

10/9/2023

5:30 Public Hearing for the Acceptance for Expenditure of Unanticipated funds over \$10K NH (RSA (31:95)b)).

PUBLIC HEARING FOR THE PURPOSE OF AUTHORIZING:

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


- | | |
|-------------|--|
| \$14,300.00 | Kaley Foundation Grant
Funding for the purchase of an REALITiPlus training system for the Milford Ambulance Dept.
See attached. |
| \$30,655.00 | Kaley Foundation Grant
Funding for the purchase of one TopCon Total Station for the Milford Police Dept.'s TAR Team.
See attached. |

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

None at this time.

MEMORANDUM

To: Board of Selectmen

From: Eric Schelberg, Director 

Date: October 9, 2023

Subject: 31:95b Hearing – Kaley Foundation



Following is a brief description of a donation of funds totaling \$14,300 to the town by the Kaley Foundation toward the purchase of an REALITiPlus training system manufactured by iSimulate.

The iSimulate training system allows for portable, high-fidelity training that can be utilized on shift by duty crews and formal classes alike. The system is centered around an iPad which replicates the screen of various medical devices, including the department cardiac monitor and mechanical ventilator allowing our providers to utilize “our” devices. Using a separate tablet as a controller, a single operator can provide inputs and information for a crew conducting a simulation.

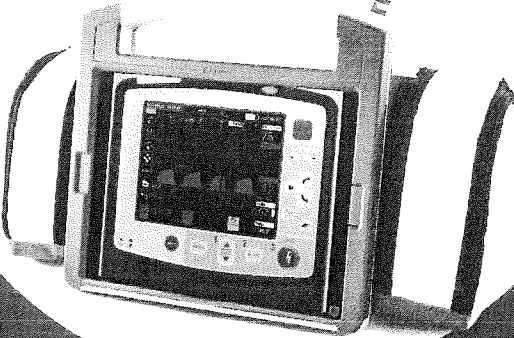
This system is used in conjunction with a live patient/actor following a predetermined script, accurately representing a specific medical condition. The system allows for the display of medication lists, doctor’s office medical charts, lab results, EKGs, and x-rays that can be called up by the crew. This creates a realistic feeling for the crew, who can call up the information at natural points in the call. Using this system, these scenarios can be immediately paused to answer 911 calls or attend meetings and resumed at a later time. Essentially, high fidelity training can now be accessed at the station anytime by any MAS providers.

Acceptance of this donation will facilitate training of staff for continued delivery of quality advanced treatment to patients needing emergency pre-hospital care.

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

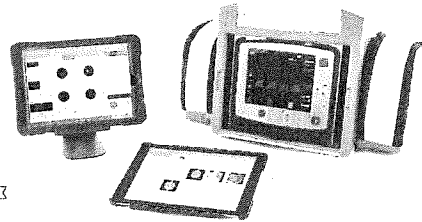
REALITI PLUS
by iSimulate

screen recording
 CLAR feedback
 screen sharing
 virtual simulation
 education
 live simulation
 rhythm generation



REALITI PLUS

THE REALITI 360 ECOSYSTEM



REALITI PLUS OFFERS ALL THE FEATURES OF GO & MORE

REALITI PLUS offers all the features of GO with increased reliability with all the proprietary monitors you use at the bedside plus Live 12 Leads

STANDARD FEATURES INCLUDED IN THE REALITI PLUS UPGRADE:

- Generic Screens
- Life in the Fast Lane media
- 1 Premium Screen
- Multiple COVID19 Scenarios
- Live 12 Leads ECGs and ECG advanced functions
- Checklists
- Additional numeric values
- Training Management System
- Preserve CO2 (CPR)
- Critical Care Waveforms

DISTANCE-BASED LEARNING

REALITI PLUS expertly supports distance-based learning as a simulation ecosystem that simulates realistic functions while being intuitive, autonomous, and quick to implement.



Want to have the ability to create realistic scenarios using the equipment you already own? PLUS for 12 leads? REALITI Plus has you covered. For more information call: 1-578-261-1700 or visit: iSimulate.com/realiti360





Town of Milford

POLICE DEPARTMENT

19 Garden Street
Milford, NH 03055
603-249-0630

Michael J. Viola
Chief of Police



To: Lincoln Daley, Town Administrator
Board of Selectmen
From: Chief Michael J. Viola
Date: September 27, 2023
Ref: Kaley Foundation Donation for TopCon Total Station

On behalf of the Milford Police Department, I am respectfully requesting the Board of Selectmen to consider and approve a donation of \$30,655.00, (thirty thousand six hundred fifty-five dollars), from the Kaley Foundation. With the approval of these funds, the Milford Police Department would purchase one TopCon Total Station, which would be used for traffic accidents resulting in death or major injuries.

On August 25, 2023, the Milford Police Department submitted a donation request for \$30,655.00 to the Kaley Foundation to purchase a TopCon Total Station for the department's Traffic Accident Reconstruction Team. If purchased, the TopCon Total Station would be replacing the existing Total Station that the Milford Police Department currently has. The current Total Station that the department has is outdated and is very time consuming to operate.

With the purchase of the new TopCon Total Station the department would be able to operate more efficiently when working these serious accidents. The new TopCon Total Station could be operated by one officer instead of two to three officers that the old one needed. This would allow other officers to assist in different capacities to hopefully complete the on-scene investigation in a timelier manner which would allow the roadway to be open sooner than in the past.

On behalf of the Milford Police Department, I would like to respectfully thank the Kaley Foundation for their support and donation to the Milford Police Department.

Your consideration in this request is greatly appreciated.

