate, the Chair of the respective board may submit a memo of recommendation to the Board of Selectmen that includes:

- The name of each candidate;
- If they are being appointed as a full or alternate member;
- The length of the term they are being reappointed to;
- Their address;
- A brief statement of endorsement for their appointment or reappointment.

Appointments or reappointments to subcommittees created by the Planning Board and Zoning Board of Adjustment are made by the respective boards.

##### **IV. All Other Groups**

Appointments or reappointments to all other groups are made by the Board of Selectmen.

##### **a. New Appointments**

Face-to-face interviews are necessary for new appointments.

The Board of Selectmen requests that new candidate appointments also have a memo from the chair of each group forwarded for the Board’s review prior to the appointment. The memo shall include:

- The name of each appointment candidate;
- If they are being appointed as a full or alternate member;
- The length of the term for which they are being appointed;

- Their address;
- A brief statement of endorsement for their appointment;
- A brief bio (two or three sentences) stating their interest for joining and what skills, experience, or focus they have stated that they would like to bring to the group.

**b. Reappointments**

Face-to-face interviews are not necessary for reappointment.

In lieu of face-to-face interviews, the Board of Selectmen requests that candidate reappointments be forwarded to the Board of Selectmen in the form of a memo from the chair of each group. The memo shall include:

- The name of each reappointment candidate;
- If they are being reappointed as a full or alternate member;
- The length of the term for which they are being reappointed;
- Their address;
- A brief statement of endorsement for their reappointment.

**d. Subcommittees**

A subcommittee shall only consist of members previously appointed to the group forming the subcommittee.

**4. Setting Up Meetings**

**a. Posting Meeting Notices**

Except in an emergency, notice of the time and place meetings (including subcommittee meetings and nonpublic sessions), shall be posted in two appropriate places, one of which may be the town's web site, or in a newspaper of general circulation, at least 24 hours in advance (excluding Sundays and legal holidays). An emergency shall only mean a situation where immediate action is deemed to be imperative by the chair or presiding officer of the group. In the case of an emergency notice, the time and place of such meeting shall be posted as soon as practicable, and beyond the postings all reasonable efforts shall be made to inform the public that a meeting is to be held.

**b. Meeting Cancellations/Weather Postponements**

In the event of inclement weather, groups have the authority to cancel their meetings at their discretion. If a meeting is going to be canceled, all members shall be contacted to apprise them of the cancellation, every effort shall be made to notify the public of the cancellation, and the staff at the meeting location shall be notified to best accommodate facility arrangements.

**c. Access To The Public**

All meetings shall be open and accessible to the public. Consideration should be given for the size of the room reserved for the meeting in relation to the expected turnout for the meeting. Parking space for the meeting should also be assessed, and if it's anticipated that available parking spaces will be an issue, every effort should be made to resolve the situation well in advance of the meeting.

**d. Meeting Space Coordination**

As it is required that all meetings be held in locations that are open and accessible to the public, most of the time meetings will take place in one of several town facilities. When arranging for meeting space the staff responsible for coordinating space within that building must be contacted in advance of the meeting to reserve the space.

**e. Meeting Safety/Security**

It is hoped that every meeting is conducted smoothly and without undue interruption or unreasonable discourse. However, topics and situations can arise that are disruptive or that put the safety of the participants or members at risk. Prior to any meeting security protocol should be reviewed/discussed amongst the members of each group and the meeting space should be assessed for emergency response, should it ever be needed. When considering these matters,

the chair of each group should consult with the Chief of Police, or with the Police Captains for their guidance and input.

## **5. Conducting A Meeting (please see Appendix E – ‘Is it A Meeting?’ Flowchart)**

### **a. Public Sessions**

- I. A public session is the convening of a quorum (majority) of any public body to discuss or act on any of that body’s business, including work sessions.
- II. All public sessions shall be open to any members of the public, not just Milford residents. In a public session it is up to the discretion of the chair if testimony, comments, or input, will be accepted.
- III. Any member of the public, not just Milford residents, may attend, take notes, record or photograph any part of a public session. However, except for certain people at public hearings, the public is not guaranteed the right to speak.

### **b. Non-Public Sessions (NPS)**

On occasion, groups may have a need to conduct a non-public session to discuss matters that are not appropriate for public participation. For further details, including the statutory requirements and procedures for conducting non-public sessions, please see Appendix C – Non-Public Session.

### **c. Public Hearings**

All public hearings shall be open to any members of the public, not just Milford residents. In a public hearing it is required that all testimony, comments, or input, will be accepted.

### **d. Non-Meetings**

Consultation with legal counsel; chance or social meetings neither planned nor intended to discuss official matters and at which no decisions are made; and strategy or negotiations regarding collective bargaining are considered non-meetings and do not required that notification of the event be posted.

### **e. Unacceptable Meetings**

The convening of less than a quorum (majority) of any public body shall be deemed an unacceptable meeting. The members in attendance may discuss issues, but may not make any decisions nor take any minutes regarding the discussions. In cases where the lack of a quorum prevents a public meeting from taking place, minutes should be presented for posting on the Web site simply stating that a quorum was not present and therefore the meeting was postponed. This will inform the public that the meeting was postponed, versus leaving the public wondering if the meeting had taken place, but that the minutes had not been posted.

## **6. Meeting Minutes**

### **a. Minimum Content of Minutes**

The minimum content of meeting minutes includes: (1) names of members present; (2) other people participating (it is not necessary to list everyone present, however); (3) a brief summary of subject matter discussed; and (4) any final decisions reached or action taken.

### **b. Draft Minutes Availability**

Minutes must be kept of all public meetings and must be available to the public not more than five business days after the public meeting. A business day means the hours of 8 a.m. to 5 p.m. on Monday through Friday, excluding holidays. Though there is no legal requirement to accept or approve the minutes, groups are strongly encouraged to review, amend if needed, and approve minutes at their next meeting. Even if minutes have not yet been approved, they still must be made available not more than five business days after the meeting. When the five business day deadline is reached before the minutes are approved, they can be made available to the public with a notation that they are a draft version.

Groups are encouraged to distribute draft minutes to its members and Board of Selectmen’s assigned representative prior to the next meeting of the group.

### **c. Approval of Final Minutes**

While there is no legal requirement for groups to approve their minutes, groups are encouraged to approve minutes of meetings prior to having the minutes posted on the Web site, thus ensuring an accurate depiction of the proceedings of the respective meeting. However, all groups shall

review their draft minutes, and if they wish to amend them for additions, deletions and corrections, they may do so, but the discussion and vote must take place at a posted public meeting of a quorum of the group. The actual discussion to amend and approve the minutes must be documented in the minutes of that subsequent meeting as an item of business the group considered.

**d. Archive of Electronic Minutes**

Groups are required to forward electronic versions of their minutes to the department that they are most closely connected so that they may be archived on the town network.

**e. Hard Copies**

Minutes must be retained forever in hard copy format (RSA 33-A:5-a), and cannot be kept solely as electronic records. Each group shall determine who shall be tasked with printing and archiving hard copy minutes, and designate the location that they shall be retained in.

**f. Posting Minutes on the Web**

It is required that all groups have their approved minutes posted on the town's web site in a timely manner. Each group is required to establish who and how the groups minutes will be processed to have the posted on the web (see Appendix A – Description of Various Groups for specifics on each group). It is incumbent of the chair of each group to ensure that minutes are being handled properly to facilitate their posting on the web in a timely manner. Draft minutes should not be posted on the web site.

Dependent on the skill level and administrative accessibility to the web site groups have a variety of opportunity to post meeting minutes on the web:

- I. Town Staff Group Member Posts Minutes Option - If a group has a town staff member that participates in the group, and that staff member has the necessary skillset to post meeting minutes on the web, they can be designated to accomplish that task.
- II. Town Staff Member of Connected Department Posts Minutes Option - A group forwards electronic minutes to a staff member of a designated department (that has a connection to the group) who has the necessary skillset to post meeting minutes on the web.
- III. Community Media Department Posts Minutes Option – If a group does not have a reasonably connected town staff member that can post minutes they can be forwarded to the Community Media Department for posting.

**7. Communication Within Groups, With the Public and With Other Groups**

**a. Selectmen Representatives**

Please see Appendix F to determine the Selectman Representative(s) to your group.

**b. Responding to Interested Volunteers**

Residents interested in volunteering to serve on a particular group should submit written correspondence expressing their interest to the Executive Assistant in the Town Administrator's Office, who then shall forward this correspondence to the individual or group with appointment authorization as detailed in Section 3(c) of this document. The chair of the group with appointment authorization shall be responsible for contacting the individual interested in volunteering and scheduling an appointment.

**c. Responding to the Public**

If an inquiry is made by a resident to an individual or group, the subject matter and the legality of the response shall be considered before determining whether the response comes the Board of Selectmen, the Town Administrator, or the chair of the group.

**d. Meeting with Selectmen**

If your group wishes to meet with the Board of Selectmen, please schedule an appointment through the Executive Assistant in the Town Administrator's Office.

**e. Meetings Broadcast on PEG Access**

Please contact to Community Media Director to arrange to have your meeting broadcast on the local cable access channel.

