

5:30 Update on Primary and General Elections - Pete Basiliere

To: Milford Board of Selectmen
From: Pete Basiliere, Town Moderator
Date: October 8, 2020
Subject: General Election – Polling Place Update

I am pleased to report that, overall, the primary election held at Milford High School went well. With the support of more than 50 volunteers, town clerk Joan Dargie and her staff, my assistant moderators, the Supervisors of the Checklist, the Board of Selectmen and town administration, the police, fire and DPW, and School District personnel, more than 3,200 citizens safely cast their ballots, whether in person or by an absentee ballot.

It is almost time for the main event, the general election on Tuesday, November 3rd, when we can reasonably expect 9,000 voters to participate either in person or with an absentee ballot.

You will recall that we chose to hold the primary at MHS to learn what worked and what did not before the general election. After speaking with the public, workers and election officials, and DPW, police and school personnel, my takeaways follow.

ePoll Books

The ePoll books worked well. The books and workers along the main lobby wall minimized the required space and the potential hazards associated with electrical plugs and Ethernet cables.

However, it was difficult for the greeter who is standing at one end to see which ePoll book is available for the next voter. Even then, a delay occurred as the next voter walked to the ePoll books at the far end. I am not sure that anything can be done to improve the situation but will try.

Voters were occasionally confused about which station they were to approach. We will put numbers on the Plexiglas dividers, so the greeter and voter know which ePoll book is available.

While we quickly extracted the necessary numbers from the ePoll books on Election Day, we experienced delays in generating the detailed reports needed after the election. The vendor, Electec, admitted the problem was their responsibility. Town clerk Joan Dargie and I have had phone and in-person meetings with the vendor to ensure a repeat does not occur.

Area for Registered Voters

As I write this, the town clerk has received about 2,000 requests for absentee ballots, or about 17% of the 12,000 registered voters in Milford. The number of requests increases with each day. Statewide, the Secretary of State expects that about 30% of voters will request an absentee ballot by Election Day.

If we assume 75% of the 12,000 citizens will vote, then 9,000 people will vote in person or by absentee ballot. If 30% of the 9,000 citizens choose an absentee ballot, we will process 6,300 registered voters in person.

We will have eight ePoll books to check-in registered voters in November. To facilitate voter movement and minimize potential latency issues due to long cables and the high numbers of voters, four or five ePoll books will be on the right wall, as in September. The remaining four or three ePoll books will be on the left wall. The exact number will depend on the length of the left wall coupled with the need to keep each ePoll book station 6' from adjacent stations.

Two greeters will meet voters approaching the ePoll books. The voters will separate into just two lines based on the first letter of their family name. The actual grouping will depend on the number of ePoll books and the number of voters by letter. As before, the ePoll books within each of the two groups will be first come, first served.

As you might imagine, this layout change means the new voters' entrance has to move.

Area for New Voters in the Cafeteria

The separate rooms for registered voters and new voters worked well. We had few new voters to register, so that was part of the reason. Mainly, though, having two spaces provided ample room in the gym for voters and election officials' physical distancing.

If the past is prologue, we will register 800 to 1,000 new voters on Election Day, in addition to the 9,000 registered voters. We are doing two things to meet the anticipated demand.

First, the entrance for new voters moves from the main lobby to the north side of MHS, across from the library. The hallway to the cafeteria will have signage and floor tape to indicate 6' spacing. We encourage but will not require new voters to park in the area across from the entrance. Second, to prevent a potentially significant bottleneck, we will have a second ePoll book to add the new voters to the checklist.

MPD is on board with this change, and MHS maintenance is in agreement. We will have to manage traffic on West St., but we must do that anyway. If I get enough volunteers, one or two will be stationed outside the north entrance to guide incoming drivers to parking for both new and registered voters.

Tent for Unmasked Voters

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

The tent worked well in September. We processed about 40 people, enabling them to check-in, receive and mark their ballot, and place it in a secure ballot box. We also had two or three voters with mobility issues who chose to use the tent space, rather than going to the lobby, checking in and moving through the gym to cast their ballots.

However, the tent's location meant all voters left the polls via the gym's far left corner, under the American flag. The result was a very long walk for people parked in the main entrance's accessible parking spaces.

For the general election, I am moving the tent to the space between the main lobby entrance and the *Windows on West St.* restaurant. This location means voters with mobility difficulties may exit the gym by the door at the right corner. This door is much closer to the accessible parking spaces on West St.

Unlike the left door, which we used in September because it has an ADA-compliant ramp outside, the door at the right corner of the gym has steps. The school district is arranging for a ramp to be built, possibly by HS students, and installed at the right corner exit. The left door will remain an exit, giving all registered voters two options for leaving the polls. I intend to have a large sign to that effect by the Accuvote machines.

We will be using the MFD's larger tent in November. The tent has sides and will have lights and, if safely possible, a heater of some sort. Mats used to cover the track during football games and other events will cover the grass.

Observers

Unlike the MS layout, where you could look across the polling place from the gym entrance, the HS layout is spread out. Space will be set aside in the lobby, gym, and cafeteria for the public to observe those portions of the election process.

As you know, the names of everyone who voted are public information, unless exempt by law. One or both of the political parties may want to record who has voted throughout the day. I am working with the town clerk and Secretary of State's staff to provide a way for the parties to capture voters' names, should they choose to do so.

Golf Carts

I did not have a golf cart in September for the first time in many years. My decision was partly based on COVID concerns and partly on having fewer volunteers. If possible, I will arrange for one or more golf carts for masked drivers and riders to use in November.

Communication

While we had more signage than in the past, there were areas where larger, clearer signs would have helped. Additionally, we have an entrance for the new voters that will need signage. We will be beefing up the on-site signs.

MPD will be using its portable electronic signs to alert drivers to the polling place location. The signs will also alert drivers to possible Election Day delays on West St. and Osgood Rd. MFD has offered to put out Nixle event alerts, reminding voters of the location and possible (well, likely) traffic delays.

One of the election-related grants that Joan Dargie secured is for \$5,000 from a non-governmental agency. We are using some of this non-taxpayer money to print and mail a postcard to every household in Milford. A list of personal PO boxes is not available, so those addresses will not receive the postcard. Spectrum Mailing of Concord NH will produce the mailing.

The postcard's address side will provide voting information, while the front will have a map of the HS and MS campus. The map will depict the entrances, exits and parking spaces.

Election Workers

A common concern across the state and country is whether there will be enough election workers on November 3rd. I share that concern.

I came up three people short on each of the three shifts in September. However, there was no discernable impact on the voters as I reassigned workers.

Many of my usual election workers have already said they cannot work at the polls in November. But I have picked up a few volunteers. But I have more roles to fill. Suffice to say, I will be asking the political parties to provide more volunteers and Milford citizens to consider volunteering.

I will provide an update on the number of election workers during our meeting on Monday.

Closing

I have gone into some detail on the current state of Election Day preparations. However, the steps described above are not carved in granite. Refinements will occur right up to the day before the election.

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

(s) *Pete Basiliere*

Town Moderator

Current

Town of Milford Recycling/Solid Waste Committee Mission Statement

The mission of the Solid Waste and Recycling Committee is to encourage people to practice the 5 Rs: Refuse, Reduce, Reuse, Rot (compost) and Recycle. The goal is to consume less by refusing and reducing purchases (especially single use materials), reusing and donating materials, composting their organic kitchen and garden waste and recycling what cannot be eliminated or reused.

Together with town officials, we can implement town policies, improve the current programs, and expand efforts to meet or exceed the waste reduction and recycling goals. By reducing natural resource waste and supporting the purchase of products with recycled content, we can improve the health of our environment and economy for generations to come.

Revised Charge of Milford Recycling and Solid Waste Committee

Review the needs and the long-term goals of the Transfer Station and Recycling Center, And work annually with the Department of Public Works to contribute input to a Capital Improvement Plan, expand initiatives that promote zero waste and sustainability, and set annual recycling goals.

Investigate and present proposals to the Selectmen to reduce solid waste with consideration given to the financial impact to the town and promote environmental sustainability and zero waste.

Submit recommendations to the Board of Selectmen on how best to promote zero waste, environmental consciousness within the Town of Milford, address the needs of the Transfer Station and Recycling Center, with considerations given to the overarching goal of protecting the environment for generations to come.

Review Recycling/Solid Waste Code 5.20, and if needed, develop potential revisions and submit recommended amendments to the Board of Selectmen for consideration.