TOWN OF MILFORD

RECREATION DEPARTMENT



5:40 Approval to Appoint Eleanor Spargimino to the Recreation Commission Alter Member - Term expires 2025

To: Board of Selectman
CC: Lincoln Daley, Town Administrator
From: Arene Berry, Recreation Director
Date: September 26, 2023
Subject: Milford Parks & Recreation Commission Board appointment

On behalf of the Milford Parks & Recreation Commission Board, I am requesting the Board of Selectman consider the following appointment.

Eleanor Spargimino as an alternate member, with a term expiring March 2025.

Thank you for your consideration.

September 29, 2023

Milford Board of Selectman

1 Union Square

Milford, NH 03055

Dear Board of Selectman,

I am writing to inform you of my interest in accepting the position of Alternate on the Milford Recreation Commission. I moved to Milford from New Jersey, with my husband, two years ago to be closer to my two sons and their families.

I have always been very active with my sons' activities. I was soccer and baseball mom and ran the Advertising Journal for their Father's Day Tournament each year. I was also the wrestling team coordinator for my son's High School wrestling team. I was a Teacher's Aide for 22 years working in the Special Education Department, starting with Preschool children and ending my last 10 years with 6, 7, and 8th grade students. While there, I was on the Crisis Team for my school and volunteered as chaperone for their after-school activities.

I love this adorable town and would like to give back in any way possible.

Thank you for your consideration,

Eleanor Spargimino

530 Osgood Rd.

Milford, NH 03055

5:45 Recognition of Police Officer Promotion - Sergeant William Morrow



Town of Milford

POLICE DEPARTMENT

19 Garden Street
Milford, NH 03055
603-249-0630

Michael J. Viola
Chief of Police



To: Lincoln Daley, Town Administrator
From: Chief Michael J. Viola
Date: September 7, 2023
Ref: Officer William Morrow promotion to Sergeant

I am respectfully notifying you of the promotion of Officer William Morrow to the rank of Sergeant. Officer Morrow has successfully passed all the criteria to be eligible for the current vacant Sergeant's position. The following is an overview of Officer Morrow's career at the Milford Police Department:

- Officer Morrow started his career with the Milford Police Department on December 29, 2014.
- Upon completion of the New Hampshire Police Standards and Training Academy, Officer Morrow was assigned to the patrol division.
- In July of 2017, Officer Morrow was re-assigned to the Support Division as the department's Juvenile Officer.
- In January of 2022, Officer Morrow was re-assigned back to the Patrol Division. Officer Morrow requested to be re-assigned so that he could be more well-rounded and ready for the next supervisory position.
- Throughout his career, Officer Morrow has received numerous commendations and is well respected among his peers and citizens within the community.
- As the Juvenile Officer, he was instrumental in developing and implementing a juvenile diversion program.
- As a Juvenile Officer, he was instrumental in developing and implementing the current ACERT Program.
- As a Juvenile Officer, he received the Hillsborough County (South) Hands of Hope Every Day Hero Award. He received this award for his hard work and dedication in working with the Child Advocacy Center (CAC).

Officer Morrow's promotion ceremony is scheduled for Wednesday, October 4, 2023, at 2:00 pm. His increase in salary would take effect on October 8, 2023. Please contact me if you any further questions or concerns.



The mission of Community Action for Safe Teens (CAST) is to prevent substance misuse in the Souhegan Valley, promote healthy choices and emotional wellness among youth, and educate, support, and strengthen families.

4. a) 1) Permission for Community Action for Safe Teens (CAST) Youth Empowerment and Serves (YES) team to observe Red Ribbon Week on the Oval, October 23rd until October 30th.

September 26, 2023

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

RE: Red Ribbon Week – Ribbons on the Oval

Dear Milford Board of Selectmen:

I am writing to request permission for the Community Action for Safe Teens (CAST) Youth Empowerment and Service (YES) team to hang red ribbons around the oval in recognition of Red Ribbon Week. As you may recall, Red Ribbon Week is a national drug prevention campaign which runs from October 23 – 31 each year. Each year carries a different theme and this year it is, "Be Kind to Your Mind. Live Drug Free." The youth would like to hang the ribbons on Monday, October 23 and remove them on October 30.

We greatly appreciate your consideration of this request.

Sincerely,

Monica Gallant, CPS
Director of Prevention Services

4. a) 2) Acceptance and Appropriations of Unanticipated Revenues Under \$10K NH (RSA (31:95)b))

Board of Selectmen
Agenda Date: 10/9/2023

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

Source	Amount	Purpose
Hayward's Trading Post & Country Store Inc.	\$50.00	Donation to support the Labor Day Parade
Kaley Foundation Grant	\$8,424.00	Funding for the purchase one Autel Thermal Drone for the Milford Police Dept. See attached memo.
Sandra C. Newbold Revocable Trust AGR William Newbold, Trustee	\$250.00	Donation to the Milford Fire Department. The Fire Dept. wishes to designate the donation to the Fire-Rescue Special Purpose Fund. See attached memo.
Sandra C. Newbold Revocable Trust AGR William Newbold, Trustee	\$250.00	Donation to the Milford Police Department. The Police Dept. wished to designate the donation to the Police Law Enforcement related equipment/supplies Special Purpose Fund. See attached memo.
Milford Historical Society	\$145.17	Donations from on-line credit donations to support the Bandstand Upkeep/Restoration Special Purpose Fund. See attached.

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

None at this time.



Town of Milford

POLICE DEPARTMENT

19 Garden Street
Milford, NH 03055
603-249-0630

Michael J. Viola

Chief of Police



To: Lincoln Daley, Town Administrator
Board of Selectmen
From: Chief Michael J. Viola
Date: September 27, 2023
Ref: Kaley Foundation Donation for Autel Thermal Drone

On behalf of the Milford Police Department, I am respectfully requesting the Board of Selectmen to consider and approve a donation of \$8,424.00, (eight thousand four hundred twenty-four dollars), from the Kaley Foundation. With the approval of these funds, the Milford Police Department would purchase one Autel Thermal Drone, which would be used by a certified officer to assist in criminal investigations, accident investigations, emergency related events and other community related initiatives. This drone could also be used with the new TopCon Total Station.