**8. Appendixes**

- a. Appendix A – Description of all sanctioned groups [to include mission statements if available]
- b. Appendix B – Form for Starting a Group
- c. Appendix C – Non-Public Session Procedures
- d. Appendix D – Non-Public Session (NPS) Minutes Checklist
- e. Appendix E – ‘Is it a Meeting?’ Flowchart
- f. Appendix F – Selectmen Representatives



**Appendix A - Description of all sanctioned groups**

**GROUP NAME**

**Information Updated on: #/#!/#####**

**Group Roster as of #/#!/#####:**

| <b>Name</b> | <b>Address</b> | <b>Phone</b> | <b>Email</b> |
|-------------|----------------|--------------|--------------|
|             |                |              |              |
|             |                |              |              |

**Group created by:** GROUP (on x/x/xxxx)

**Membership:** X number full members  
X number alternate members

**Terms:** 3-year staggered terms

**Associated Town Department:** NAME

**Minutes Archived on Network:** N:\DRIVE\FOLDER\FILE

**Meeting Minutes Posted on Web by:** NAME

**Charge:**  
Text

**Excerpts of Board of Selectmen's meeting minutes regarding GROUP:**  
Text

**Appendix B - Form for Starting a Group**

Information Updated on: \_\_\_\_\_

Group Roster as of \_\_\_\_\_:

| Name | Address | Phone | Email |
|------|---------|-------|-------|
|      |         |       |       |
|      |         |       |       |

Group created by: \_\_\_\_\_ GROUP (on x/x/xxxx)

Membership: \_\_\_\_\_ number full members  
\_\_\_\_\_ number alternate members

Terms: \_\_\_\_\_-year staggered terms

Associated Town Department: \_\_\_\_\_

Minutes Archived on Network: \_\_\_\_\_

Meeting Minutes Posted on Web by: \_\_\_\_\_

Charge: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Excerpts of Board of Selectmen's meeting minutes regarding GROUP:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **Appendix C – Non-Public Session (NPS) Procedures**

There are extremely specific State Statute requirements regarding what few types of discussions are allowed to take place in non-public session. It is mandatory that non-public sessions are ONLY undertaken for one or more of the following reasons (definitions shorted, please see cited Statute for full details):

- **Non-Public Session (RSA 91-A:3, II(a)) – Personnel.** Discussion of dismissing, promoting, or compensating a public employee (used for performance reviews).
- **Non-Public Session (RSA 91-A:3, II(b)) – Personnel.** Discussion of hiring a public employee.
- **Non-Public Session (RSA 91-A:3, II(c)) – Reputation.** Discussion of anything that could damage the reputation of someone, except that the Board of Selectmen cannot enter NPS to discuss the reputation of one of its members. If a discussion needs to take place that could potentially damage a member of the group, or the group itself it needs to take place out in public session. If you think there is the potential that you need to go this route, please contact the Administration Department for guidance sooner rather than later.
- **Non-Public Session (RSA 91-A:3, II(d)) – Land Acquisition.** Discussion of buying or selling of land by the town or a group.
- **Non-Public Session (RSA 91-A:3, II(e)) – Legal.** Discussion of pending lawsuits or claims that have been filed, or threatened to file, in writing against the group or any member of the group in direct relation to their being a member of the group, until it is fully and finally settled. Having a discussion with Town Counsel or other lawyer regarding anything other than a filed or threatened suit CANNOT be discussed in non-public session, no exceptions. If a discussion needs to take place with Town Counsel or any other lawyer it needs to take place in a non-meeting, which is something completely different. If you think there is the potential that you need to go this route, please contact the Administration Department for guidance sooner rather than later.
- **Non-Public Session (RSA 91-A:3, II(f - h))** – not applicable to Milford groups.
- **Non-Public Session (RSA 91-A:3, II(i)) – Emergency Preparedness.** Discussions of preparing for a situation where people or properties are in peril.

### **I. Entering Non-Public Session**

- Mandatory - A motion shall be made to go into non-public session and the motion shall state which of the above sections the NPS pertains to (i.e., “I make a motion to enter into non-public session to discuss a land acquisition matter per NH RSA 91-A:3, II(d)”).
- Mandatory - Each member casts their vote on the motion and if the majority is in favor, the group goes into NPS.
- Mandatory - If members of the public are present at the meeting when a motion is made to enter non-public session, the members of the public need to leave the meeting space once the motion to enter NPS has been approved. Aside from voting members of the group, the only people allowed to remain are those deemed necessary for the discussion by the group. If a group utilizes a meeting transcriptionist consideration should be given if that person should be excused from the NPS (in which case a member of the group would take the necessary minutes in their absence).
- Mandatory – The minutes shall reflect who made the motion to enter NPS and who seconded the motion, and either state that the vote was unanimous, or list who was and was not in favor.
- Optional, but strongly encouraged – If the group is aware that a NPS will take place at an upcoming meeting, the NPS session should be announced as a notice for the upcoming meeting, and it should cite the specific reason as listed above.

- Optional, but strongly encouraged – If members of the public are generally present a group’s meeting, and if a NPS is anticipated at an upcoming meeting, consideration should be given to having the NPS either at the very beginning or the very end of the meeting so that the public is inconvenienced as little as possible.
- Optional, but strongly encouraged – If there is public present and the group will be going back into public session once they have exited NPS, the chair should give members of the public a general idea of how long the discussion is anticipated to take.
- Optional, but strongly encouraged - The minutes should state what time the motions to enter and leave NPS were made.

**II. Once in Non-Public Session:**

- Mandatory – While in NPS, if decisions are made or actions are approved, those decisions or actions must be tracked and noted during the NPS. Once NPS is exited, it is required that the decisions or actions be specifically stated and included in the meeting minutes. (Care must be taken not to divulge confidential information that formed the basis for entering NPS.)
- Mandatory – Once the NPS discussion concludes a motion shall be made and seconded to exit the NPS.
- Optional, but strongly encouraged – Every effort should be made to ensure that NPS discussion is not inadvertently overheard by anyone other than those participating in the non-public discussion.
- Optional, but strongly encouraged – Candid discussion is productive and encouraged, however care should be taken to maintain civil discourse that is respectful of all group members. Many of the reasons that necessitate non-public session inadvertently lend themselves to lively debate and once the public is not present, it can unintentionally increase the intensity of the discussion. If it is anticipated that the discussion could get heated once in non-public session the chair should remind the members present that mutual respect is imperative to a productive outcome. The Chair also needs to maintain control of the discussion to ensure that the discussion stays focused on non-public information and that public session information is not discussed in non-public session.
- Optional, but strongly encouraged – Once the discussion of the main topic is finished, the group should discuss how they would like the minutes of the non-public session handled (see minutes options below).

**III. Exiting non-public session:**

- Mandatory – Once the group has left non-public session the chair should announce that a discussion regarding the specific statutorily-cited reason took place. Any decisions that were made should be noted, and any associated announcements shall be made (i.e., “While the group was in non-public session to discuss a land acquisition matter per NH RSA 91-A:3, II(d), the group voted to accept the offered price on the property, and we are announcing that the group will be purchasing Map X/Lot Y – otherwise known as the NAME property”).
- Optional, though encouraged – If there were public participants at the meeting prior to the group going into NPS, once the group has exited NPS an effort should be made to notify the public participants in the immediate area outside the meeting space that the NPS is concluded and the group will be going back into public session.

**IV. Minutes of Non-Public Session (please also see Appendix D – NPS Minutes Checklist):**

- Mandatory – Minutes of NPS must include the referenced Statutory citation that the NPS was for (see list above), who motioned to go into NPS, who seconded, whether or not all were in favor, a tally of votes to enter NPS, who motioned to come out of NPS, who seconded, what decisions were made, if any, and what announcements were made, if any, (please see below example):

“Member X motioned to enter into non-public session at 0:00 p.m. [optional to include time] in accordance with RSA 91:A3(d) to discuss a matter regarding land acquisition. Member Y seconded. All were in favor. Motion passed ##/##.

Upon exiting from non-public session Member X announced that while in non-public session the group discussed a land acquisition matter per NH RSA 91-A:3, II(d), the group voted to accept the offered price on the property, and the group would like to announce that the group will be purchasing Map X/Lot Y – otherwise known as the NAME property. No other decisions were made. No other votes were taken. Member X motioned to seal the minutes of this non-public session. Member Y seconded. All were in favor. Motion passed ### [optional to seal the minutes].

- Mandatory – NPS minutes (if unsealed, as above), must be available for public inspection within 72 hours of the meeting. It is acceptable that the minutes be released in draft form to the public, and no statutorily set timeline is needed to have them approved.
- Optional, though encouraged – If the time was noted when the group entered into NPS the minutes should reflect it.
- Optional – If the group desires to have longer minutes kept than the above, but do not wish to have them viewable by the public, the group has the option to seal the minutes (see above for what the minutes need to contain if the group wishes to go this route). Sealing the minutes would be done in circumstances where greater detail is needed for future reference, but those greater details would have the potential to be detrimental if released to the public in the present day.