Proposed Recycling/Solid Waste Committee Charge Update (9/26/20) by BOS Chairman Daniels

To fulfill the goals of protecting the environment while also considering the financial impact of refuse disposal upon the taxpayer, the Board of Selectmen hereby places upon the Recycling/Solid Waste Committee the following charge:

- Review the current and long-term needs of the Transfer Station and Recycling Center
- Contribute input annually to a Capital Improvement Plan for the Transfer Station and Recycling Center
- Investigate and submit recommendations to the Board of Selectmen on how best to reduce solid waste and promote environmental consciousness
- Assess the potential to handle expanded recycling and submit recommendations to the Board of Selectmen
- Research options for increasing recycling within the Town of Milford and set goals for achieving the recycling objective
- Review Recycling/Solid Waste Code 5.20, and if needed, propose and submit recommended amendments to the Board of Selectmen for consideration



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

4. a) 1) Request for Approval for Community Action for Safe Teens (CAST) to host their Annual Red Ribbon Week on the Oval

September 30, 2020

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. Red Ribbon Week is a national drug prevention campaign which runs from October 23 – 31 each year. The youth would like to hang the ribbons on October 19 or October 26 and will plan to remove them by November 2nd.

We greatly appreciate your consideration of this request.

Sincerely,

Monica Gallant, CPS
CAST YES Team

4. a) 2) Request for Acceptance of Polling Location Notification for the General Election - November 3, 2020

STATE OF NEW HAMPSHIRE

To the inhabitants of the Town/City (Ward) of MILFORD in the
County of Hillsborough, New Hampshire.

You are hereby notified to meet at Milford High School 100 West St.
(name and location of polling place)
on Tuesday, the third day of November, 2020. The polls will be open between the hours of

6 a.m. and 8 p.m. to act upon the following subjects:

To bring in your votes for President and Vice President of the United States, Governor, United States Senator, United States Representative, Executive Councilor, State Senator, State Representatives and County Officers.

Given under our hands and seal, this _____ day of October, in the year of Our Lord two thousand and twenty.

Signed by:

Selectmen of _____

October _____, 2020

4. a) 3) Request for Acceptance and Appropriations of Gifts of Property Under \$5,000 (31:95(e))

Board of Selectmen
Agenda Date: 10/12/20
Revised

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

Source	Amount	Purpose
None at this time.		
Acceptance of Gifts of Property Under \$5,000 (31:95(e))		
Milford Rotary		Donation of 8 envu mask N95 face masks to the Milford Ambulance Department. The total estimated value is \$472.
Milford Rotary		Donation of 1 case of 100 individual mask N95 replacement filters to the Milford Ambulance Department. The total estimated value is \$160.
Milford Rotary		Donation of 18 Unifirst reusable full length gowns to the Milford Ambulance Department. The total estimated value is \$450.

MEMORANDUM



To: Board of Selectmen

CC: Kathy Townsend, Finance

From: Eric Schelberg, Director

Date: October 07, 2020

Subject: 31:95e Hearing – Rotary COVID-19 Donation

This memorandum serves as a request of the Board to accept two COVID-19 related donations from the Milford Rotary to the department:

- Donation of 8 envu mask N95 face masks valued at \$472.00 plus 1 case containing 100 individual envu mask N95 replacement filters valued at \$160.00 for a total of \$632.00
- Donation of 18 Unifirst reusable full length gowns valued at \$450.00

Please do not hesitate to contact me with any questions you may have regarding this request.

4. b) 1) Acceptance of Stone Structure Roof Design



TOWN OF MILFORD, NH
OFFICE OF COMMUNITY DEVELOPMENT

1 UNION SQUARE, MILFORD, NH 0305 TEL: (603)249-0620 WEB: WWW.MILFORD.NH.GOV

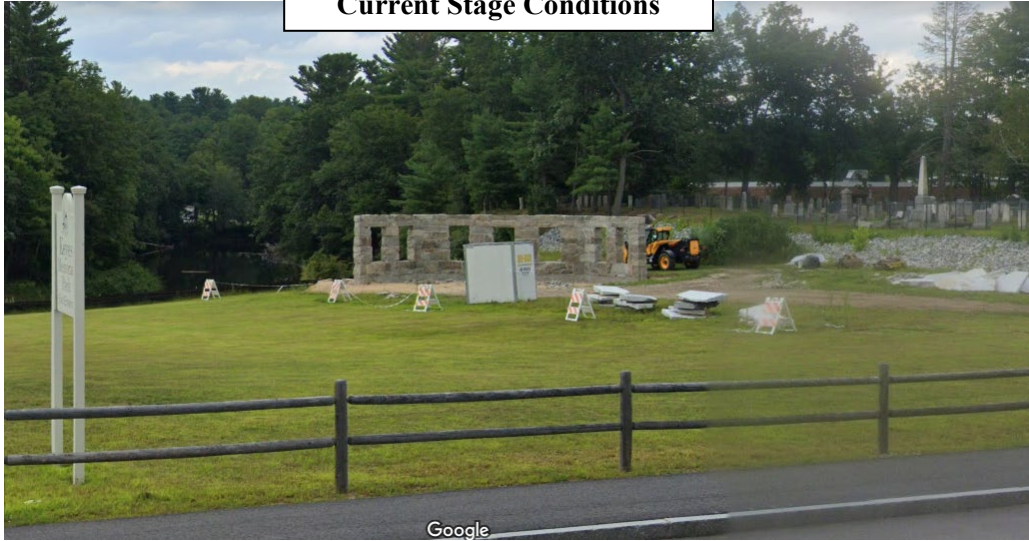
Date: August 26, 2020
To: Board of Selectmen
John Shannon, Town Administrator
From: Lincoln Daley, Community Development Director
Subject: Keyes Memorial Park – East Entrance Performance Stage
Proposed Roof Covering Design

Mr. Kent Chappell and Community Development Staff are before the Board to provide an update on the granite performance stage located within the Keyes Memorial East Entrance pocket park (Formerly the Fletcher Paint Superfund Site) and the latest phase to construct a permanent stage roof. Mr. Chappell will be presenting the proposed layout and architectural design of the roof covering for Board input and approval.

Staff has been working with the various vested parties and stakeholders to develop and create a fully functional performance stage. Said vested individuals and local businesses have been instrumental in leading the way to make this project a reality and community asset. Similar to the construction of the performance stage, all equipment, materials, and personnel involved in the project will be donated and completed at no cost to the Town.

Attached, please find photographs of the proposed stage roof design.

Current Stage Conditions



Proposed Roof Architectural Design

Side View



Side/Front View



Front View



Side/Front View



Rear View



4. b) 2) 2020 Ambulance - Equipment Purchase

MEMORANDUM



To: Board of Selectmen

CC: John Shannon, Town Administrator
Paul Calabria, Finance Director

From: Eric Schelberg, Director

Date: October 7, 2020

Subject: 2020 Ambulance – Equipment Purchase

This memorandum serves to respectfully request of the Board a decision regarding the above subject presented and discussed at the September 28th meeting to purchase some, or all, of the requested equipment for the soon to arrive 2020 ambulance.

The requested equipment to up fit the ambulance is valued at \$75,000 and consists of the following items:

- Stryker LP-15 cardiac monitor/defibrillator - \$39,906
- Stryker Power-Pro XT stretcher - \$18,930
- Stryker Stair-Pro chair - \$3,672
- Kenwood mobile NX-5700HBF radios (two units) - \$5,379
- Video laryngoscope and blades - \$5,500

To recap, the 2020 ambulance is fitted with a new stretcher securing mechanism that the current stretchers are not capable of using to secure the stretcher in the ambulance. This constraint is the single limiting item for placing the 2020 ambulance in service.

Additionally, the 2001 ambulance has only one mobile radio, the second mobile radio failed, and the remaining radio is no longer supported by Motorola as being beyond end-of-life. While this radio can be swapped out and placed in the 2020 ambulance, I do not recommend this course of action as the department would incur two labor expenses, one to install and a second to remove and install new radios when funding is secured and, the ambulance would be left without a redundant mobile radio capability.

Lastly, the Stryker LP-15 cardiac monitor/defibrillator will replace the current 17-year old LP-12 unit that still is functional, but is no longer supported by the manufacturer having passed end-of-life.

Please do not hesitate to contact me with any questions you may have regarding this subject.

5. TOWN STATUS

Commander Bob Balentine of the American Legion on Cottage Street cancelled the Veterans Day Parade due to the pandemic. He would prefer not to put the few that participate as well as the public in harm's way.