On August 25, 2023, the Milford Police Department submitted a donation request for \$8,424.00 to the Kaley Foundation to purchase a Autel Thermal Drone, which would be flown by an officer who has passed the certifications to operate the drone. The department would use this drone to assist in all types of investigations. This drone will also be used in conjunction with the TopCon Total Station on serious motor vehicle accidents. The drone will be able to capture arial views and other pertinent information for the accident investigation.

On behalf of the Milford Police Department, I would like to respectfully thank the Kaley Foundation for their support and donation to the Milford Police Department.

Your consideration in this request is greatly appreciated.



Fire Department MEMORANDUM

TO: Finance, BOS

FROM: Milford Fire Department

DATE: 10/3/23

SUBJECT: Donation

The Milford Fire Department has received a donation of \$250.00 in the name of the Sandra C. Newbold Revocable Trust. We ask that you accept the donation and apply to account #48149 Fire-Rescue Donations.

Regards,

A handwritten signature in black ink, appearing to be "K. Flaherty", written over a horizontal line.

Kenneth Flaherty
Chief of Department



Town of Milford

POLICE DEPARTMENT

19 Garden Street
Milford, NH 03055
603-249-0630

Michael J. Viola

Chief of Police



To: Lincoln Daley, Town Administrator
Board of Selectmen
From: Chief Michael J. Viola
Date: October 4, 2023
Ref: Donation from Sandra C. Newbold Revocable Trust

On behalf of the Milford Police Department, I am respectfully requesting the Board of Selectmen to consider and approve a donation of \$250.00 (two hundred fifty dollars) from the Sandra C. Newbold Revocable Trust. The trust wanted the donation to be used for something to benefit the Milford Police Department. Per the request of the Trust, the \$250.00 donation would be used to purchase law enforcement related equipment/supplies for our Police Officers.

On behalf of the Milford Police Department, I would like to respectfully thank the Sandra C. Newbold Revocable Trust for the donation of \$250.00 to the Milford Police Department.

Your consideration in this request is greatly appreciated.



September 30, 2023

Mr. Paul Calabria
Director of Finance
Town of Milford
1 Union Square
Milford, NH 03055

Mr. Calabria:

Please find enclosed two remittances representing donations from various donors for the noted purpose, as received by Milford Historical Society, through both check and via on-line payment (Paypal).

Save the Bandstand Fund \$145.17 check # 832

Hutchinson Singers Memorial Fund \$180.00 check # 833 **Note: check 883 went to
the Trustees of Trust
Funds**

If you have any questions or concerns, please do not hesitate to contact me at 603-397-8473 or at whites191@msn.com. Thank you.

Sincerely,

Gregory White
Treasurer

TOWN OF MILFORD

RECREATION DEPARTMENT



4. a) 3) Approval to move Karen Desjardins from an Alternate Member to a Full Member of the Recreation Commission - Term Expires 2026

To: Board of Selectman
CC: Lincoln Daley, Town Administrator
From: Arene Berry, Recreation Director
Date: September 26, 2023
Subject: Milford Parks & Recreation Commission Board appointment

On behalf of the Milford Parks & Recreation Commission Board, I am requesting the Board of Selectman consider the following change in appointment.

Karen Desjardins from alternate to full member, with a term expiring March 2026.

Thank you for your consideration.

**5. 1) Employee
Recognition
Souhegan Valley
Chamber of
Commerce - Verbal**

6. 1) Traffic Safety Concern - Myrtle Street Parking

BOARD OF SELECTMAN,

I WANT TO NOTIFY THE TOWN OF MILFORD OF A PARKING COMPLAINT ON MYRTLE ST FROM MOUNT VERNON ST. GOING UP MYRTLE ST. THERE IS A TURN NEAR A LARGE BARN ON THE LT SIDE OF THE STREET-BLOCKING DRIVERS FROM SEEING CARS COMING DOWN THE ST. THIS AREA HAS A RESIDENT IN THE Nth HOUSE ON RT. WHO PARKS HIS TRAILER ON THE Rth SIDE AT THE TURN THAT FURTHER BLOCKING THE VIEW AND MAKING THE AREA FOR DRIVING UNSAFE FOR PASSING CARS. YOUR ASSISTANCE WOULD BE APPRECIATED

J. DIANE LEAR VAIGONICK.
16 LEE AN DR.
603-321-4664

6. 2) Fund Balance Discussion - Paul Calabria, Finance Director

Town of Milford

Fund Balance Analysis

Prepared: October 5, 2023

*****Minimum Level of Unassigned Fund Balance as a percentage of Net Town, County & School Appropriations:**

Per T. of Milford Finance Policy	5% to 15%
Per NHDRA recommendation	5% to 10%
Per NHGFOA recommendation	8% to 17%

			<u>% of Gross Appropriations Retained</u>
<u>Fund Balance:</u>	Actual		
12/31/2018	3,901,344	*Actual	6.82%
12/31/2019	4,320,234	*Actual	7.65%
12/31/2020	5,369,105	*Actual	8.10%
12/31/2021	4,641,664	*Actual	8.64%
12/31/2022	4,638,066	*Actual	7.67%
12/31/2023	4,900,000	*Estimated	10.58%

Net Appropriations (Town, County & School):

FY 2023	46,305,024	<i>*From Tax Rate Setting Report based on 2022 Net Appropriations (We are waiting for final 2023 numbers)</i>
10.02%	4,638,066	<i>*Final '22 Fund Balance</i>
		10.02% (\$0 - BOS Maximum - BOS action 10/XX/23)
5%	2,315,251	
10%	4,630,502	
15%	6,945,754	

Fund Balance used to reduce the tax rate:

<u>FB Used</u>	<u>Remaining Fund Balance</u>	<u>% of Net Appropriations</u>
250,000	4,388,066	9.48%
500,000	4,138,066	8.94%
750,000	3,888,066	8.40%
1,000,000	3,638,066	7.86%

*****Net Appropriations less Enterprise Funds and Current Year Bonds**

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

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) (REVISED 10/09/23)

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 members of the Board of Selectmen and individuals authorized by the Town Administrator may contact the New Hampshire Municipal Association (NHMA).