Using the context of the fictional situation mentioned above, let us say that the group while in that NPS has discussed several offers on several different properties all of which had potential to meet the need. They discussed each parcel in addition to the price they were willing to pay for each property. At the conclusion of the discussion, it was decided that the NAME property was the best overall fit. If at some point in the near future the deal on the NAME property fell through, there would be benefit to have detailed minutes of the discussion that included, what the group's second choice was, and the applicable price they were willing to pay, etc. If that detail on the second choice were to be made public and the NAME property deal had fallen through, it would give the owner of the second choice an unfair advantage during negotiations.

If the minutes are sealed the transcriptionist types them up as is the usual course, but seals the hard copies of the drafts to only be reviewed by the group at the meeting where the minutes are considered for approval. At that meeting the group would go into NPS to review the NPS minutes of the previous meeting (see below for minute's language – those paragraphs would go directly below the ones exemplified above if the group had reviewed NPS minutes from a previous meeting while in that NPS). The group reads the drafts in NPS and amends or approves the minutes. Once approved the minutes are literally sealed in an envelope with the date, who was present in the NPS, and the applicable references state statute. That sealed envelope is then stored in the same place that non-sealed minutes of the group are stored. Example of sealed minutes contents:

Member X motioned to approve the non-public minutes of DATE (land acquisition) as presented. Member Y seconded. All were in favor. Motion passed ###.

Member X motioned moved to seal the non-public minutes of DATE (land acquisition). Member Y seconded. All were in favor. Motion passed ###.

Those minutes will then remain sealed forever, literally, or until such time that the group votes to unseal them, or they are opened by Town Counsel (the only person who can unseal minutes without the group needing to approve their unsealing).

**Appendix D – Non-Public Session (NPS) Minutes Checklist**

**Nonpublic Session Minutes  
[INSERT NAME OF TOWN AND BOARD]**

**Date:** \_\_\_\_\_

**Members Present:** [board member name] \_\_\_\_  
[board member name] \_\_\_\_  
[board member name] \_\_\_\_  
[board member name] \_\_\_\_  
[board member name] \_\_\_\_

**Motion to enter Nonpublic Session** made by \_\_\_\_\_ seconded by \_\_\_\_\_

**Specific Statutory Reason** cited as foundation for the nonpublic session:

\_\_\_\_\_ RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, **unless** the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

\_\_\_\_\_ RSA 91-A:3, II(b) *The hiring of any person as a public employee.*

\_\_\_\_\_ RSA 91-A:3, II(c) *Matters which, if discussed in public, would likely affect adversely the reputation of any person, **other than a member of this board**, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

\_\_\_\_\_ RSA 91-A:3, II(d) *Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.*

\_\_\_\_\_ RSA 91-A:3, II(e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against this board or any subdivision thereof, or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled*

\_\_\_\_\_ RSA 91-A:3, II(i) *Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.*

**Roll Call vote** to enter nonpublic session:

|        |   |   |
|--------|---|---|
| [name] | Y | N |
| [name] | Y | N |
| [name] | Y | N |
| [name] | Y | N |
| [name] | Y | N |

**Remove public meeting tape** (if applicable).

**Entered nonpublic session** at \_\_\_\_\_ a.m./p.m.

Other \_\_\_\_\_ persons \_\_\_\_\_ present \_\_\_\_\_ during \_\_\_\_\_ nonpublic session: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Description of matters discussed and final decisions made:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Note:** Under RSA 91-A:3, III. *Minutes of proceedings in nonpublic sessions shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, it is determined that divulgence of the information likely would affect adversely the reputation of any person **other than a member of this board**, or render the proposed action of the board ineffective, or pertain to terrorism. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply.*

**Motion made to seal these minutes?** If so, motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, because it is determined that divulgence of this information likely would...

- \_\_\_\_\_ Affect adversely the reputation of any person other than a member of this board
- \_\_\_\_\_ Render a proposed action ineffective
- \_\_\_\_\_ Pertains to preparation or carrying out of actions regarding terrorism

**Roll Call Vote to seal minutes:** [name] Y N  
[name] Y N  
[name] Y N  
[name] Y N  
[name] Y N

**Motion: PASSED / DID NOT PASS** (circle one)

**Motion to leave nonpublic session** and return to public session by \_\_\_\_\_, seconded by \_\_\_\_\_.

**Motion: PASSED / DID NOT PASS** (circle one)

**Nonpublic meeting tape removed, public meeting tape replaced** (if applicable).

**Public session reconvened** at \_\_\_\_\_ a.m./p.m.

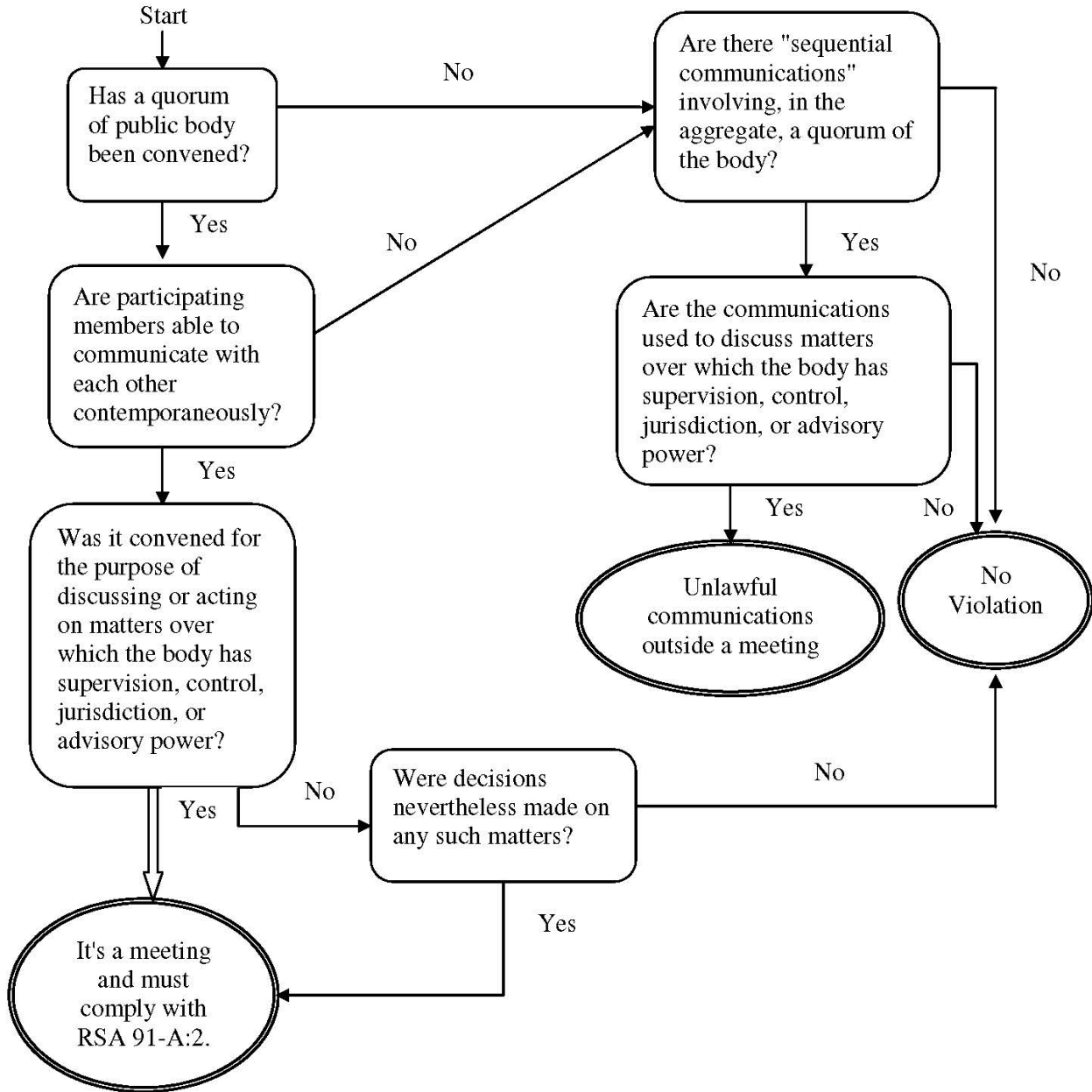
**These minutes recorded by:** \_\_\_\_\_



## Appendix E – ‘Is it a Meeting?’ Flowchart

### Is It a Meeting?

Use this flow chart to determine whether communications among members of a public body constitute a meeting subject to the Right to Know Law, or, if they do not constitute a meeting, whether they are unlawful communications outside a meeting.