6. 1) Review of Oval Rules

Rules Governing the Use of the Oval

1. Reservation of the Oval is available for Milford residents only.
2. The Oval may be used only for the function for which it is reserved.
3. Depending on the nature of the event, the Town may require a certificate of insurance, naming the Town as an additionally insured, please contact the Board of Selectmen Office at 673-2257 for further details.
4. Arrangements for parking must be made in advance of the date of the function.
5. Arrangements for police coverage, to avoid traffic congestion, must be made in advance of the function (please call the Milford Police Chief at 249-0630 to arrange coverage).
6. The function must be set up in a manner that it does not impede pedestrian or vehicular traffic in any way.
7. Due to the presence of underground utilities, stakes of any kind (e.g., tent, poles, etc.) **are not** allowed on the Oval.
8. The set up or use of “Bounce House” or “Moonwalk” type devices is not allowed in on the Oval.
9. Alcohol consumption is not allowed on the Oval.
10. Candles are allowed for limited use, provided appropriate precautions are taken to prevent ignition of combustible material, or damage to participants, and structures (including bricks & granite). All candles shall be in secure devices or holders constructed to prevent the spillage of wax. No open flame devices other than candles are allowed. **Any party using the Oval is physically and financially responsible for clean up and or damages incurred during use of the afore-mentioned.**
11. Once the function is completed, you are responsible for any clean up necessary.
12. **Any trash generated is to be removed - not left for the Department of Public Works to remove.** The party requesting the use of the Oval will be responsible for any costs incurred by the Town for clean-up of the Oval as a result of the function.
13. We encourage use of the Oval by a diverse assemblage of Milford residents. The function should be held in good taste, free of distracting, disturbing, or profane content.
14. The granting of the use of the Oval by the Town of Milford for the function specified above indicates neither endorsement nor support by the municipality and its Board of Selectmen of the views or activities of the applicant or applicants.

We hope you enjoy the beauty of the Milford Oval

TOWN OF MILFORD RULES DISTRIBUTION 2018-002

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

6. 1) minutes pertaining to Municipal Flag Oval Rules

APPROVED

MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

June 25, 2018

PRESENT: Kevin Federico, Chairman
Gary Daniels, Vice Chairman
Mike Putnam, Member
Laura Dudziak, Member - EXCUSED
Paul Dargie, Member
Mark Bender, Town Administrator
Tina Philbrick, Recording Secretary
Hazen Soucy, Videographer

1. CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING INSTRUCTIONS: Chairman Federico called the public meeting to order at 5:30 p.m., introduced Board members and then led the audience in the Pledge of Allegiance. Chairman Federico indicated that those people in the audience who want to speak or add to the discussion should please use a microphone in order to be heard on the PEG Access live broadcast.

2. APPOINTMENTS: (Approximate times)

5:30 p.m. – 2nd Public Hearing and vote – Mobility Device Use Policy –Chris Costantino and Andy Hughes – Andy gave an overview of what was discussed at the May 14, 2018 Board of Selectmen’s meeting. This policy would address the use of Mobility Devices on town trails. The policy is based on the Americans with Disabilities Act (ADA) that took effect March 15, 2011. The definition and regulation to permit the use of mobility devices has been amended. The rule adopts a two-tiered approach to mobility devices, drawing distinctions between wheel- chairs and "other power-driven mobility devices" (OPDMDs). The DOJ requires that each group which owns a trail(s) “make reasonable modifications in its policies, to permit the use of OPDMDs by individuals with mobility disabilities. The Conservation Commission adopted specific guidelines and would like the Board to approve the policy.

Chairman Federico opened up the Public Hearing. Hearing no comments, he closed the public hearing at 5:33. Selectman Putnam made a motion to approve the Mobility Device Use Policy. Selectman Daniels seconded. All were in favor. The motion passed 4/0.

5:35 p.m. – Conservation Easement on BROX Community Lands – Chris Costantino

Presentation cancelled, more information is needed before presenting to the Board.

5:45 p.m. - Approval of Applications for Veterans Tax Credits, All Veterans Tax Credit, Elderly Exemptions, Land Use Change Tax, Denial of Property Abatements, and Timber Tax and “Intent to Cut” Changes. – Assessing Director Marti Noel.

Veterans Tax Credit RSA 72:28 2018

Ms. Noel recommended that (7) Standard Veterans Tax Credit applications be approved. The applications are in spouses name after death of Veteran who is receiving the tax credit. Selectman Daniels made a motion to approve the Veterans Tax Credit as recommended. Selectman Putnam seconded. All were in favor. The motion passed 4/0.

All Veterans Tax Credit RSA 72:28-b

Ms. Noel recommended that (1) All Veterans Tax Credit be approved. This was a warrant article approved in 2016. It is for \$300 dollars and the applicant qualifies for the credit. Selectman Putnam made a motion to approve the All Veterans Tax Credit as recommended. Selectman Daniels seconded. All were in favor. The motion passed 4/0.

Gil Archambault, Milford Resident asked how many Veterans receive the Veterans Tax. Marti said she didn’t have that information with her but if she were to guess, less than 100 for the All Veterans Tax Credit and 650 for the Veterans Tax Credit.

Elderly Exemptions

Ms. Noel reviewed (4) elderly exemption applications, all applicants qualify. Selectman Putnam made a motion to approve the Elderly Exemptions Tax Credit as recommended. Selectman Daniels seconded. All were in favor. The motion passed 4/0.

Denial of Property Abatements

Ms. Noel presented (3) abatement applications, with the recommendation for denial but asked to remove one property at owner’s request today. The property owner wishes to attend a future non-public session with the Board of Select-

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 06/25/2018

men. Selectman Daniels moved to approve for denial applications 1707 and 1709 as recommended. Selectman Putnam seconded. All were in favor. The motion passed 4/0.

Land Use Change Tax

Ms. Noel presented (8) parcels for approval. Map 45 Lots 3-3, 3-5, 3-47 & 3-50 (Autumn Oaks Subdivision New Homes), Map 50 lot 1, (a portion of the lot is being removed to support new dwelling, Map 53 Lot 67-2 (expansion of residential use required additional land need to be removed from current use), and Map 5-3 (recently purchased parcel. Selectman Daniels moved to approve Land Use Change Tax parcels as recommended. Selectman Putnam seconded. All were in favor. The motion passed 4/0.

Timber Tax and “Intent to Cut” Changes.

Ms Noel gave the Board an overview of legislation change in timber tax and intent to cut law effective September 1, 2018. The Municipality can waive yield tax on land owned by the Municipality. They also changed approval for intent to cut from 15 days from 30 days. We usually meet the public requirement for notice, but 15 days may be tough to meet. Some communities give the Assessor the ability to sign on those occasions when it doesn’t make the time constraints of the statute. Selectman Dargie request that language is written for the next meeting that allows authorization for the Assessor to sign. Marti said she would have it ready.

Selectman Daniels asked if we look at town forest that may be under an easement of the society of the protection of forest, is it considered something that could be waived? Marti cited 79:3-b Waiver of Yield Tax by Municipality in Certain Cases. When timber harvesting is conducted on land owned by, and located in, a municipality, the municipality may waive the yield tax, but shall report the location, species, and volume of wood and timber cut to the commissioner of revenue administration. Selectman Daniels asked if it has to be done on each cut or can the Board vote to waive the tax on anything so they only have to deal with it once. Marti said she doesn’t know, but would guess you would have to vote individually so as not to override a previous vote on something that you really wanted to tax.

Selectman Dargie asked where the tax money goes. Marti said the general fund. Selectman Dargie said he would be in favor of doing it once. He asked that Marti look into it for further clarification. Marti said she would check with the DRA.

6:00 p.m. – Pumpkin Festival Update – Wade Scott Campbell and Carol Gates. Wade gave the Board a brief overview of how the Pumpkin Festival planning was going. He said they are happy where they are. They secured David Freel as the electrician. They will be having a meeting with the building and electrical inspectors as well as the Fire Department. Vendors are still coming in. There is about \$24,000 in the bank. Insurance will be all set tomorrow. Selectman Dargie asked what items are they most concerned about. Wade said parking and vendors wanting to use additional space as well as parking for musicians. They will let the Board know if there are any other issues that come up. Carol said that vendors have been contacted and there are some new ones.