~~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, all consultation, in any form, ~~going to meet with~~ Attorney Drescher Town Counsel and other legal assistance, it has to be cleared through and must be approved by the Town Administrator or, in the absence of the Town Administrator, his/her designee. ~~— 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, **REVISED October 9, 2023**

6. 3) Review of Board of Selectmen Policies

TOWN OF MILFORD BOARD OF SELECTMEN POLICIES FOR ALL YEARS

INDEX

POLICY NO.	TITLE
2023	
2023-01	Right to Know Policy
2022	There were no polices enacted by the Board of Selectmen in 2022
2021	There were no polices enacted by the Board of Selectmen in 2021
2020	There were no polices enacted by the Board of Selectmen in 2020
2019	There were no polices enacted by the Board of Selectmen in 2019
2018	There were no polices enacted by the Board of Selectmen in 2018
2018-01	Rule - Municipal Oval Flag Rule
2017	
2017-01	Rule - Target shooting prohibited on town community lands
2016	There were no polices enacted by the Board of Selectmen in 2016
2015	
2015-01	Personnel Use of Town Vehicles
2014	There were no polices enacted by the Board of Selectmen in 2014
2013	
2013-01	Administration of Commissions, Committees and Special Boards
2012	
2012-01	Credit Card Purchasing Policy (May 14, 2012)
2011	There were no polices enacted by the Board of Selectmen in 2011
2010	There were no polices enacted by the Board of Selectmen in 2010
2009	There were no polices enacted by the Board of Selectmen in 2009
2008	There were no polices enacted by the Board of Selectmen in 2008
2007	
2007-01	Policy Regarding Purchasing and Procurement (revised 9-23-19)
2006	
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
2005	There were no polices enacted by the Board of Selectmen in 2005
2004	
2004-01	Policy Regarding Matters Before NH House of Representatives or Senate
2004-02	Policy on Exit Interviews
2003	
2003-01 (Rev)	Procedure to be Followed in the Establishment of New Positions
2003-02 (Rev)	Policy Regarding Employee Identification Badges
2002	There were no polices enacted by the Board of Selectmen in 2002
2001	
2001-01 (Rev)	Limiting Legal Advice Requests

2001-02	Employee Performance Reviews
2001-03	Admendment to Policy 2000-11 / Wages for Hiring/Promotions
2000	
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

TOWN OF MILFORD BOARD OF SELECTMEN POLICY NO. 2000-01

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)

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

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

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)

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

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

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)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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)

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

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

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

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

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

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

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

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

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)

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

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

TO : ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

FROM: KATHERINE E.L. CHAMBERS, TOWN ADMINISTRATOR

SUBJ : POLICY REGARDING EMPLOYEE IDENTIFICATION BADGES

DATE: SEPTEMBER 9, 2003

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

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

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

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

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

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

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

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

TO : ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

FROM: KATHERINE E.L. CHAMBERS, TOWN ADMINISTRATOR

SUBJ : POLICY ON EMAIL

DATE: JUNE 05, 2006

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.

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

TO : ALL DEPARTMENT HEADS, BOARDS, COMMISSIONS, COMMITTEES

FROM: GUY SCAIFE, TOWN ADMINISTRATOR

SUBJ : POLICY ON HIRING PROCESS/CRIMINAL RECORD CHECK

DATE: OCTOBER 9, 2006

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.

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

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

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.

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

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)

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).

Gary L. Daniels, Chairman

Tim Finan, Vice Chairman

Katherine Bauer, Member

Mike Putnam, Member

Mark Fougere, Member

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

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

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

SECTION I: PURPOSE

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

SECTION II: AUTHORITY

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

SECTION III: CONFLICT OF INTEREST

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

SECTION IV: OBJECTIVES

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

SECTION V: EXEMPTIONS

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

SECTION VI: PROCUREMENT AUTHORITY

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

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

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

SECTION VII: PROCUREMENT PROCESS

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

Selectman

TOWN OF MILFORD FINANCE DEPARTMENT

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.

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

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 31st 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 #/#!/#####:

Name	Address	Phone	Email

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...

- _____ board 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).