New Hampshire Local Government Center, 10/08

## **Appendix F – Selectmen Representatives**

### **BOS Representatives on 2018 - 2019 Committees, Commissions, Boards, & Organizations**

- 
- 
- Conservation Commission (2<sup>nd</sup> Thursday, 7:00 p.m., Town Hall, BOS Room) - Selectman Dudziak
  - Economic Development Advisory Committee (Varied) – Selectman Dargie
  - Granite Town Media (Formerly PEG Access) Advisory Committee (3<sup>rd</sup> Thursday, 6:00 p.m., Library) - Selectman Federico
  - Heritage Commission (2<sup>nd</sup> Wednesday, 7:00 p.m., Library) – Selectman Daniels
  - Joint Loss Management Committee (quarterly, 2<sup>nd</sup> Tuesday (March, June, September, and December), 9:00 a.m., Police Facility, Community Room) - Selectman Putnam
  - Library Trustees (3<sup>rd</sup> Tuesday, 7:00 p.m., Library) – Selectman Dudziak
  - NHMA (Varied) – Administrator Bender
  - MACC Base (2<sup>nd</sup> Wednesday, 6:00 p.m., Town Hall, MACC Base Offices) - Selectman Putnam
  - Planning Board (1<sup>st</sup> & 4<sup>th</sup> Tuesdays, 6:30 p.m., Town Hall, BOS Room) - Selectman Federico, Selectman Dargie (Alternate)
  - Recreation Commission (2<sup>nd</sup> Wednesday, 7:00 p.m., Town Hall, BOS Room) – Selectman Dargie
  - Recycling/Solid Waste Committee (3<sup>rd</sup> Tuesday, 6:30 p.m. – Selectman Daniels
  - Tax Increment Finance District (Varied) - Selectman Dargie
  - Traffic Safety Committee (Varied as items are sent for consideration, Police Facility, Community Room, 19 Garden Street) - Selectman Daniels
  - Zoning Board of Appeals (1<sup>st</sup> & 3<sup>rd</sup> Thursdays, 7:00 p.m., Town Hall, BOS Room) – Selectman Dudziak
  - Manifest Sign Off (available Thursdays after 4:30 pm through Mondays before 7:00 am) – Selectmen Dargie & Selectmen Putnam (Alternate)
  - Payroll Sign Off (available every other week Wednesdays after 3:00 pm through Thursdays before 9:00 am) – Selectmen Putnam & Selectman Federico (Alternate)

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**Town of Milford Board of Selectmen Policy No. 2015-001**

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# **Personnel Use of Town Vehicles**

**Policy applies to:** All Department Heads, Staff, Boards

**Approved:** August 24, 2015

**Amended:** NA

**1. Authority and Purpose**

The Board of Selectmen adopted this policy to facilitate efficient and consistent administration of the personnel use of Town Vehicles.

**2. Policy.**

Town vehicles may be taken home by the Police Chief, Fire Chief, Ambulance Director and DPW Director, if those personnel live in town and are on call. Town vehicles may be taken home by other town employees if there is a compelling business reason and this reason has been pre-approved by the Town Administrator. The use under this section is expected to be infrequent.

Town vehicles shall not be used for personal use.

The Town Administrator shall be responsible for ensuring that all personnel who take town vehicles home are aware of the tenets of this policy.

Approved,  
Board of Selectmen

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Mark Fougere, Chairman

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Kevin Federico, Vice Chairman

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Gary Daniels, Member

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Kathy Bauer, Member

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Mike Putnam, Member

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2017-01**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, AND COMMITTEES

**FROM:** MARK BENDER, TOWN ADMINISTRATOR

**SUBJ :** TARGET SHOOTING ON TOWN PROPERTY PROHIBITED

**DATE:** MONDAY, MARCH 27, 2017

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**1. Authority and Purpose**

At a meeting of the Milford Board of Selectmen held on Monday, March 27, 2017, the Board of Selectmen voted to adopt the following Policy (RULE) regarding Target Shooting on Town Property (BROX Property).

**2. Policy**

No person shall target shoot with a firearm on the town owned property known as "BROX" Property.

If a person is reported to be target shooting on posted town property they could receive a warning from the police. If the same person is reported to be target shooting a second time on the posted town property, they could receive a trespass notice, which notifies the individual that they are no longer allowed on the property. Should a third time occur, the person could be arrested and charged with Criminal Trespassing.

\_\_\_\_\_  
Chairman

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

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

**TOWN OF MILFORD RULES DISTRIBUTION 2018-001**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES AND THE GENERAL PUBLIC

**FROM:** MARK BENDER, TOWN ADMINISTRATOR

**SUBJ :** RULE – MUNICIPAL FLAG RULE - OVAL

**DATE:** AUGUST 20, 2018

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At a meeting of the Milford Board of Selectmen held on September 10, 2018 the Board of Selectmen voted to adopt the rule regarding Flags on the Milford Oval

The Town of Milford is committed to recognizing significant dates, occasions and contributions of non-profit or charitable organizations and public awareness campaigns.

**PURPOSE:**

To establish a consistent protocol for the flying of flags/banners on the Milford Oval and Bandstand.

**DEFINITIONS:**

**Flag(s):** Include the American Flag, POW Flag, Purple Heart Flag, and any United States Military flag.

**MUNICIPAL FLAGPOLE:** The flagpole over the WWI Memorial on the Milford Oval under the care or control of municipal staff.

**SCOPE/STAFF PRIMARILY AFFECTED:**

This policy is to be followed by all Town staff.

**RULE DETAILS:**

Only the American Flag, POW Flag, Purple Heart Flag and any United States Military flag will be allowed to fly over the WWI Memorial on the Milford Oval.

Only American Flag, POW Flag, Purple Heart Flag and any United States Military flag the will be allowed on the 22 footings around the Milford Oval.

All flags will be flown or displayed in accordance with the dignity and general rules of etiquette for flying and displaying the American Flag.

Flags shall be flown or displayed in good condition. Any soiled, frayed or torn flags shall be removed.

Flags representing private organizations, events, and causes shall **NOT** be displayed on the flagpole over the WWI Memorial or in the 22 footings around the Milford Oval.

All flags flown on the Milford Oval require prior approval from the Board of Selectmen.

**BANDSTAND:** Roofed platform on the Milford Oval.

**RULE DETAILS:**

Flags representing private organizations, events, and causes will be allowed on the bandstand with the approval of the Milford Board of Selectmen.

Flags/banner requests for the bandstand must come before the Board of Selectmen for approval at least one month before the date(s) requested. The Board of Selectmen typically meets every 2<sup>nd</sup> and 4<sup>th</sup> Monday of the month.

Flags/banner requests for the bandstand will need to be requested annually.

Flags/banner requests for the bandstand will only be allowed for up to a 7-day period, at the discretion of the Board of Selectmen.

Flags/banners to be flown or displayed on the bandstand shall be maintained in good condition by the requesting organization.

This rule is documented under the Municipal Code/Rule section of Town of Milford's web site [www.milford.nh.gov](http://www.milford.nh.gov), and any other place deemed necessary.

\_\_\_\_\_  
Chairman

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

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

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**TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2023-01**

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**TO :** ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

**FROM:** LINCOLN DALEY, TOWN ADMINISTRATOR

**SUBJ :** RIGHT TO KNOW POLICY – POLICY NO. 2023-01

**DATE:** JUNE 12, 2023

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At their meeting on Monday, 12 June 2023, the Milford Board of Selectmen adopted the following Policy concerning Right to Know requests:

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## **Section 1.0 - Overview**

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## **Section 2.0 – Requesting Information**

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- [Attachment 2: Milford Right to Know Denial Form](#)



## **Section 1.0 – Overview**

### **1.1.1 Purpose**

This policy is intended to guide town personnel, individuals and entities to effectively and efficiently handle Right to Know requests and any requests for public information (requests do not need to reference NH RSA 91-A). This document serves as a guidance policy and is not to be considered a town ordinance or regulations of legal weight. It is recommended that all parties familiarize themselves with the actual law as written under NH RSA 91-A.

### **1.2 Scope**

This policy and the subsequent NH state statutes apply to *Governmental Records* maintained by *Public Agencies* and *Public Bodies*. Specifically, to Milford, this would include but is not limited to, Milford NH governmental meetings, quasi-governmental meetings, committees, commissions, boards and town departments.

Information for Right to Know requests are only required to be provided to legal New Hampshire residents. Nothing in the law requires the Town to provide information to an out-of-state individual. See McBurney v Young, 569 U.S. 221 (2013), however requests from out-of-state individuals will be reviewed and analyzed on a case-by-case basis.

A reasonably good faith effort will be made to provide records for all right to know requests. In line with the spirit of NH RSA 91-A, governmental agents/agencies shall assist the Right to Know Requester as much as reasonably possible to reinforce trust, openness, and cooperation.

There are exemptions to the regulations in which information can be considered *Non-Public* and is not subject to release upon request. For further details on non-public exemptions please see NH RSA 91-A:3.

There are other exemptions including but not limited to, draft notes, attorney-client privilege communication, public safety information, school records of minors, and similar information. For further details on the allowable exemptions please see RSA 91-A:5.

### 1.3 Legal Definitions

**"Committee"** means any committee, subcommittee, council, commission, or other like body whose primary purpose is to consider an issue or issues designated by the appointing authority so as to provide such authority with advice or recommendations concerning the formulation of any public policy or legislation that may be promoted, modified, or opposed by such authority.

**"Proceedings"** means the transaction of any functions affecting any or all citizens of the state by a public body.

**"Governmental records"** means any information created, accepted, or obtained by, or on behalf of, any public body, or a quorum or majority thereof, or any public agency in furtherance of its official function. Without limiting the foregoing, the term "governmental records" includes any written communication or other information, whether in paper, electronic, or other physical form, received by a quorum or majority of a public body in furtherance of its official function, whether at a meeting or outside a meeting of the body. The term "governmental records" shall also include the term "public records."

**"Information"** means knowledge, opinions, facts, or data of any kind and in whatever physical form kept or maintained, including, but not limited to, written, aural, visual, electronic, or other physical form.