Selectman Daniels asked how big was the Pumpkin Festival committee. Wade said 5 board members and 6 or 7 people that have participated at the meetings. They will need many more for the festival itself. Chairman Federico asked when was the next meeting. Wade said July 10th in the Community Room at the Police Station at 7:00 p.m. All other meetings are the 1st Wednesday of the month, same place and time. Chairman Federico asked if there is anything they could be doing that would help at this time. Wade said he’s compiling a list. Carol said the primary thing would be if people could donate. Businesses that would like to sponsor could be directed to Carol and Wade or the Lions Rotary Club; the money would be helpful as there wasn’t any seed money to start with. We are trying to reach as many as we can. Volunteers helping at the festival would be helpful. We will accept all help at any time. Chairman Federico asked if they are utilizing the volunteer groups. Wade said he has been in contact with the soccer booster club and there will be more clubs that will be utilized as they get closer.

Selectman Dargie asked if they have a tentative schedule yet for the different venues and days that things are happening. Carol said it will be reviewing the final markup at the next meeting. Gil Archambault, Milford resident asked that they make sure the Police Department gets notification ahead of schedule due to officers being on vacation. They need to be covered 100% by the Police Department. Carole said they are planning another meeting that will cover that.

3. PUBLIC COMMENTS. (Items not on the agenda).

Chris Labonte, Milford resident asked what the difference would be in regards to the steel plates, putting them on the

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 06/25/2018

114 Hartshorne Bridge vs. what they did on Perry Road. Why would you need engineering? Chairman Federico said he
115 didn't know which is why he tasked Rick to give them additional information. Chris asked what it's cost us so far on
116 the BROX Gravel Operation versus what we've brought in. Chairman Federico said he will get him the breakdown.
117

118 Chairman Federico said he would allow comments on the flying of the Pride flag on the oval at this time.
119

120 Susan Kater, Milford resident feels that it's a good idea to just allow the American flags on the Oval because once
121 you allow one group in, another is going to want the same thing. You will have to do a case by case and you run the
122 risk of being sued if you approve one over the other. She is nervous of groups that might come in that are very re-
123 pugniant to any resident of this town. She thinks it's a better idea if we restrict flags and signage on the Oval. It may
124 be a 1st amendment issue, but we need some type of control.
125

126 Peggy Seward, Milford resident thanked Selectman Daniels for looking into information about the VFW and the pole
127 and flags and how they replace them. We used to have controversy about signs on the Oval, who was and was not
128 allowed to utilize the Oval for signs. A policy was put in place that it could be used for non-profits if they request it
129 30 days in advance and the Board approved it. She suggests that they come up with a policy for any flags of any type
130 that would need to be approved on any town property. The bricks on the Oval are there to honor and remember eve-
131 ryone, the American Flag fly's every day and the American flags fly on the 22 poles. They fly on Flag Day, July 4th
132 and Veterans Day and Memorial Day. She has never seen any other flag utilize those poles. She suggests that before
133 the Board approve this, they need to figure out what they are getting into. She said that days of proclamations are
134 great, whether it is one day or thirty days, and it can be done to honor anyone. She suggests having two flag poles
135 somewhere in town, not on the Oval where anyone could ask that they utilize it to honor something.
136

137 Gil Archambault, Milford resident also thanked Selectman Daniels. He suggests calling the Oval, The Memorial Park
138 because of the bricks, the American flag and the memorial. He agrees with Peggy about putting a policy in place
139 about flags.
140

141 Shayne Bernard, Milford resident excited that we accepted the proclamation for the month of June. She feels flying
142 the flag one day a year isn't a big deal. We have trans kids, trans adults, lesbian and bisexual families in town and it's
143 all inclusive. In regards to the Oval and talking about using it as a memorial, it's used in celebrating Christmas and
144 Easter, it isn't just one thing, we are celebrating holidays. To the LBGTQ this is a big holiday. Stonewall was a big
145 break for their rights. This year on June 30th will be Nashua's first gay pride parade. It would be great to see both
146 come in line together as communities and celebrate together.
147

148 Brendon Philbrick, Milford property owner, non-resident said he defends the rich, the poor, the young and the old,
149 black and white and sexuality is never called into question. He said that if you can't put the nativity out on the Oval,
150 you shouldn't put the gay pride flag out there. He said, Selectman Dargie is free to have a gay pride tattoo on his
151 forehead and wear pride tee shirts, and to pass them out, but he was wondering if anyone has spoken to town council
152 about this. He also doesn't think anyone has considered calling the local government center. He thinks the proper
153 avenue would be to have voters sign a certified petition asking the town if they would like to have that flag put on
154 their Oval. He mentioned that the Supreme Court ruled that the florist doesn't have to serve the gay wedding because
155 it would violate their Christian conscience. He said there are a lot of Christian tax payers wouldn't like that flag on
156 the Oval. He feels town council needs to be brought in before any law suits come in.
157

158 Gil Archambault, Milford resident said it's a good thing the Board voted 4/1 against flying the flag. In a recent meet-
159 ing at the VFW they were upset about the flag pole to fly the Pride flag. In regards to the 22 flag poles, who's going
160 to put them up and take them down? The 22 flags when flown, are not flown 24 hours a day, they are put out in the
161 morning and taken down at night.
162

163 Tina Landell, Milford resident also thanked Selectman Daniels for his work on the flag effort. She was in Concord 9
164 years ago when a lot of discussion took place on gay marriage. People warned that if gay marriage were to be passed,
165 it would result in many things happening. The people who testified for gay marriage said that would never happen.
166 But things have happened all over the country. We see people who march under the rainbow flag, marginalizing any-
167 one who disagrees with them, and using the law to do it. There is a bill coming down from California, bill 2943 that
168 will ban books, shut down churches and close psychiatric offices all over the state, basically anyone who disagrees
169 with the LBGTQ agenda. If we are looking to have a pluralistic society, then let's have one. If we have groups that

170 want to marginalize anyone who disagrees with them and use the law to bring harm, take businesses away, your
171 homes, your life's savings, and it's happened all over the country, then we need to, as good people in Milford say no.
172 We do support a loving and pluralistic society and your welcome in my house for dinner anytime, we can reach out to
173 each other in love. If we want to maintain a pluralistic society then we have to oppose the political agenda of this
174 group.

175
176 George Hoyt, Milford resident thanked Selectman Daniels for rounding up the bigots at the town hall today. Chair-
177 man Federico stopped George and told him that he was being disrespectful to the Board, and those in the audience
178 and Selectman Daniels. He asked George to leave and closed public comments.

179
180 **4. DECISIONS.**

181 a) **CONSENT CALENDAR.** Chairman Federico asked if there were any items to be removed from the Con-
182 sent Calendar for discussion. There were no items removed for discussion. Selectman Putnam moved to approve
183 the Consent Calendar as presented. Selectman Daniels seconded. All were in favor. The motion passed 4/0.

- 184 1) Acceptance and Appropriation of Unanticipated Revenues Under \$10,000 (31:95(b))
185 • Donation to the Milford Police Department for the purchase of a ballistic shield and
186 helmet from Shawn and Staci Walsh - \$2,136.10
187 2) Request for approval of Emergency Operations Center Designation
188

189 b) **OTHER DECISIONS.**

- 190 1) N/A
191

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

193 a) **Fire Department Buildings Contract** - All contracts have been reviewed and amended by Primex and Attorney
194 Drescher. The contract with Port One Architects, Inc. has been finalized and is ready for signature. The contracts with
195 Eckman Construction Company, Inc. for construction management and general conditions for construction are very
196 close to being finalized. We are working through the last few details with Eckman and Primex but we are confident
197 that they will be resolved very soon. We have conceptual agreement on both of their contracts. All contracts are simi-
198 lar in style and content to those for the Ambulance facility. He requesting board authorization to sign the contracts so
199 we can start the project in July. Selectman Putnam made a motion to allow Administrator Bender to sign the contracts
200 for the Fire Department renovations. Selectman Daniels seconded. All were in favor. The motion passed 4/0.
201

202 b) **Paving Update- Check website for project updates and details:** Administrator Bender gave an update for the
203 2018 season. This information will be put on the town's web site.

204 **Clinton Street**

- 205 • Water Department began service taps on June 18
206 • Drainage/catch basin replacement
207 • Sidewalk and curb replacement
208 • Street reclamation and paving scheduled week of July 16 & 23.