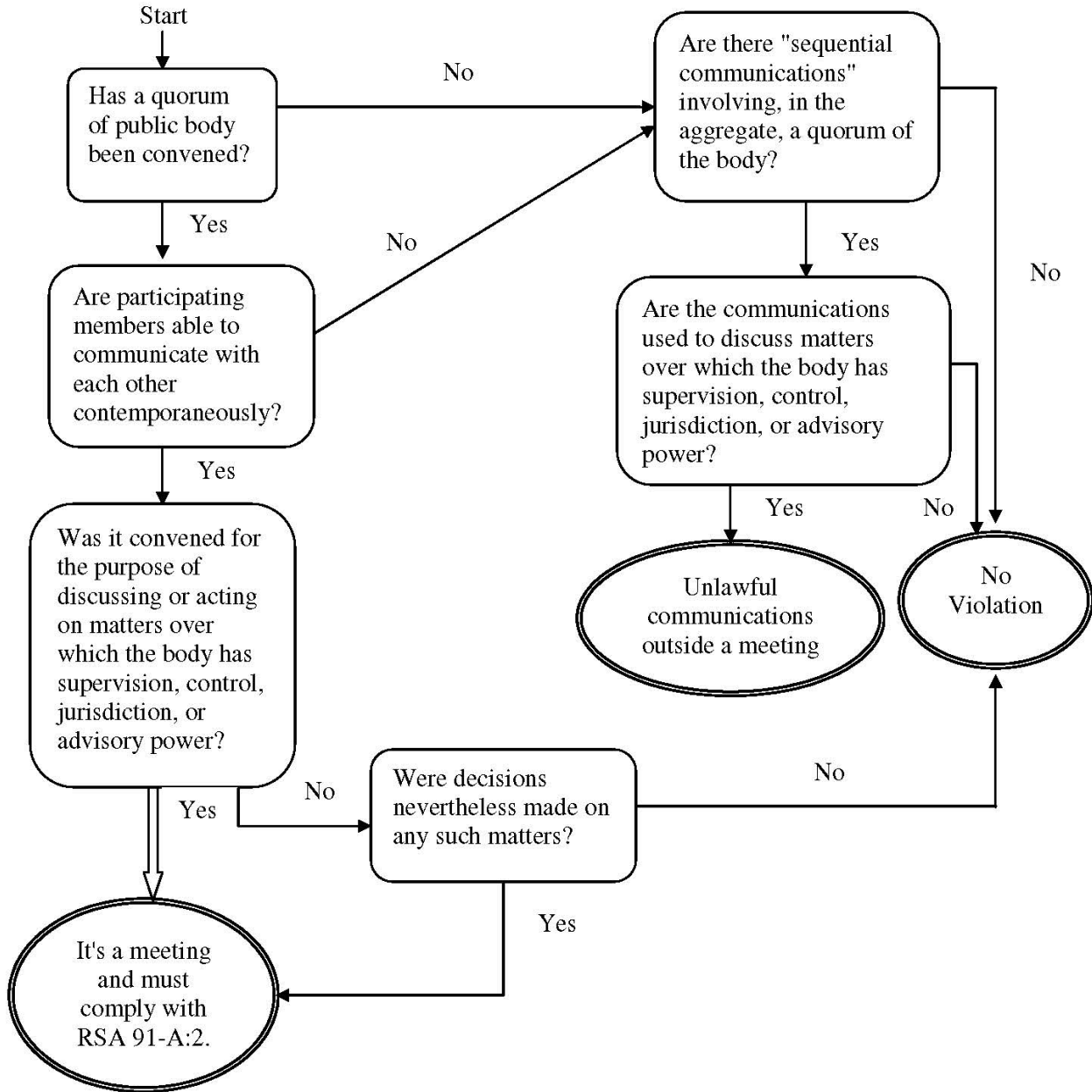
Public session reconvened at _____ a.m./p.m.

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 (2nd 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 (3rd Thursday, 6:00 p.m., Library) - Selectman Federico
 - Heritage Commission (2nd Wednesday, 7:00 p.m., Library) – Selectman Daniels
 - Joint Loss Management Committee (quarterly, 2nd Tuesday (March, June, September, and December), 9:00 a.m., Police Facility, Community Room) - Selectman Putnam
 - Library Trustees (3rd Tuesday, 7:00 p.m., Library) – Selectman Dudziak
 - NHMA (Varied) – Administrator Bender
 - MACC Base (2nd Wednesday, 6:00 p.m., Town Hall, MACC Base Offices) - Selectman Putnam
 - Planning Board (1st & 4th Tuesdays, 6:30 p.m., Town Hall, BOS Room) - Selectman Federico, Selectman Dargie (Alternate)
 - Recreation Commission (2nd Wednesday, 7:00 p.m., Town Hall, BOS Room) – Selectman Dargie
 - Recycling/Solid Waste Committee (3rd 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 (1st & 3rd 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)

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

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

Mark Fougere, Chairman

Kevin Federico, Vice Chairman

Gary Daniels, Member

Kathy Bauer, Member

Mike Putnam, Member

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

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

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

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

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 2nd and 4th 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, and any other place deemed necessary.

Chairman

Vice-Chairman

Selectman

Selectman

Selectman

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

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

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

Table Of Contents

Section 1.0 - Overview

- 1.1 [Purpose](#)
- 1.2 [Scope](#)
- 1.3 [Legal Definitions](#)

Section 2.0 – Requesting Information

- 2.1 [Requesting Information](#)
- 2.2 [Gathering and Organizing Information](#)
- 2.3 [Completing a Public Information Request](#)
- 2.4 [Applicable Costs](#)

Section 3.0 – Policy Changes

- 3.1 [How to Make Changes to This Policy](#)

Section 4.0 – Training Requirements

- 4.1 [Training Requirements](#)

References

- [State Contacts](#)
- [Judicial Appeals and Legal Escalations](#)

Addendum

- [Attachment 1: Milford Right to Know Request Form](#)
- [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 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 (1st reading) and then presented at a subsequent meeting (2nd 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

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

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)

Reason for Denial

For town hall employees only

Name of Governmental Agent:

_____ (Print)

Signature of Governmental Agent: _____ Date: _____

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 1st 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 2nd 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.**

WARRANT ARTICLE – AMBULANCE REPLACEMENT REVOLVING FUND - _____?