For additional legal definitions please reference RSA 91-A:5

## **Section 2.0 – Obtaining Public Information**

### **2.1 Requesting Information**

RSA 91-A:4, I - “Every citizen during the regular or business hours of all public bodies or agencies, and on the regular business premises of such public bodies or agencies, has the right to inspect all governmental records in the possession, custody, or control of such public bodies or agencies, including minutes of meetings of the public bodies, and to copy and make memoranda or abstracts of the records or minutes so inspected, except as otherwise prohibited by statute or RSA 91-A:5.”

#### **2.1.1 Requests for records that can be immediately released**

- a. Requestors should first make a reasonable effort to find the information they seek on the Town website [www.milford.nh.gov](http://www.milford.nh.gov) by using the Search feature. Past meeting minutes, meeting packets and meeting recordings can be found there. Additionally, information on town events, activities, projects and similar may also be found on the town website. When requested information is not directly accessible on the town website, the requestor should follow process below to request the information.

Records for immediate release are considered to already be available or easily accessible and currently meet or have met the requirements of RSA 91-A.

#### **2.1.2 Request for records that require additional support and resources to provide**

- a. All requests for information should be submitted to the Town Administrator’s Office in order to provide a single point of contact for requestors. (*Exception: Requests for public safety records are encouraged to be submitted to the Milford Police Records Division or the Milford Fire Department respectively.*) This process will allow the town to efficiently and effectively disseminate the request to all applicable parties with the intent of meeting the statutory timeframe for responding to the request.
- b. The completion of an application is not legally required to request public information, but it is highly recommended that the requesting party complete a request form – ([Milford NH Right to Know \(RTK\) Request Form](#)) for town employees to accurately provide timely information to requestors. See Attachment 2.

If the requestor does not complete the form, the department taking the request should do so on behalf of the requester, ensuring that the information that is being requested is clearly captured and understood to allow completion of the Right to Know Request.

- c. To confirm the accuracy of the request, and to start the timeline as outlined in RSA 91-A, it is highly recommended to have the requesting party sign and date the application before submitting it for processing of the request.

- d. Once an application and/or request has been officially received by the Milford NH Town Administrator's Office, the public body associated with the request has five business days to complete the said request, deny the request or provide a written statement of the time reasonably necessary to determine whether the request shall be granted or denied and the reason for the delay.

## **2.2 Gathering and Organizing Information**

- a. Upon receipt of the request by the Milford NH Town Administrator's Office, a representative from said office shall forward the request as applicable to the department and agency associated with the requested information.
- b. Either the department associated with the Right to Know request or the Information Technology (IT) department, if determined to be the more effective resource, shall make every reasonable effort to search and collect all information within the scope of the request, including but not limited to archived information, information both on the digital servers and electronic storage devices, as well as information that may have been accidentally or unintentionally transferred between personal emails/accounts by public officials or staff, if there is reasonable evidence to assume such.
- c. When feasible, and beneficial to the requestor, information collected for the Right to Know request shall be provided to the requestor in its native format in which it was originally created. This will require no additional time or resources to convert documents and will provide all original information associated with the information that was requested and provided to the requestor. Native format files will provide file creation date, author, modification dates, date email was sent, original attachments to emails and other relevant data.
- d. Information gathered and produced by a town body shall be submitted to the Town Administrator's office to compile, provide the information to the requestor, and complete the Right to Know request.

## **2.3 Completing a Right to Know Request**

- a. Information that has been gathered shall be organized and presented to the requestor, but it should be known that there is no legal obligation for the public body "to compile, cross-reference, or assemble information into a form in which it is not already kept or reported by that body or agency".
- b. Right To Know information can be provided in the following forms based on the most effective delivery method as it relates to the amount of information being requested.
  - 1. Printed on paper
  - 2. Emailed back to requestor: limited if requested files are too large to send
  - 3. Loaded onto a Universal Serial Bus (USB) Hard Drive or other removeable storage device.
  - 4. Post marked through USPS (which can incur cost to the requestor)
  - 5. Reference section 2.4 to see associated costs with each option, when applicable

- c. A log of Right to Know requests, which are not considered public safety requests associated with the fire department or police department, will be kept in a separate file in the Town Administrator's office along with the corresponding (completed) Right to Know request form.
- d. If the town is unable to make a governmental record available for immediate inspection and copying, the Town must, within 5 business days of a request, make such record available, deny the request in writing with reasons, or furnish written acknowledgment of the receipt of the request and a statement of the time reasonably necessary to determine whether the request shall be granted or denied (the Right to Know Form should be used for this purpose).

## **2.4 Applicable Costs**

- a. If permitted by law, the individual requesting a copy of governmental records will be charged the actual cost of providing said copies or external media. No additional profits should be included by the town or governmental agency.
- b. Requests for information to be emailed, will be free of charge, unless extenuating circumstances cause the town to incur an unreasonable cost in which case, the cost will be transferred to the requestor.
- c. No cost or fee shall be charged for the inspection or delivery, without copying, of governmental records, whether in paper, electronic, or other form. Nothing in this section shall exempt any person from paying fees otherwise established by law for obtaining copies of governmental records or documents, but if such fee is established for the copy, no additional costs or fees shall be charged.
- d. In the same manner as set forth in RSA 91-A:4, IV, any public body or agency which maintains governmental records in electronic format may, in lieu of providing original records, copy governmental records requested to electronic media using standard or common file formats in a manner that does not reveal information which is confidential under this chapter or any other law. If copying to electronic media is not reasonably practicable, or if the person or entity requesting access requests a different method, the public body or agency may provide a printout of governmental records requested, or may use any other means reasonably calculated to comply with the request in light of the purpose of this chapter as expressed in RSA 91-A:1. Access to work papers, personnel data, and other confidential information under RSA 91-A:5, IV shall not be provided.

## **Section 3.0 – Policy Changes**

### **3.1 How to make changes to this policy**

- a. Proposed changes to this policy can be presented by the Town or the Public to the Board of Selectmen.
- b. Proposed changes shall be presented and/or discussed during a regularly scheduled Board of Selectmen's meeting (1<sup>st</sup> reading) and then presented at a subsequent meeting (2<sup>nd</sup> reading) for Public Input and Board of Selectmen approval.

## **Section 4.0 – Training Requirements**

### **4.1 Training Requirements**

- a. All current employees and committee members shall be trained on the Right to Know Policy within 90 days of the effective date of this policy.
- b. New employees and committee members shall be trained on the Right to Know policy as part of their new employee orientation.
- c. When the Right to Know policy is updated, all employees and committee members shall be notified and trained within 60 days of the policy update adoption.

## **Attachment 1: Additional References**

### **Overview of The Regulations**

Below is an unofficial and unmaintained outline of the sections within NH RSA 91-A for reference. Please navigate to <http://www.gencourt.state.nh.us/rsa/html/vi/91-a/91-a-mrg.htm> for the most up-to-date information and any changes to the regulations.

RSA 91-A:1 Preamble

RSA 91-A:1-a Definitions

RSA 91-A:2 Meetings open to Public

RSA 91-A:2-a Communication Outside Meetings

RSA 91-A:3 Nonpublic Sessions

RSA 91-A:4 Minutes and Records Available for Public Inspection

RSA 91-A:5 Exemptions

RSA 91-A:5-a Limited Purpose Release

RSA 91-A:6 Employment Security

RSA 91-A:7 Violation

RSA 91-A:8 Remedies

RSA 91-A:9 Destruction of Certain Information Prohibited

RSA 91-A:10 Release of statistical Tables and Limited Data Sets for Research

## Additional References

### State contacts

- a. **New Hampshire's Right to Know organization**; Established in 2013, Right to Know NH (RTKNH) is a nonprofit, nonpartisan citizen coalition working to improve access to New Hampshire state, county, and local governments. The organization advocates to strengthen New Hampshire state laws, particularly the Right to Know law known as RSA 91-A, as well as Right to Know governmental policies. The organization also serves as a resource on Right to Know in New Hampshire, with the goal of making government more open and transparent and educating citizens on their Right to Know and aiding them in exercising their rights under the law. Finally, RTKNH educates public officials on improving their adherence to the law and delivering greater government transparency to their constituents.
  - a. <https://righttoknownh.wordpress.com/>
- b. **New Hampshire Municipal Association** – The NH Municipal Association provides guidance to NH cities and towns on Right to Know Laws and Regulations.
  - a. <https://www.nhmunicipal.org/>
- c. **NH Attorney General** – The NH Attorney General has provided a Memorandum on New Hampshire's Right to Know law, RSA 91-A. Milford NH shall ensure this Memorandum is available to all employees, board, and committee members to ensure Right to Know Requests comply with the Attorney General's Memorandum.
  - a. <https://www.doj.nh.gov/>
  - b. <https://www.doj.nh.gov/civil/documents/right-to-know.pdf>

### Judicial appeals and legal escalations

- a. NH Superior Court – Right to Know violations may be appealed to the NH Superior Court.
  - a. <https://www.courts.nh.gov/our-courts/superior-court>
- b. NH Supreme Court - Right to Know violations that fail at the NH Superior Court may be appealed to the NH Supreme Court. The Statute provides an immediate remedy in Superior Court, where the case is given “high priority on the court calendar.” RSA 91-A:7 A Superior Court ruling on a petition for access is deemed a final judgment, which may be appealed as of right to the New Hampshire Supreme Court. An appeal must be filed within thirty days of the date on the clerk's written notice of the decision on the merits.
  - a. <https://www.courts.nh.gov/our-courts/supreme-court>
- c. Ombudsman office: As an **alternative** to filing a petition in court, a citizen may file a written complaint with the office of the Right to Know ombudsman. The ombudsman will then require the public body/agency to provide an answer to the



## **Additional References**

complaint within 20 days citing any justifications for their refusal to or delay in producing the requested governmental records, access to meetings open to the public, or otherwise comply with the provisions of the Right to Know Law (RSA 91-A).