209 **Ponemah Hill Road –**

- 210 • Drainage and culvert replacement started week of June 18
211 • Road reclamation and paving scheduled for week of July 9
212 • Guardrail replacement

213 **King & George Street**

- 214 • Road reclamation scheduled for week of July 16
215 • Drainage work scheduled for week of July 23
216 • Water Department service work scheduled to start week of July 30
217 • Paving planned for end of August

218 **Osgood Road**

- 219 • Road repairs, drainage and reclamation work scheduled for week of July 23
220 • Shim coat and chip seal from Armory to Burns
221 • Pave Burns to Noons Quarry

222 **Melendy Road/Ball Hill Road**

- 223 • Road repairs Armory to Annand Drive
224 • Shim coat and ship seal in August

225 **Nashua Street – 1 week not scheduled**

- 226 • Riverside Cemetery to Walgreens
- 227 • Sidewalk and curb work – additional sidewalk to be added next to Burger King.
- 228 • Mill and Overlay with alternate lane closures
- 229 **Elm Street – 1 week not scheduled**
- 230 • Wilton Road to Hitchiner Way
- 231 • Mill and Overlay with alternate lane closures

232
233 All road closures will be on the website and nixle. Selectman Daniels noted that the Governors council approved
234 some work at the exit going from 101 to 101a going towards Nashua. They will be putting in an additional lane on
235 101 where Wilderness Outfitters was. He doesn't know when it will start.

236
237 Selectman Putnam asked if they were planning to do anything from Suburban Propane up to Erving Gas Station. The
238 traffic gets really backed up. Selectman Daniels said he hasn't heard anything.

239
240 **6. DISCUSSIONS**

241 **a) Hartshorne Bridge Discussion** – The Board walked through the Hartshorne Bridge to review its condition. The
242 bridge is going to cost \$580,000 if we were to replace it with the State plan. Selectman Putnam said to put some steel
243 over it, bring it down to one lane at the lowest weight and add some guard rails.

244
245 Chairman Federico said residents that use the bridge on a daily basis expressed concerns. He would like to mitigate
246 the town's liability. He asked Rick Riendeau, Public Works Director if they could put up guard rails and make it one
247 lane. Rick said it's been a 6 ton bridge for a long time. He doesn't know how long it will last. There are only a cou-
248 ple houses in town that use it. He feels there are other bridges in town that need more work, we need the money for
249 them and it's a lot of money for such a small bridge.

250
251 Selectman Dargie asked if Rick had a rough estimate of what a patch job would cost to keep it going. He isn't favor
252 of doing a whole replacement, it isn't worth a ½ million dollars. Even a \$100,000 is excessive but he's concerned
253 about the corner. If we close the bridge we may have to reconstruct the intersection to make it a T intersection. Rick
254 said it's about \$60,000 just to do permit work to the State and Wetlands. It's going to be costly either way. The State
255 just gave him information that the Mason Road Bridge over Greatbrook and Burns Hill is getting red listed. It's an
256 important bridge and is already at 50% section lost. Administrator Bender said that there are somethings they can do
257 as replacement in kind. If there is a failing culvert we can replace it with the same size culvert but Hartshorne Bridge
258 is a stone laid bridge built in 1910. It has to be done with either reinforced concrete pipe or a prefab structure.

259
260 Selectman Dargie asked what would happen if we just ignored it. Administrator Bender said the Municipality would
261 have to accept the liability. Chairman Federico asked Rick would it still cost \$60,000 in permits and would mitigating
262 our liability if we reduced it to one lane, dropped the weight limit and add some guard rails? Rick said it's already at
263 the lowest weight limit. Selectman Dargie said he would like an estimate on what it would take to rebuild the inter-
264 section on Rt. 13 closest to the town next to Joslin Road. Administrator Bender said the intersection wouldn't change
265 because of the bridge. Chairman Federico said it would be a lot less use of the bridge. Selectman Putnam said the
266 bridge is solid and he doesn't see any problem with leaving it the way it is. He asked Rick if they needed a permit to
267 put steel on the bridge. Rick said they would have to do some engineering but he doesn't think steel is a good fix.
268 The engineers don't like to plate like that. Chairman Federico asked Rick to get some numbers to re-work the inter-
269 section and if there is a ½ way in between repair vs. doing nothing, and see what permit and engineering we would
270 need before we make any decisions.

271
272 **b) 127 Elm Street Discussion – Tabled until July 9th.**

273
274 **c) Request to fly Pride Flags on the Oval utilizing the already existing footings currently in place around the**
275 **perimeter of the Oval on Saturday, June 30th.**

276
277 Chairman Federico opened this discussion for Board comments. Selectman Dargie said the Oval is a traditional
278 public forum which is an area with the highest level of free speech recognized by the courts. People can go to
279 the Oval, walk around, carry flags and demonstrate on just about anything and the courts would support them.
280 Traditionally public forums allow reasonable time, place and manner restrictions on things. It's limited to things

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 06/25/2018

281 that have a public purpose for doing it. When something is introduced as a first thing, you have to go along and
282 provide alternative things. Last fall, we had Red Ribbon Week where students were allowed to hang red ribbons
283 on the bandstand to draw attention to a topic. Hanging Pride flags on the bandstand is exactly like that. It's a
284 symbol of a topic. A court would specify that hanging a Pride flag would be consistent to hanging a red ribbon
285 on the band stand and it would be approved. The precedent was already set for that. Using the 22 flag footings
286 probably wouldn't be approved because it's a continuation of something that has already occurred. He is re-
287 questing that we hang Pride flags on the bandstand on Saturday, June 30th. They would be put up in the morn-
288 ing and taken down in the afternoon. It would only be for one day.
289

290 Chairman Federico this topic certainly gets a lot of ink and traffic. His opposition to any of this has nothing to
291 do with LBGTQ community; he would be in favor of hanging the flag on the gazebo. What he doesn't want is
292 the Nazi flag to be hung over the same gazebo under the same precedence. We can't say that it won't happen
293 and if we allow one thing, we have to allow the other. He doesn't believe that this Municipal Government at a
294 town level, specifically our Oval, should be a canvas for anyone's cause, worthwhile or not. We fly the Ameri-
295 can flag like we've done since the Oval was built. We say the pledge of allegiance at the beginning of the meet-
296 ing and our kids say it before school day. In this case on the Oval and on Town property when we don't have an
297 area that's designated for causes, we shouldn't just put one up. It has nothing to do with this cause; it has to do
298 with what comes later. He doesn't want to sit here and say no to the white supremacist or neo Nazi's because
299 then he's gotten this town in a law suit.
300

301 Selectman Daniels thanked Selectman Dargie for taking the 22 footings off the table because he feels it would
302 have set precedence. Until we have a policy, he would not support that. He also agrees that the Oval is public
303 property, common space. He's noticed reading through social media, that things have been twisted and need to
304 be clarified, specifically if we grant authorization for something. Authorization is different than supporting or
305 sponsoring something and should not be misconstrued as the Board supporting or opposing any activity that we
306 authorize out there. In the past we have allowed politicians to hold signs and wave, around Christmas there
307 have been living nativity sets, and we allow CAST to put their red ribbons on the Oval to bring awareness of
308 drug abuse by teenagers. The role of government is to protect the rights of those who wish to exercise their
309 freedom of expression. We are not doing this to support, we are just authorizing their activity on public proper-
310 ty. That's the way it should be viewed by this Board. Individually we may have our own positions on whatever
311 activity takes place out there, but as a Board and governing body, what we are doing by authorize something is
312 upholding the constitutional rights of those making the request to express their freedom as granted to them un-
313 der the first amendment. The Board does however, have discretion over how that property is used and we've
314 shown that in the past by not allowing stakes or wires to be put into the ground on the Oval. He couldn't find
315 any evidence of the flag poles and footings ever been used by any organizations, it would be precedence pres-
316 ence and the Board would need to have a discussion about that. Knowing that this group wants to do something
317 this month, if we are going to do anything he would be in favor of authorizing them to use the Oval on the 30th
318 of June for activities as in past practices like holding signs, banners or flags, to hang signs, banners or flags on
319 the gazebo as CAST was allowed to do or to place ribbons around the lamp posts or trees around the oval. All
320 those things, we have allowed in the past. He doesn't think that we should break from that practice because we
321 start violating people's constitutional rights.
322

323 Chairman Federico clarified that Selectman Daniels is ok with the flags being hung on the bandstand, with peo-
324 ple in assembly or on the bandstand for the day. Selectman Daniels said CAST put ribbons up but didn't neces-
325 sarily have people standing out there. If people wish to stand out there with their flags and signs, like politicians
326 do or wish to put things on the bandstand they should be allowed to do that as well.
327

328 Selectman Putnam agrees with Selectman Daniels. He has lots of friends that are members of the gay communi-
329 ty and it's about their constitutional rights. He isn't going to tell people how to run their lives. He isn't going to
330 pass judgement. He believes if we open this can of worms, it will turn into a can of worms. He doesn't want to
331 see it happen to this town.
332