Shall the Town will vote to establish a revolving fund pursuant to RSA 31:95-h for the purpose of funding a future Ambulance replacement. The first \$_____ in ambulance service fees collected in each calendar year would be deposited into the fund and the money in the fund shall be allowed to accumulate year to year and shall not be considered part of the Town's general fund balance. The Town Treasurer shall have custody of all moneys in the fund and shall pay out the same only upon order of the governing body and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created. **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 – TOWN GRANT WRITER -

Shall the town vote to establish the position of "Town Grant Writer". That the position of "Town Grant Writer" be appointed to a term of one year by the Selectboard.

WARRANT ARTICLE – MONT VERNON STREET PARKING

WARRANT ARTICLE – CLINTON STREET PARKING

DRAFT ONLY

9. Approval of Final Minutes September 25, 2023

DRAFT

MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

September 25, 2023

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

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. – Public Works Department Update – Public Works Director, Leo Lessard

Director Lessard presented a DPW update to the Board.

- They are down two personnel and one operator is retiring after 23 years of service. They are currently looking for seasonal employees.
- They will be over on vehicle maintenance due to the age of the fleet. Several trucks will require new tires. There was some discussion about tire maintenance.
- They are preparing for winter conditions.
- Ongoing repairs continue due to washouts from various storms.
- They continue to do drainage and road maintenance.
- Staff is going back to a 5-day work week, 8-hour days from November 6th until April. The 10-hour days were successful as far as fuel savings, overtime costs, etc.
- Some planned projects didn't get done due to higher priorities. A list is being updated for 2024.
- The paving schedule will resume in mid-October.
- The pipe crew installed 1,200+ linear feet of drainage and several structures. The water crew installed 1,250 feet of water mains, 19 water taps, several hydrants, and gate valve sewer connections. The merger between DPW and Water Utilities has been great.

Mr. Thornton, a Cemetery Trustee, thanked Public Works for their maintenance at the cemeteries.

Administrator Daley will be setting up a workshop with the Board, Commissioners, and Public Works to discuss road maintenance.

The Public Works Director presented a general list of the Town Engineer's tasks.

The tasks include:

- MS4 permitting – Outsourcing would have been approximately \$15,000, the Town's cost using our Engineer was \$6,000.
- Multiple Town Projects to include Mont Vernon St. Parking, Clinton St. Parking, Elm St. dog park, Whitten Rd. Culvert, Mason Bridge, and Hartshorn Bridge.
- Extensive on-going Training
- Multiple Construction Site Inspections
- Floodplain Management
- Fletcher Site Inspection
- GIS Mapping/Asset Management
- Site Plan/Subdivision Application reviews of roadway and drainage plans
- Review of multiple grant and funding opportunities
- Coordinate with NRPC as needed
- Coordinate and implement intern program
- There was a detailed listing of additional tasks included with the update.

57 **3.PUBLIC COMMENTS –**

58 Henry Schoeneman, a Milford resident has concerns about the speeding traffic on Merrimack Road. He brought
59 this to the Selectmen’s attention last year and feels that the volume of speed has increased since then. Mr. Schoene-
60 man offered some solutions. He is concerned with the danger to wildlife and children in the area. Chief Viola will
61 increase patrols in the area. There was a discussion about partnering with Amherst PD in the Merrimack Road
62 area as well as putting up electronic speed signs.

63
64 Mr. Schoeneman asked that the Selectman fix the light that shines on the American Flag on the oval. He also is
65 concerned about invasive vines that are taking over the parks.

66
67 Selectman Finan asked if the Merrimack Road issue was sent to Traffic Safety last year. Chief Viola said no. The
68 Police Department tries to have a police presence out in that area. Administrator Daley asked if there was an
69 opportunity to partner with Amherst Police to borrow one of their speed signs. Chief Viola said he would look
70 into it. We are still waiting for our signs to come in.

71
72 **4. DECISIONS**

73
74 Selectman Freel asked that 4. a. 1) be removed from the consent calendar.

75
76 **Selectman Dargie made a motion to approve the consent calendar, except for 4. a. 2) with an amendment**
77 **to NH Preservation Alliance changing the \$300 to \$1,951. Seconded by Selectman Finan. All were in favor.**
78 **The motion passed 5/0 by roll call vote.**

79 **a. CONSENT CALENDAR**

- 80 1. Approval of one (1) Petition and Pole License - Amherst Street
81 2. Acceptance and Appropriations of Unanticipated Revenues Under \$10,000 (31:95(b))

82 • **Donation for the Labor Day Parade**

- 83 o Leighton A. White Inc. \$200.00
84 o The Loft Event Center Music Hall \$100.00

85 • **Donation to the Milford Fire Department Fire Rescue Special Purpose Fund**

- 86 o Tony & Tara Kalish \$300.00

87 • **Award to reimburse for the Assessment cost of the Abbott/Laurel School House**

- 88 o NH Preservation Alliance \$1,951.00

89
90 Selectman Freel asked where and why the pole was being erected. Director Lessard said a permit is needed when
91 upgrading or changing the locations of poles. Chief Flaherty said the license is needed for a fire alarm wire to be
92 put on the poles.

93
94 **Selectman Freel made a motion to approve the 4. a. 1) on the consent calendar. Seconded by Selectman**
95 **Finan. All were in favor. The motion passed 5/0 by roll call vote.**

96
97 **b. OTHER DECISIONS**

- 98 1. N/A

99
100 **5.TOWN STATUS REPORT –**

101 **1. Milford Teamsters - Surrender of Certification**

102 The Town received notice on Wednesday, September 20, 2023, that the Teamsters Local Union No. 633 will have
103 no further responsibilities under any collective bargaining agreement in Milford. The surrender of certification
104 impacts 22 positions in Milford and will have financial ramifications for the Town. The preliminary cost estimate

105 for transitioning 22 employees to Town Health Insurance is currently being calculated. There will be an increase
106 to the Town budget.