**Attachment 2:**

**Right to Know Request Form**

Pursuant to the Right to Know Law (NH RSA 91-A), I am requesting public access, within five business days, to the governmental records reasonably described as follows.

**Name of the Public Body associated with request**

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**Describe the records sought with enough detail for the public agency to respond.**

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**Timeframe in question**

From        /        /        To        /        /         
*Month Day Year Month Day Year*

**Person Making the Request:**

Name: \_\_\_\_\_  
(Print)

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

(optional)

Signature of Requestor:

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

**For town hall employees only**

Name of Governmental Agent: \_\_\_\_\_ (Print)

Signature of Governmental Agent: \_\_\_\_\_ Date: \_\_\_\_\_

If requested information is available; I have chosen to receive it by \_\_\_\_\_

A link to a web address of online directory has been provided

Printed physical copy (Fees can apply)

Digital copy loaded on TOWN PROVIDED USB Hard Drive (Fees can apply)

Digital copy loaded on PERSONAL USB Hard Drive (Preferred choice for large requests)

*Note: Said USB drive will be fully formatted by IT for security purposes*

Digital copy E-Mailed to me at the contact listed above (Size limited)

Physically inspect applicable documents at a town of Milford facility

Sent to me via U.S.P.S. mail to:

(Fees can apply)

\_\_\_\_\_  
\_\_\_\_\_

The undersigned has acknowledged that their request has been completed in full and they are in receipt of the requested information upon signing this acknowledgment.

**Signature of Receiver:** \_\_\_\_\_ **(sign)**

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

**Attachment 3:**

**Milford NH Right to Know Denial Form**

If the Right to Know request cannot be carried out, the reasons for such must be documented and provided back to the requestor within 5 business days. Unless the requestor was asking for “statistical tables and limited data sets for research”, as referenced under RSA 91-A:10, then a window of 10 days is allotted for a denial.

*Note: For legal denial references, please see NH RSA 91-A:3 for nonpublic exceptions and NH RSA 91-A:5 Exceptions. Any other reasonably interpreted state or federal law should also be referenced as applicable.*

**Reference to Original Request** (Brief statement referencing original request)

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**Reason for Denial**

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**For town hall employees only**

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Name of Governmental Agent:

\_\_\_\_\_ (Print)

Signature of Governmental Agent: \_\_\_\_\_ Date: \_\_\_\_\_

9. Approval of Final Minutes - September 11, 2023

DRAFT

MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

September 11, 2023

PRESENT: Gary Daniels, Chairman Lincoln Daley, Town Administrator
Chris Labonte, Vice Chairman Tina Philbrick, Executive Assistant
Paul Dargie, Member Mitchell Hemmer, Videographer
Tim Finan, Member
Dave Freel, Member ZOOM

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

Chairman Daniels called the meeting to order at 5:30 p.m., introduced Board members, and then led the audience in the Pledge of Allegiance.

2. APPOINTMENTS – (Approximate times) All votes tonight were taken by roll call because Selectman Freel called in remotely.

5:30 p.m. – Consideration of Historic Marker to Commemorate Governor John McLane - Historical Society President, Mark Genovesi

Mr. Genovesi would like to create a historic marker to commemorate the Late Governor John McLane, 59th Governor of New Hampshire. He is suggesting putting it in front of Rite-Aid on Mont Vernon Street. Mr. Genovesi provided a list of John McLane’s accomplishments. The State needs to approve the wording. The State, if approved, will pay for the marker.

There was some discussion about where the marker would be placed and if the area belonged to the Town.

Selectman Dargie made a motion to support the plan for the Historical Society to purchase a Historic Marker to Commemorate Governor John McLane. Seconded by Selectman Labonte. All were in favor. The motion passed 5/0 by roll call vote.

5:40 p.m. - Approval of Application to Return Land to Current Use, Map 42 Lot 1 – Assessing Director, Marti Noel

The land has been removed from Current Use while Phase 2 of an approved Excavation Operation was open. The excavation is now complete. The Director of Community Development, Terrey Dolan, and the Town Engineer Nicole Crawford, have observed on-site that reclamation has been completed for the affected area. The rest of this parcel, including Phase 1 of the Excavation Operation is already in Current Use. The RSA allows land to be returned to current use once reclamation has been completed. All necessary criteria have been met.

Selectman Labonte made a motion to approve the application to return the land to current use for Map 42, Lot 1 as recommended. Seconded by Selectman Dargie. All were in favor. The motion passed 5/0 by roll call vote.

5:45 p.m. - Tire Disposal Fee Increase –Director, Leo Lessard

Director Lessard said tire disposal fees have increased and he would like to raise the price of disposal to recoup the cost. He would also like to remain with Bob’s Tire for this service. This is an even wash; the town doesn’t make money on this.

Table with 2 columns: Current price and Commercial. Rows include regular car tires, truck tires, and NEW PRICE for both categories.

Selectman Dargie said we should consider going out to bid in the future. Director Lessard said Routhier Tire will cost more and we are limited on who will pick up tires. Chairman Daniels agrees with Selectman Dargie for the future.

57 **Selectman Dargie made a motion to approve the increase for Tire Disposal at the Transfer Station. Se-**  
58 **conded by Selectman Labonte. All were in favor. The motion passed 5/0 by roll call vote.**  
59

60 **6:00 p.m. – Milford Spartan Solar LLC – Dominic LeBel**

61 The Milford Spartan Solar, LLC lease is set to expire on September 22, 2023. The company is requesting that the  
62 lease agreement be extended by three (3) years. The Board needs to take action on the lease agreement and/or  
63 extension. Mr. LeBel said a new document would need to be drawn up to include the original document.  
64

65 Selectman Finan would support letting the lease expire. Mr. LeBel said the project has moved very slower than  
66 expected due to reasons beyond their control but they have continued to invest in field work. Moving forward  
67 through the existing agreement would be easier and less costly.  
68

69 Selectman Freel does not support moving forward with the project. Selectman Dargie would be okay with doing  
70 a one-year extension to keep this alive. He is not in favor of a three-year extension. Mr. LeBel said a three-year  
71 extension gives more flexibility.  
72

73 Selectman Labonte asked about future revenue to the Town. Mr. LeBell said \$1,000 per year. He explained that  
74 during the development phase, it would cost a lot from the developer. Selectman Labonte asked about the studies  
75 that have been done so far, and does the town get access to those studies per the contract. Mr. LeBell said the  
76 actual reports and studies haven't been given to the town. It's unusual to do that before the permit application.  
77 Reports have to be provided if the permit is terminated as noted in the agreement.  
78

79 Selectman Labonte asked where Milford Spartan stood on the neighboring lands. What would change if the other  
80 properties didn't want to continue? Mr. LeBell said they would have to review the project and look beyond the  
81 proposed. Some additional land may need to be involved in the project.  
82

83 Dale White, a Milford resident, spoke on behalf of the owner of the abutting project, Tom Lorden. Mr. Lorden  
84 will not be extending his lease agreement with Milford Spartan Solar. Mr. White said the Milford Common Lands  
85 would be better used for what it was intended for. Selectman Freel agreed with Mr. White.  
86

87 There was additional discussion about the land beyond the 30 acres that Milford Solar would be leasing. Select-  
88 man Labonte asked how Mr. LeBel saw this as going forward given that Mr. Lorden isn't going forward with his  
89 lease. Mr. LeBell said they would have to research it further. His company does think that solar is an appropriate  
90 use of this property. The interconnection may go through in one year, or it may not. Extending the lease by three  
91 years is more feasible. Selectman Labonte said to go forward he would want way more than \$1,000 per year.  
92

93 Mr. LeBel would like to see at least a one-year extension to see where this is going. He would not envision using  
94 the entire 119 acres due to wetlands. He would have to review the remaining property and it may take a couple of  
95 weeks or months to determine what could be used.  
96

97 Mr. White said tying up land for \$1,000 a year is not feasible. There is a need for land for building and the Town  
98 should be looking into that.  
99

100 Selectman Freel said he wanted to make a motion to not extend the contract. Selectman Dargie plans to vote no  
101 on not extending the contract but would like to extend the contract for 1 year.  
102

103 Selectman Finan is in favor of not extending the contract. There are other things we can do with that land and  
104 there is interest in the property. Selectman Labonte is also not in favor of extending the lease. Chairman Daniels  
105 asked how many companies have approached to buy the property. Administrator Daley said several and some  
106 most recently.  
107

108 **Selectman Free made a motion to not extend the Milford Solar Lease. Seconded by Selectman Labonte for**  
109 **discussion. The motion passed 3/2 by roll call vote with Selectman Daniels and Dargie opposed.**

110  
111 **3. PUBLIC COMMENTS** – There were no public comments at this time.