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING – 06/25/2018

333 Selectman Dargie made a motion that individuals be allowed to put Pride flags on the bandstand on Saturday,
334 June 30, 2018 from 8 am until 5 pm and people be allowed to congregate on the Oval in celebration of Gay
335 Pride month on that Saturday. Chairman Federico asked if there was going to be an assembly on the Oval? Do
336 we require a permit for the Oval? Selectman Dargie said we do not. He recommends the assembly would be
337 from 12:00 to 12:30 so that people can participate and to Nashua for their assembly at 2:00. Selectman Daniels
338 added that everything be taken down by 5:00 so that DPW is not responsible for cleaning up.
339

340 Selectman Daniels said because there has been a big issue about this, he would expect that other groups will be
341 coming in and requesting their day and month and he would hope that the Board look at this as not supporting
342 or opposing but upholding someone’s constitutional rights to express their rights under the first amendment.
343

344 A motion was made by Selectman Dargie and seconded by Selectman Daniels to allow individuals to put Pride
345 flags on the bandstand on Saturday June 30, 2018 from 8 am until 5 pm, and people be allowed to congregate
346 on the Oval in celebration of Gay Pride month on that Saturday. Also allowing an assembly from 12:00 until
347 approximately 12:30 and requesting that everything be taken down by 5:00 pm. The motion passed 3/1 with
348 Chairman Federico opposed.
349

350 **7. SELECTMEN’S REPORTS/DISCUSSIONS.**

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

352 Selectman Dargie said the Recreation Commission has many activities planned this summer and will be fixing dug-
353 outs at Shepard’s Park.

354 Selectman Daniels said the Recycling Committee will be having a float in the Labor Day Parade.
355

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

357 **Note:** At the June 11th non-public meeting, the Board of Selectmen voted to unseal the non-public minutes of the
358 May 29, 2018 meeting under (RSA 91-A:3, II(c)) Reputation
359

360 **8. APPROVAL OF FINAL MINUTES.** Selectman Dargie moved to approve the minutes of June 11, 2018 as
361 amended. Selectman Daniels seconded. All were in favor. The motion passed 4/0.
362

363 **9. INFORMATION ITEMS REQUIRING NO DECISIONS.**

364 **10. NOTICES.** Chairman Federico read the notices.
365
366

367 **11. NON-PUBLIC SESSION.** Selectman Daniels made a motion to enter into non-public meeting at 6:55 in accord-
368 ance for Approval of non-public minutes (RSA 91-A:3, II(e)) Legal May 30, 2018 and (RSA 91-A:3, II(e)) Legal
369 June 11, 2018 and review of non-public minutes for unsealing January 5, 2015, January 26, 2015, May 11, 2015 and
370 July 27, 2015. Selectman Putnam seconded. All were in favor. The motion passed by roll call vote 4/0 Selectman
371 Dargie – yes, Selectman Daniels – yes, Selectman Putnam – yes and Chairman Federico – yes.
372

373 **12. ADJOURNMENT:** Selectman Dargie moved to adjourn at 7:05 p.m. Selectman Putnam seconded. All were in
374 favor. The motion passed 4/0.
375
376

377 _____
378 Kevin Federico, Chairman

Gary Daniels, Vice Chairman

381 _____
382 Mike Putnam, Member

EXCUSED

Laura Dudziak, Member

383
384
385 _____
386 Paul Dargie, Member

Noted below are the differences I saw between our proposed changes to current 2103 IMA and the 2018 IMA proposed by Mont Vernon and Wilton. It should be noted that the 2018 proposal appeared to identify changes from the 2013 IMA by red-lining new or changed text. My comparison of the documents, however, revealed that there were many more changes/additions that were not red-lined. For purposes of showing the difference between that proposal and the 2013 IMA, I have red-lined below the proposals made in the 2018 proposal that differ from the 2013 IMA.

Note: Page references are to the 2018 proposal.

All Pages - Header

2013 IMA	2018 Proposal
	MILFORD AREA COMMUNICATIONS CENTER INTER-MUNICIPAL AGREEMENT FOR THE PROVISIONS OF COMMUNICATIONS

Page 1

2013 IMA	2018 Proposal
WHEREAS, currently, the Towns of Milford, Mont Vernon and Wilton, avail themselves of communications dispatch services provided by the Milford Area Communications Center by a succession of Inter-municipal Agreements that are due to expire December 31, 2013; and	WHEREAS, currently, the Towns of Milford, Mont Vernon and Wilton, avail themselves of communications dispatch services provided by the Milford Area Communications Center by a succession of Inter-municipal Agreements that are due to expire December 31, 2018; and

Page 2

2013 IMA	2018 Proposal
The duration of this agreement shall be for a period of five (5) three (3) years beginning on January 1, 2014 2021 and ending on December 31, 2018 2023.	The duration of this agreement shall be for a period of ten (10) years, beginning on January 1, 2019 and ending on December 31, 2028.

2013 IMA	2018 Proposal
The member towns agree that upon the execution of the within Agreement the member Towns shall cause to be formed a governing board known as the MILFORD AREA COMMUNICATIONS Board of Governors (hereinafter Governing Board) which shall be constituted and operate in a fashion in accordance with the following:	The member towns agree that upon the execution of the within Agreement the member Towns shall cause to be formed a governing board known as the MILFORD AREA COMMUNICATIONS Board of Governors (hereinafter Governing Board or Board) which shall be constituted and operate in a fashion in accordance with the following:

Note: Subsequent to defining “Board” as the Governing Board, “Board” is used in the following contexts: Board, board, Governing Board, Board of Selectmen, Board of Governors and Town’s Governing Boards. The use of “Board” sometimes appears incorrectly relating to something other than the Governing Board.

2013 IMA	2018 Proposal
The Milford representative on the Governing Board shall be entitled to two votes on any matter properly brought before said board. All other members shall be entitled to one vote on any matter properly brought before said board.	<p>I. All members shall be entitled to one vote on any matter properly brought before said Board that is not a financial matter.</p> <p>II. The Milford representative on the Governing Board shall be entitled to Two [2] votes on any financial matter properly brought before said Board. All other members shall be entitled to One [1] vote on any matter properly brought before said Board regarding the approved and funded operating budget.</p> <p>III. For a financial issue over Ten Thousand Dollars (\$10,000.00) on any nonbudgeted expense, a unanimous vote will be required.</p>

2013 IMA	2018 Proposal
Accordingly, the allocation for the period of time beginning January 1, 2013 is agreed upon by the member towns to be as follows:	Accordingly, the allocation for the period of time beginning January 1, 2019 is agreed upon by the member towns to be as follows:

6. 2) 2013/2018 IMA Comparison

Page 5 – Section B

2013 IMA			2018 Proposal
MONT VERNON	2409	11.36%	Population and percentage to be updated with next census report (2020)
MILFORD	15,115	71.29%	
WILTON	3677	17.34%	
TOTAL	21,201		

Page 6 – Section C

2013 IMA	2018 Proposal
Payment of the town’s share of the budget for services provided pursuant to this Agreement is to be made by 1 January, 1 April, 1 July, and 1 October of the year for which the services are rendered.	Payment of the town’s share of the budget for services provided pursuant to this Agreement is to be made on 1 January, 1 April, 1 July, and 1 October of the year for which the services are rendered.

Note: This change was not noted by any town, but should be made considering that a payment will never be made on January 1.

Page 7 – Section C

2013 IMA	2018 Proposal
In the event that the Governing Board should desire to expend any surplus funds, the Budget Committee, as provided for in Paragraph 6.A. shall review said proposal and hold a public hearing thereon prior to any such expenditure.	In the event that the Governing Board should desire to expend any surplus funds, the Budget Committee, as provided for in Paragraph 6.A. shall review said proposal and hold a public hearing thereon prior to any such expenditure.