107
108 Director Calabria, Finance Director said the financial implications on wages and benefits will be around \$18,000
109 to the 2024 budget.

110
111 Administrator Daley said there needs to be a comparison of what the Teamsters are provided for benefits like
112 clothing, etc, we are also currently reviewing town health insurance.

113
114 Selectman Labonte asked what the \$18,000 increase be due to. Director Calabria the Teamsters called for a 3%
115 increase and the Town has a 4% increase built into the budget. Selectman Labonte asked about health insurance.
116 Director Calabria said they haven't completed that portion yet. Selectman Labonte said we should look at the
117 complete cost before saying what the increase would be. Director Calabria said the \$18,000 was just wages and
118 associated benefits. There was additional discussion about the teamster's contract. Karen Blow, HR Director said
119 out of the 22 members of the teamsters, four were dues-paying. Of the four, two are on leave, one is retiring
120 leaving only one member paying dues.

121
122 Scott Kimball, a Milford resident, was a teamster in his job, and dues paid for on-going operations. He explained
123 the process.

124
125 **2. Milford Power Contract -**

126 Mr. Bob Hayden gave an update on the Community Power Rates. Eversource dropped their rates from \$0.14 per
127 kWh to \$0.12 ½ per kWh. The buying group is Milford, Jaffrey, and New Boston. They expect to be in around
128 \$0.10720 which they believe to be a good price. Legal teams from each town need to review the contracts. Jaffrey
129 said if Milford agrees, they will as well. They hope to sign the contract by next Wednesday. This would start for
130 the March meter read rates from Eversource and people will see the difference in their bills in April.

131
132 Selectman Freel asked how long the contract was for. Mr. Hayden said for 20 months. The goal is to always be
133 less than Eversource. If the kWh goes higher, citizens can opt out at no cost. Notifications will go out in January
134 to give everyone 30 days to review the program. Public hearings will take place around the same time as the
135 mailings. The contract will not be signed if the prices go higher than what Eversource currently proposes.

136
137 **Selectman Dargie made a motion to authorize the Town Administrator to sign the Community Power Ag-**
138 **gregation Contract after review from legal counsel. Seconded by Selectman Finan. All were in favor. The**
139 **motion passed 5/0 by roll call vote.**

140
141 Mike Thornton, Milford Energy Committee, said he would like to have the public meetings in the Town Hall
142 Auditorium on the same day, one during lunch and one in the evening. They will provide dates when ready. They
143 will also be posting the meetings in multiple areas and recording a podcast through Granite Town Media.

144
145 **3. Board, Commission, Committee Volunteers**

146 The Town is still seeking volunteers to serve on various boards, commissions, and committees.

147 Budget Advisory Committee	TBD	EDAC	TBD
148 Conservation Commission	2 alternate positions	Granite Town Media	1 full position
149 Recycling Committee	1 full position	Planning Board	2 alternate positions

150
151 If interested in any of the vacant positions, please contact the Administration Office or visit the Town website at
152 www.milford.nh.gov and download/complete the volunteer application.

153
154 **6. DISCUSSIONS**

155 **1. Traffic Safety Concern – Union Street**

156 Typhany McNeill-Sellers, a Milford resident, has concerns about the safety of crossing Union Street, especially
157 during school hours.

158
159 Selectman Dargie said the visibility is poor on that street and he has concerns about having a crosswalk in that
160 area. There was additional discussion about traffic in that area.

161
162 Bob Farrow, said there is also a problem with speed on Union Street. He would like to have a crosswalk put in
163 where Park Street connects with Union Street.

164
165 **Selectman Dargie made a motion to send the Traffic Safety Concern for Union Street to the Traffic Safety**
166 **Committee. Seconded by Selectman Freel. All were in favor. The motion passed 5/0 by roll call vote.**
167

168 **2. Traffic Safety Concern – N. River Road**

169 Kim Eves, a Milford resident sent a letter to the Board about the traffic flow on N. River Road. She would like
170 consideration for a blind driveway and bus stop ahead or lower the speed limit.

171
172 Captain Frye said this is a State Road. We should start with Traffic Safety which coordinates with Division 5 of
173 the State.

174
175 **Selectman Freel made a motion to send the Traffic Safety Concern for N. River Road to the Traffic Safety**
176 **Committee. Seconded by Selectman Dargie. All were in favor. The motion passed 5/0 by roll call vote.**
177

178 **3. 2024 DRAFT Warrant Articles**

179 Warrant articles were presented in DRAFT format. This is a working copy.

180 Selectman Dargie would like to add two warrant articles:

- 181 • Ambulance Revolving Fund Based on Ambulance Revenues
- 182 • Hiring a Grant Writer – There was some discussion on what the departments are looking for in a grant
183 writer.

184 Two other warrant articles to be considered are:

- 185 • Mon Vernon Street Parking
- 186 • Clinton Street Parking

187
188 Selectman Labonte wants more justification for some of the warrant articles. Katherine Kokko, a Milford resident,
189 asked if some of the language could be changed to have more clarification in the header of the Bandstand Renovation
190 warrant article. Director Calabria said you can put more information in the header. Tina Philbrick, Executive
191 Assistant said you can put what you want in the header, but ultimately, it's the DRA who will direct what can
192 or can't be in the warrant article.

193
194 Selectman Freel would like the Heritage Commission to continue raising money to fix the bandstand instead of
195 putting it on the Warrants. He feels the remaining cost should be included in the budget over multiple years. There
196 was additional discussion on grant writers, grants, and raising additional monies. Ms. Kokko said it's hard to get
197 additional monies from donors if the community itself isn't stepping up and taking responsibility for the project.
198 Selectman Finan agrees with Ms. Kokko.