112 **4. DECISIONS**

113  
114 **Selectman Labonte asked to remove 4. a) 3 from the consent calendar.**

115  
116 **Selectman Freel made a motion to approve the consent calendar except for 4. a) 3. Seconded by Selectman**  
117 **Finan. All were in favor. The motion passed 5/0 by roll call vote.**

118 **a. CONSENT CALENDAR**

119 1. Request for Intent to Cut – Map 50 Lot 9

120 2. Approval of Report of Excavated Material – Map 42 Lot 1

121 3. Acceptance and Appropriations of Unanticipated Revenues Under \$10,000 (31:95(b)) Donations to support the  
122 Labor Day Parade:

123 • L.D.N. Auto Repair, Inc. \$100.00

124 • The County Stores, Inc. \$ 25.00

125 • Cardoza Flooring, LLC \$500.00

126 • Hitchiner Manufacturing \$500.00

127 Anonymous Donation to the Milford Fire Department Fire Rescue Special Purpose Fund - \$300.00

128  
129 Selectman Labonte questioned accepting anonymous donations. Chairman Daniels said he couldn't find anything.  
130 Ms. Kokko, a Milford resident, towns are required to disclose sources of their donation and it's recommended that  
131 Municipalities not accept anonymous donations. It's a transparency issue. Chief Flaherty said he would contact  
132 the family to see if we can use their name and table this donation at the next meeting.

133  
134 **Selectman Labonte made a motion to approve 4. a) 3 except the anonymous donation.**  
135 **Seconded by Selectman Dargie. All were in favor. The motion passed 5/0 by roll call vote.**

136  
137 **b. OTHER DECISIONS**

138 **1. N/A**

139  
140 **5. TOWN STATUS REPORT –**  
141 **1. Town Hall Hours of Operation**

142 As an FYI: The Town Hall hours of operation (excluding the Town Clerk's Office) went back to 8:00 am to 4:30  
143 pm Monday–Friday effective September 4, 2023.

144  
145 The Town Clerk's Office will continue to operate on a 4-day work week with extended morning and evening  
146 hours. The hours of operation are 7:30 to 5:30 Monday, Wednesday, Thursday, Tuesday 7:30 am to 6:30 pm, and  
147 closed on Fridays.

148  
149 **2. Milford Master Plan Comprehensive Update Request for Proposal**

150 Master Plan Comprehensive Update Request for Proposal will be re-advertised in late September / early October  
151 for a submittal deadline of November 2023. They are looking for a qualified Consultant to lead and prepare a  
152 comprehensive Master Plan update.

153

154 The Office of Community Development will be seeking volunteers for the Master Plan Steering Committee to  
155 assist in the facilitation and development of the Master Plan. Please contact Terrey Dolan, Community Develop-  
156 ment Director at [tdolan@milford.nh.gov](mailto:tdolan@milford.nh.gov) if you are interested.  
157

158 **3. Former Fletcher Superfund Site Repairs/Maintenance**

159 During inspections, General Electric (responsible party) identified erosion and the displacement of topsoil and  
160 riprap and exposure of the geotextile in certain locations along the top of the riverbank and stormwater retention  
161 basin within the former superfund site now the location of the east entrance to the Keyes Memorial Park and  
162 performance stage/pocket park. Temporary drainage enhancements along the top of the riverbank. Environmental  
163 Protection Agency and NHDES approved a final fix and work is anticipated to begin in the week of September  
164 11<sup>th</sup> or 18<sup>th</sup>.  
165

166 **4. Fiber Optic Lines – Keyes Memorial Park**

167 Fiber optic cable lines were installed within the Keyes Memorial Park area. This connects to the Town network.  
168 This project was funded through acquired ARPA funds. This will improve connectivity and cyber security. The  
169 completion of this phase will facilitate the installation of both security and public cameras throughout the park  
170 including the granite stage.  
171

172 **5. Board, Commission, Committee Volunteers**

173 The Town is still seeking volunteers to serve on various boards, commissions, and committees.  
174 Zoning 2 alternate positions Budget Advisory Committee TBD  
175 Conservation Commission 2 alternate positions EDAC TBD  
176 Granite Town Media 1 full position Recycling Committee 1 full position  
177 Planning Board 2 alternate positions  
178

179 **6. DISCUSSIONS**

180 **1. Board of Selectmen’s Policies**

181 The Board started the process of reviewing their policies to see if there are any changes needed.

- 182 **2000-01 Over-Expenditure Policy** no change
- 183 **2000-02 Program/Budget Review** no change

184  
185 **2000-03 Emergency Expenditures**, after some discussion, this policy was repealed.

186 **Selectman Finan made a motion to repeal policy number 2000-3 Emergency Expenditures. Seconded by**  
187 **Selectman Dargie. All were in favor. The motion passed 5/0 by roll call vote.**  
188

189 **2000-04 Citizens Complaint**, discussion occurred about where complaints would go if they were directed towards  
190 Library employees and Water Utilities employees. The language was revised to include that discussion.

191 **Selectman Finan made a motion to amend policy number 2000-4 Citizens Complaint. Seconded by Select-**  
192 **man Freel. All were in favor. The motion passed 5/0 by roll call vote.**  
193

194 **2000-05 Water and Wastewater Depreciation Accounts**, after some discussion, this policy was repealed  
195 **Selectman Finan made a motion to repeal policy number 2000-5 Water and Wastewater Depreciation Ac-**  
196 **counts. Seconded by Selectman Dargie. All were in favor. The motion passed 5/0 by roll call vote.**  
197

198 **2000-06 Cashing out of Sick Leave due to worker’s Compensation injury,**  
199 **2000-07 Reimbursement for personal credit card expenses** This policy is tied in the whole process. If you are out  
200 on workers comp and you are getting a percentage of your pay, you can utilize some of your banked sick time to  
201 make whole and get 100% of your pay. Selectman Labonte asked if it makes it easier to stay out on workers comp.  
202 if the employee is getting full pay. Selectman Dargie asked if HR would review this policy to see if it was appro-  
203 priate for today’s times and it will be revisited at a future meeting.



204 **Selectman Dargie made a motion to refer policy 2000-06, Cashing out of Sick Leave due to Worker's Com-**  
205 **penetration injury to Human Resources. Seconded by Selectman Labonte. All were in favor. The motion**  
206 **passed 5/0 by roll call vote.**

207  
208 **2000-07 Reimbursement for Personal Credit Card Expenses**, after discussion, language was revised.  
209

210 **Selectman Freel made a motion to amend policy number 2000-7 Reimbursement for Personal Credit Card**  
211 **Expenses. Seconded by Selectman Labonte. All were in favor. The motion passed 5/0 by roll call vote.**

212  
213 **2000-08 Grant Application procedure** Selectman Labonte said Departments apply for grants and the Board  
214 finds out after, this is another policy that isn't being followed. Selectman Finan said we have to vote to accept  
215 grants, we don't want to discourage people from applying for grants.

216  
217 Chief Flaherty said he's been applying for grants for 20 years and he's never come to the Board for permission.  
218 Sometimes you have a short window in which to apply. Selectman Labonte said what happens when someone  
219 applies for a grant that the Board doesn't want. Administrator Daley said there are different scenarios and the  
220 Board doesn't have to approve the grants. Some grants need approval before applying.

221  
222 Ms. Kokko said if the Heritage Commission wants to apply for something, they put the information together,  
223 understanding that nothing can be committed to until review at the Board level. The language needs to be changed  
224 to allow for flexibility and Board approval. Not all grant applications require a support letter. Chairman Daniels  
225 said the Board needs to be kept in the loop, especially if there is a match. Ms. Kokko said not all grants have long  
226 lead times to apply.

227  
228 **Selectman Dargie made a motion to repeal the 2000-08 Grant Application procedure. Seconded by Select-**  
229 **man Finan for discussion.**

230  
231 Selectman Dargie said we want to encourage applications for grants and for people to be proactive. The Board  
232 doesn't have to support and accept the money. Selectman Labonte doesn't agree. We shouldn't be applying for a  
233 grant if we know we are not going to accept it. Administrator Daley said there should be flexibility for Committees  
234 to apply for grants due to lead times. There was additional discussion. Selectman Labonte disagrees with remov-  
235 ing this policy.

236  
237 Chief Viola said they do standard grants every year. He doesn't think these need to go before the Board each time.  
238 We are doing what's best for our department in the town. He understands letting the Board know that they are  
239 going for a grant. He was just at a meeting today for a grant to get equipment that he knows he can't afford in his  
240 budget. He always looks at other ways to get funding. Selectman Finan said we don't want to discourage that.  
241 Selectman Labonte said if you get equipment, it then becomes a maintenance responsibility of the Town after. He  
242 wants notification if people are going for a grant.

243  
244 Chief Viola said some grants need the Town Administrator and or Chair to sign because it's a short process.  
245 Selectman Finan said maybe we repeal the policy and make a guideline set of rules instead. Chief Flaherty said  
246 that Fire Department grants are very intensive and take a long time to put together and are only open for a short  
247 period. We can help with a lot of these issues if we hire a Grant Writer for the Town.