Page 8 - Section D - Borrowing Funds

2013 IMA	2018 Proposal
The Governing Board may borrow funds for a term not to exceed the end of the fiscal year in which the funds are borrowed.	<p>I. The Governing Board may borrow funds for a term not to exceed the end of the fiscal year in which the funds are borrowed.</p> <p>II. In the event the Governing Board shall determine it necessary to borrow funds in excess of one year, it shall as part of the budgeting process, set forth separate from the annual operating budget, any proposed borrowing to underwrite the cost of capital projects for the ensuing year.</p> <p>III. It shall be the responsibility of the</p>

	<p>Budget Committee, during the budget review process as provided in section 6.A, to consider the Capital Budget proposed by the Governing Board, and make recommendations relative thereto.</p> <p>IV. The Governing Board shall be obliged to consider all recommendations of the Budget Committee, and shall consider it at the budget hearing provided for in section 6.A. In the event the Governing Board chooses not to adopt the recommendations of the Budget Committee, it shall set forth in writing its reasons. The Capital Budget must be approved by a two-thirds (2/3) vote of the Governing Board.</p> <p>V. The Governing Board shall present to the Member Towns the Capital Budget as a separate warrant article at the same time it presents the Operating Budget.</p> <p>VI. The Capital Budget shall be presented to the Member Towns in the following form: To see if the Town of _____ will vote to raise and appropriate the sum of (\$ ___) for its fair share of the cost of purchasing _____ for the operations of the Milford Area Communications Center, of which the Town is a member, and to authorize the Governing Board of the Milford Area Communications Center to borrow said funds for said purpose and bind the Town. Member Towns' shares shall be: Town of _____ (___%), Town of _____ (___%), Town of _____ (___%), and Town of _____ (___%). If any Member Town fails to appropriate its share, this article shall be null and void.</p> <p>VII. The Board of Selectmen of each Member Town shall be obliged to follow the procedures in RSA chapter 33 which may apply to the borrowing, and present the article to the voters for their approval.</p> <p>VIII. An affirmative vote by the necessary margin in each Member Town in order to authorize the borrowing by the Milford Area Communications Center.</p>
--	--

2013 IMA	2018 Proposal
	<p>B. Written Notice at least 24 months in advance by a Member Town is needed to withdraw from this agreement. If at this time, the remaining members, either cannot support the dispatch operations or also agree to formally terminate this agreement, then at this point a discussion on disposition of property will be in accordance to each member's % share of the communications center. The Board shall be responsible for developing what each member's % share would be and forwarding this information to the Town's Governing Boards for their approval.</p>

Page 12 - Section B

2013 IMA	2018 Proposal
<p>Notice shall be provided at least twelve (12) months prior to the effective date of withdrawal or non-renewal.</p>	<p>Notice shall be provided at least twenty-four (24) months prior to the effective date of withdrawal or non-renewal.</p>

Page 12 - Section D, I

2013 IMA	2018 Proposal
<p>Shall be responsible for its entire annual assessed share of the costs of the Milford Area Communication Center; and</p>	<p>Shall be responsible for its entire annual assessed share of the costs and encumbered debt of the Milford Area Communication Center; and</p>

Page 12 – Section E

2013 IMA	2018 Proposal
<p>It is clearly agreed and understood by all parties hereto that any town withdrawing from participation in this Agreement shall not receive any rebate, payback, or other refund or credit against charges and amounts paid by it pursuant to this Agreement, and shall in fact forfeit any rights to any of the assets or income acquired by the member town in the course of the operation of this Agreement, except as otherwise provided with respect to the designated member towns</p>	<p>It is clearly agreed and understood by all parties hereto that any town withdrawing from participation in this Agreement shall not receive any rebate, payback, or other refund or credit against charges and amounts paid by it pursuant to this Agreement, and shall in fact forfeit any rights to any of the assets or income acquired by the member town in the course of the operation of this Agreement, except as otherwise provided with respect to the designated member towns</p>

Page 13 – Section 12

2013 IMA	2018 Proposal
	<p data-bbox="807 220 1230 247">12. NON-VOTING MEMBERS</p> <p data-bbox="807 256 1398 468">A non-voting member, here-in referred to as a Customer. A customer contracts with Macbase for dispatch services, but does not have a vote on any issue brought before the Board. A customer is encouraged to attend any meeting scheduled.</p> <p data-bbox="807 476 927 504">Services:</p> <p data-bbox="807 512 1386 615">For calculating cost of a customer, the same calculation is used for voting member, minus 7.5% as non-voting member.</p> <p data-bbox="807 623 1398 726">Services are Percentage of Cost • Police 40 % • Fire 20 % • EMS 30 % • DPW/Other 10 %</p> <p data-bbox="807 735 1227 762">Responsibilities of the Customer</p> <ul data-bbox="857 770 1398 1087" style="list-style-type: none"> <li data-bbox="857 770 1328 835">➤ Supply tower site[s] as needed to support their services <li data-bbox="857 844 1398 871">➤ Radio frequency conversion as needed <li data-bbox="857 879 1398 907">➤ Communications radio links as needed <li data-bbox="857 915 1328 980">➤ Computer upgrades to work with present dispatch system[s] <li data-bbox="857 989 1276 1016">➤ Personnel and equipment list <li data-bbox="857 1024 1276 1089">➤ Updated street, road, and site inventory

Page 15

2013 IMA	2018 Proposal
Update BOS Membership & Titles	Update BOS Membership & Titles

Page 16

2013 IMA	2018 Proposal
Update Appendix A to be compliant with the Bylaws	

6. 2) 2018 IMA suggestions

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

INTER-MUNICIPAL AGREEMENT FOR THE PROVISIONS OF COMMUNICATIONS

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

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

WHEREAS, currently, the Towns of Milford, Mont Vernon and Wilton, avail themselves of communications dispatch services provided by the Milford Area Communications Center by a succession of Inter-Municipal Agreements that are due to expire December 31, 2020; and

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

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

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

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1. **NAME**

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

2. **DURATION**

The duration of this Agreement shall be for a period of **three (3)** years, beginning on January 1, **2021 and ending on December 31, 2023.** The Member Towns may renew this Agreement for a term of an additional 5 year period in the following manner: either a favorable vote of the legislative body of each and every town, or the favorable vote of the governing body of each and every town provided legislative body has authorized the governing body to so vote. The Member Towns may renew this Agreement, unless the Milford Area Communications Board of Governors should give to the Member Towns written notice of intent not to renew said services at least twelve **(or 24)** months prior to the date of expiration or unless terminated sooner by mutual consent and agreement of the members, or unless at any time contractual performance by any of the parties would cause said party to be in violation of any state or federal law in which event the Agreement shall be terminated unless the violation is capable of being corrected.

3. **PURPOSE**

The purpose of the within Agreement is the delivery of communications and central emergency answering service as well as information dispatched to the Member Towns, *and* member departments **and customers** to the extent that they subscribe hereto and including monitoring of alarm systems serving the area, where and when appropriate. The fundamental goal and aim of this Agreement is to provide for the efficient and effective delivery of communication services to all of the members named above in a cost effective fashion; *in order that the level of service for the cost created would be more advantageous*

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than would normally be the case if each of the individual Member Towns were required to provide said service on their own.

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

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

A. Composition

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

(Below return to 2013 language)

B. Voting

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

Voting

The Milford representative on the Governing Board shall be entitled to two

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votes on any matter properly brought before said board. All other members shall be entitled to one vote on any matter properly brought before said board.

C. By-Laws

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

D. Responsibility

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

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

The costs of establishing, installing, operating and maintaining the central emergency

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answering service and dispatch system are to be borne by all of the members involved on the basis of the following formula:

- A. Initially, a comparison shall be made among all of the Member Towns involved on the basis of each Member Town's population. The source of each Member Town's population figure shall be the latest available from the Office of Vital Records and Statistics of the New Hampshire Department of Health and Human Services, in order that such population figures shall all be determined in the same manner. A comparison shall be drawn initially, and then subsequently on an annual basis, among the relative populations of the Member Towns, and a determination shall be made as to what percentage of the total cost of the operation of the facility each Member Town shall have to bear based upon the percentage of that Member Town's population as it relates to the total population of all the Member Towns that are party to this Agreement.

- B. The foregoing formula shall apply for the allocation of all costs after the initial time period operative under this Agreement. The parties agree that at the time of the execution of this Agreement the following population statistics can provide the basis for the relative distribution of costs for the first operative year (or a portion thereof) of this Agreement. Accordingly, the allocation for the period of time beginning January 1, 2021 is agreed upon by the Member Towns to be as follows:

Name of Town	Population of Town	Cost Share
MONT VERNON	2409	11.36
MILFORD	15,115	71.29
WILTON	3677	17.34
TOTAL	21,201	To be updated with next census report (2020)

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

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

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

6. ESTABLISHING AND MAINTAINING A BUDGET

A. Budget **Advisory** Committee

There shall be a Budget **Advisory** Committee created by September 1 of each year which shall consist of one (1) member of the Board of Selectmen, or its designee of each of the Member Towns, who shall not be a member of the Governing Board. Said

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Budget **Advisory** Committee shall meet at least thirty (30) days prior to the date on which the annual operating budget of the Governing Board shall be provided to the towns as set forth in the next paragraph. At that time, the Budget **Advisory** Committee shall review the proposed annual operating budget of the Governing Board and shall provide input, advice and make recommendations with respect to said budget prior to its submission to the towns as hereinafter set forth. The Governing Board shall be obliged to consider all recommendations made by the Budget **Advisory** Committee, and shall hold a public meeting at least fourteen (14) days prior to the date on which they are required to submit the annual operating budget to the towns as hereinafter set forth, and shall present at said meeting their final annual operating budget, and in the event that the Governing Board chooses not to adopt the recommendations of the Budget **Advisory** Committee, they shall set forth in writing their reasons for the same prior to the finalization of the annual operating budget and the presentation to the towns as indicated below.