199
200 Selectman Labonte asked if we've looked into sponsors for the Summer Band Concerts. Administrator Daley said
201 not that he knew of. There was discussion of other communities that concerts. Selectman Labonte is looking for
202 other ways to fund some of the warrant articles.

203
204 **3. Board of Selectmen Policies**

205 **2000-06 Cashing out of Sick Leave due to worker's Compensation injury**

206 Ms. Blow explained the "make whole process" where employees can use their accrued/earned hours, (sick bank,
207 sick, unused, personal, floating holidays, etc.) to make up the difference in the short-term disability of 66.67%
208 which allows employees to receive a 100% of their pay. Employees are allowed to keep 40 hours of vacation
209 time on the books unless they sign a waiver allowing the use of all their time to cover their pay during their time
210 off.

211

212 If the Board is considering changing this process Ms. Blow asked them to consider the following:

- 213 • This policy process is in the AFSCME Contract. Any changes made to this policy would need to be
214 brought to AFSCME to see if there is an option for a sidebar agreement.
- 215 • Grandfathering staff that is currently in place with the existing rules. People hired on or after a given
216 date would be subject to any new rules.
- 217 • Remove the “leaving 40 hours on books” clause.
- 218 • Allow for being made whole up to the point of any available time that is on the books. Once available
219 time is used, the employee would then need to keep the check from the insurance company.

220

221 All of the above would still need a sidebar agreement with AFSCME. This policy has been in the AFSCME
222 since 1999 and put into the employee handbook in 1997.

223

224 Selectman Freel feels that employees shouldn't be made "whole" because there is no desire for the employee to
225 come back if they are collecting a full paycheck. Selectman Finan said most people want to work. Ms. Blow
226 said the employees are utilizing their own accrued sick, banked, personal, and vacation time to get a complete
227 paycheck. It's time that they have already earned. On rare occasions where someone doesn't have any time on
228 the books and that's when it might be a cost to the town.

229

230 Selectman Labonte clarified that if an employee didn't have enough time on the books, it could be an additional
231 cost to the town. Ms. Blow said yes. Selectman Labonte asked why we are required to make people whole if
232 they don't have any time in their bank. Ms. Blow said that is the way the policy is written. Selectman Labonte
233 interpreted it differently. Ms. Blow said employees sign their disability checks over to the town to pay back the
234 advancement. Selectman Labonte asked if workers comp was taxable. Director Calabria said no. There was ad-
235 ditional discussion about the process.

236

237 Ms. Blow will provide the section of the employee handbook that explains making the employee whole.

238

239 **2001-01 Limiting Legal Advice Request**

240 Several Board members interpreted this policy differently and after much discussion about who should/should
241 not contact our Town Attorney or NHMA, the following changes were made.

242 Paragraph 1 – after only the Town Administrator, ADD, and those authorized

243 Paragraph 2 – Change going to meet with Attorney Drescher to “consult with town council”. After Town Ad-
244 ministrator ADD, or their designee.

245

246 Administrator Daley will contact NHMA to find out who is authorized to contact them for inquiries. Changes
247 will be brought back for review and additional discussion at the next meeting.

248

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

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

251 Recycling met this week. They had a presentation about composting. There were issues of connectivity at DPW
252 so they couldn't raise a quorum. Community Media and IT are aware of the issues.

253

254 Selectman Labonte asked what we could do about yard sale and garage sale signs being pounded into the oval.
255 Administrator Daley said we have a zoning ordinance that prohibits specific signage on town-owned property and

256 community. Selectman Labonte said there are no consequences. Administrator Daley said if it's a common oc-
257 currence they reach out to those individuals who are posting signs. There is a fine process but the signs are usually
258 removed.

259
260 Mike Thornton, a Milford resident asked if signs were allowed on the oval if they were not stuck into the ground.
261 Ms. Philbrick said you are allowed to stand on the oval and hold a sign. A-frame signs need to be authorized
262 through the Town Administration. A-frame signs are specific to town activities, not private activities. Mr.
263 Thornton asked about people standing on the oval soliciting for specific things. Administrator Daley will look
264 into that.

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

267
268 **8. PUBLIC COMMENTS** – There were no public comments at this time.

269
270 **9. APPROVAL OF FINAL MINUTES** – September 11, 2023 and September 18, 2023 (Special Meeting)

271
272 **Selectman Dargie made a motion to approve the minutes of September 11, 2023, and September 18, 2023.**
273 **Seconded by Selectman Finan. All were in favor. The motion passed 5/0 by roll call vote.**

274
275 **10. INFORMATION ITEMS REQUIRING NO DECISIONS.**

276 **a. Selectmen's Goals and Initiatives**

277
278 **11. NOTICES.** Notices were read.

279
280 **12. NON-PUBLIC SESSION** – N/A

281
282 **13. ADJOURNMENT: Selectman Dargie moved to adjourn at 8:40. Seconded by Selectman Freel. All**
283 **were in favor. The motion passed 5/0 by roll call vote.**

284
285
286
287
288
289
290
291
292
293
294
295
296

Gary Daniels, Chairman

Tim Finan, Member

Chris Labonte, Vice-Chairman

Dave Freel, Member

Paul Dargie, Member

10. BOS Goals and Initiatives

2023 BOS Goals and Initiatives

Initiative	Status	Target Date
Financial		
Budget Expenditure Policy	Adopted 8/28/23	Completed
Reduce Warrant Articles		Not started
Town Budget Development		In progress
Town Budget Passage		Not started
Projects		
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
Personnel		
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
Communication		
BOS Representative to Committees		Completed
Agenda and Minutes Updates		In progress
Social Media utilization?		Not started
5 th Monday Forums		In progress
Website Update		In progress
Department/Committee Updates – Quarterly		In progress

09/25/2023