248  
249 Selectman Dargie withdrew his motion.

250  
251 Chairman Daniels tabled this discussion for the next meeting when people have time to review the policy and  
252 make suggestions.

253  
254

255 **2000-09 Seat Belt Policy** no change  
256

257 2000-10 Request for Trust Funds, after some discussion, this policy was repealed  
258 **Selectman Finan made a motion to repeal policy number 2000-10 Request for Trust Funds. Seconded by**  
259 **Selectman Dargie. All were in favor. The motion passed 5/0 by roll call vote.**  
260

261 The Board will continue to review policies at their next meeting.  
262

263 Scott Kimball, a Milford resident said he didn't see the Social Media and Electioneering policy on the provided  
264 list. Executive Assistant Tina Philbrick said those policies fall under Human Resources, not the Selectmen. Mr.  
265 Kimball said Manchester covers these under their Ethics Policy.  
266

267 Chairman Daniels said those policies are not on this list. Mr. Kimball said he will be doing more research on this  
268 and provide some comments in the future. Chairman Daniels said there are policies that we are trying to fix and  
269 bring up to date.  
270

271 **7. SELECTMEN'S REPORTS/DISCUSSIONS**

272 **a) FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES**

273 Captain Frye said annually, MACC Base needs a member of the Board to be part of their Budget Advisory Com-  
274 mittee. Their meetings are on November 7<sup>th</sup> and 14<sup>th</sup>. Selectman Labonte will be the Selectman's representative  
275 for the MACC Base budget meetings on both November 7<sup>th</sup> and November 14<sup>th</sup>. The time is usually 7:00 p.m.  
276

277 **b) OTHER ITEMS (not on the agenda)**  
278

279 **8. PUBLIC COMMENTS** – There were no public comments at this time.  
280

281 **9. APPROVAL OF FINAL MINUTES** – August 28, 2023

282 **Selectman Dargie made a motion to approve the minutes of August 28, 2023, as amended. Seconded by**  
283 **Selectman Finan. All were in favor. The motion passed 5/0 by roll call vote.**  
284

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

286 **a. Selectmen's Goals and Initiatives**  
287

288 **11. NOTICES.** Notices were read.  
289

290 **12. NON-PUBLIC SESSION** – Selectman Finan made a motion to go into nonpublic at 8:18 in accordance  
291 with (RSA 91-A:3, II(a)) Personnel, (RSA 91-A:3, II(c)) Reputation and discussion of non-public minutes  
292 from August 14, 2023, and approval of non-public minutes from August 28, 2023. Seconded by Selectman  
293 Dargie. All were in favor. The motion passed 5/0 by roll call vote.  
294

295 **In non-public the Board made two decisions under Reputation. The Board approved the minutes of August**  
296 **28, 2023, and partially unsealed the non-public minutes of August 14, 2023. There was also an error on the**  
297 **date of the non-public minutes being reviewed.**  
298

299 **13. ADJOURNMENT: Selectman Dargie moved to adjourn at 9:07 . Seconded by Selectman Labonte. All**  
300 **were in favor. The motion passed 5/0 by roll call vote.**  
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DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 09/11/2023

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Gary Daniels, Chairman

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Tim Finan, Member

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Chris Labonte, Vice-Chairman

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Dave Freel, Member

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Paul Dargie, Member

## 9. Approval of Final Minutes - September 18, 2023

DRAFT

### MINUTES OF THE MILFORD BOARD OF SELECTMEN SPECIAL MEETING

September 18, 2023

**PRESENT:** Gary Daniels, Chairman Lincoln Daley, Town Administrator  
Chris Labonte, Vice Chairman Tina Philbrick, Executive Assistant EXCUSED  
Paul Dargie, Member Andy Kouropoulos, Videographer  
Tim Finan, Member  
Dave Freel, Member ZOOM

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

Chairman Daniels called the meeting to order at 5:30 p.m., introduced Board members, and then led the audience in the Pledge of Allegiance.

#### **2. APPOINTMENTS – (Approximate times) All votes tonight were taken by roll call because Selectman Freel called in remotely.**

##### **5:30 p.m. – Milford Spartan Solar LLC., Lease Agreement – Dominic LeBel**

The Selectmen voted 3/2 to not renew the Milford Spartan Solar lease agreement with the Town on September 11, 2023. Dominic LeBel, Milford Spartan Solar representative has come into the meeting tonight with an amended proposal to continue the lease.

Mr. LeBel proposed a 1-year extension vs. a previous 3-year extension and a \$10,000 option fee vs. a previous \$1,000 fee. By the end of the option, they would hope to have a permit application in at least the State for the AoT permit. There was additional discussion about cost and procedures.

Chairman Daniels reviewed a section about studies and engineering documentation being given to the Town if the lease was terminated. "If the tenant determines that the lease premises are not suitable for a solar farm, the tenant shall provide within 30 days at a written request from the landlord at no cost to the landlord, all final 3<sup>rd</sup> party reports including surveys, engineering, and technical studies to the extent such final reports exclusively pertain to the lease premises". This was discussed at the last meeting and we were incorrect to assume that if the contract was terminated by the Town, this information would be given to us.

Selectman Freel asked if Tom Lorden, the private land owner who is not extending his solar lease is still out, or now reconsidering. Mr. LeBel said it wasn't likely that the project would move forward if it didn't have one of the two land owners didn't continue. The amount of room available across the properties is better suited for this project.

Tom Lorden, a Milford resident and private land owner is not interested in extending his lease with Milford Spartan Solar. He will not allow anyone access to his property except for the town.

Selectman Dargie would agree to an extension through the end of January. There was additional discussion about access roads and clarification on the extension of the current contract or making a new contract. If the contract extended for three months Milford Spartan Solar would pay \$2,500 to lease the land.

**Selectman Dargie made a motion to extend the option period of the contract through the end of January for a payment of \$3,000. All other terms and conditions remain the same. Selectman Finan seconded for discussion. The motion failed 1/4 with Selectmen's Daniels, Labonte, Freel, and Finan opposed.**

Selectman Freel said Mr. Lorden is out and he doesn't want to spend \$3,000 for nothing. Mr. LeBel said they have already spent a lot of money on the project and the intent would be to allow more conversation with the private landowner. Mr. Lorden repeated that he would not be extending his contract.

58 **3. PUBLIC COMMENTS –**

59 Scott Kimball, a Milford resident, said that he feels not extending the contract was the right decision. He recom-  
60 mended developing the Milford Community Lands as a public garden. He provided information on public gardens  
61 to the Board.

62  
63 Mike Thornton, a Milford resident, asked if the litigation over the Milford Community land use had been resolved  
64 in the Town's favor so that we can use our property. Administrator Daley said the industrial said has not gone  
65 through any permitting. There is nothing prohibiting the Town from using that property.

66  
67 Mr. Thornton said we could do rooftop solar and if we were to develop the land, it would make it more marketable  
68 for industry to come there. Administrator Daley said correct. There was additional discussion on improvement  
69 on the land to make it more attractive.

70  
71 **4. NOTICES.** Notices were read.

72  
73 **5. ADJOURNMENT - Selectman Labonte moved to adjourn at 6:55. Seconded by Selectman Freel. All**  
74 **were in favor. The motion passed 5/0.**

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Gary Daniels, Chairman

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Tim Finan, Member

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Chris Labonte, Vice-Chairman

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Dave Freel, Member

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Paul Dargie, Member

## 10. Board of Selectmen's Goals and Initiatives

### 2023 BOS Goals and Initiatives

| Initiative                               | Status                               | Target Date |
|--|--------------------------------------|-------------|
| <b>Financial</b>                         |                                      |             |
| Budget Expenditure Policy                | Adopted 8/28/23                      | Completed   |
| Reduce Warrant Articles                  |                                      | Not started |
| Town Budget Development                  |                                      | In progress |
| Town Budget Passage                      |                                      | Not started |
| <b>Projects</b>                          |                                      |             |
| Oval Improvements                        | Pending Decision                     | In progress |
| 127 Elm Street Study Feasibility Study   | Presented 6/12/23                    | In progress |
| Reactivate EDAC                          |                                      | Not started |
| Gravel Operation                         | Meeting w/ F&G 6/15/23               | In progress |
| Master Plan                              | Questions deadline 6/8               | In progress |
| <b>Personnel</b>                         |                                      |             |
| 4.5-day work week                        | Trial period started 05/01/23        | In progress |
| Policy Updates                           | Workers' Compensation                | In progress |
|  | Right to Know Policy adopted 6/12/23 | Completed   |
|  | BOS Rules of Procedure               | In progress |
|  | Personnel                            | Not started |
|  | Compensation                         | Not started |
| Partnerships – school, private           | School                               | In progress |
| <b>Communication</b>                     |                                      |             |
| BOS Representative to Committees         |                                      | Completed   |
| Agenda and Minutes Updates               |                                      | In progress |
| Social Media utilization?                |                                      | Not started |
| 5 <sup>th</sup> Monday Forums            |                                      | In progress |
| Website Update                           |                                      | In progress |
| Department/Committee Updates – Quarterly |                                      | In progress |

09/25/2023