B. Presentation of Annual Operating Budget

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

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C. Disposition of Surplus Funds

- I. Any surplus funds not expended in each calendar year shall be returned to the Member Towns using the assessment formula provided for in Paragraph 5 no later than June 30 of the subsequent year. Unless written notice has been sent to each Member Town's governing board explaining the delay of returned surplus.
- II. In the event that the Governing Board should desire to expend any surplus funds, the Budget Advisory Committee, as provided for in Paragraph 6 A. shall review said proposal and hold a public hearing thereon prior to any such expenditure.

D. Borrowing Funds

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

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Operating Budget.

- VI. Each Member Town shall should present a warrant article in the same format as follows: *Capital Budget shall be presented to the Member Towns in the following form:*

To see if the Town of _____ will vote to raise and appropriate the sum of _____ (\$ _____) for its (percentage) *fair share* of the cost of purchasing _____ for the operations of the Milford Area Communications Center, of which the Town is a member, *and to authorize the Governing Board of the Milford Area Communications Center to borrow said funds for said purpose and bind the Town.* Member Towns percentage shares shall be: Town of _____ (____%), Town of _____ (____%), Town of _____ (____%), and Town of _____ (____%).

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

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

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

E. Emergency Expenditures

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

7. TERMINATION OF THIS AGREEMENT

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

8. DISPOSITION OF PROPERTY ON DISSOLUTION, TERMINATION OR WITHDRAWAL

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

A. Items Owned By An Individual Member Town Which Have Previously Been Provided To The Center For Use

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

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- B. Written Notice at least 24 months in advance by a Member Town is needed to withdraw from this Agreement. If at this time, the remaining Members, either cannot support the dispatch operations or also agree to formally terminate this Agreement, then at this point a discussion on disposition of property will be in accordance to each member's % share of the communications center. The Board shall be responsible for developing what each member's % share would be and forwarding this information to the Town's Governing Boards for their approval. (This doesn't seem to belong here. Should be in section 9)
- C. Items Acquired By The Center During The Course Of Its Operation
Except for property identified in § 8 – D, below, any equipment or property having been acquired or to be acquired by the Milford Area Communication Center upon the vote of the Board of Governors shall become the joint property of the Member Towns participating in this Agreement at the time and will be distributed upon the dissolution or termination of this Agreement proportionately to the various towns who are still members at the time of dissolution or termination or, if this is not practical, the same shall be sold and the net proceeds realized therefrom divided proportionately among the Member Towns as of the date of such dissolution or termination.
- D. Items Acquired By An Individual Member Town Which Will Be Provided To The Center For Its Use
The Member Towns acknowledge and agree that an individual Member Town, in order to assist the Center to carry out its responsibilities, may acquire property and equipment on its own which may be provided to the Center for its use. It is understood and agreed that the ownership of such property and equipment shall not change as a consequence of the Member Town having provided the same to the Center for its use and the same shall remain the property of the Member Town which acquires and provides the same. The property so listed shall be returned to the possession of the respective Member Towns upon such dissolution or termination.

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Similarly, in the event of withdrawal from this Agreement, any property in this category shall be returned to the withdrawing Member Town, at the time of withdrawal, as its interest shall appear, based on the list in Appendix A. Upon the acquisition and provision of such property or equipment, the Center shall cause Appendix A to be modified to reflect the existence and ownership of such property. It is agreed that if the Center neglects to upgrade Appendix A for any reason, the property and equipment listed in the annual audit indicating changes in the assets in the possession of the Center, shall be satisfactory evidence of ownership for the purposes of this paragraph.

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

F. Lease Agreement by Member Towns

The fourth floor of the Milford Town Hall is occupied by Milford Area Communication Center and therefore shall be subject to a lease agreement as set forth in this Agreement and in the By-Laws of Milford Area Communication Center. The lease cost is currently \$3,000.00 a year and paid for by all three member Towns, by the Milford Area Communication Center. No cost shall be borne to the Town of Milford and paid for by each Member Town at a current rate of \$1,500.00 each. If the Town of Milford were to withdraw from said Agreement with the other Member Towns of said current lease agreement it would be terminated and renegotiated at the current commercial leasing rate for the currently occupied space of 1847 square feet as of 2020. Shall the Town of Milford withdraw from said Agreement a separate lease agreement will be completed for the reminder Member Towns to agree too.

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9. **WITHDRAWAL AND NON-RENEWAL**

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

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

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said year of their last day or termination date of the Agreement as stated in 6-C.

G. The member Town that has given said notice of termination shall not be held responsible for any long term financial capital improvements of MACC Base that last beyond said end of termination date.

10. **AMENDMENTS**

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

11. **NEW MEMBERS**

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

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

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

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

12. **NON-VOTING MEMBERS**

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

A. Services

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

<u>Service</u>	<u>Percentage of Cost</u>
Police	40 %
Fire	20 %
EMS	30 %
DPW/Other	10 %

B. Responsibilities of the Customer

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

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

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Updated BOS Membership & Titles

TOWN OF WILTON:

_____ Date
Kellie-Sue Boissonnault, Chairwoman

_____ Date
Kermit R. Williams, Selectman

_____ Date
Matthew S. Fish, Selectman

TOWN OF MONT VERNON

_____ Date
John F. Quinlan, Chairman

_____ Date
John M. Esposito, Selectman

_____ Date
Kim E. Roberge, Selectman

TOWN OF MILFORD

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Kevin Federico, Chairman

Date

Gary Daniels, Selectman

Date

Mike Putnam, Selectman

Date

Laura Dudziak, Selectman

Date

Paul Dargie, Selectman

Date

APPENDIX "A"

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

9. Approval of DRAFT Minutes - September 28, 2020

DRAFT

MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

September 28, 2020

This meeting was conducted pursuant to the State of New Hampshire Emergency Order #12 pursuant to Executive Order 2020-04, temporary modification of public access to meetings under RSA 91-A. As such, the meeting was conducted online using these connection instructions that were listed on the posted meeting agenda: "The Public is encouraged to participate remotely, call in on your phone @ 1-646-558-8656 and enter the meeting ID# 825 4550 5540 and the password is 462453 or join the Zoom Meeting @ <https://zoom.us/j/86089099619>. Please try to log in 5 minutes before the meeting's scheduled start time in case you run into any technical difficulties".

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

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

Chairman Daniels declared that an emergency exists and he was invoking the provisions of RSA 91-A: 2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to the community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, he also finds that this meeting is imperative to the continued operation of Town government and services, which are vital to public safety and confidence during this emergency. As such, this meeting will be conducted with a quorum of this body physically present in the same location, and two members participating via Zoom. Information for accessing this meeting can be found on the Town web site in the red banner.

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

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

Roll call attendance: Paul Dargie, yes, (zoom) no one is present. Selectman Dudziak, yes, (zoom) no one is present. Selectman Labonte yes, present in the BOS room, Selectman Freel, yes, present in the BOS room, and Chairman Daniels, yes, present in the BOS room

2. APPOINTMENTS: (Approximate times)

5:30 p.m. - 1st. Public Hearing - Performance Stage Roof in Accordance with NH RSA 41:14-a, Acquisition or Sale of Land, Buildings, or Both - Lincoln Daley, Community Development Director.

Lincoln said the purpose of this first public hearing is for the Board to consider the donation of materials, equipment, and personnel use for the construction of a permanent roof for the performance state located at the Keyes Memorial Park East entrance. The estimated cost for the donated materials is approximately \$75,000 and the estimated labor and equipment cost is approximately \$25,000. There will be a second public hearing on September 28, 2020, and the Selectmen will take a final vote on October 12, 2020.

Chairman Daniels opened the public hearing for comments. There were no public comments. Chairman Daniels closed the public hearing. A final vote will take place on Monday, October 12, 2020.

5:35 p.m. - 2020 Ambulance Lease Purchase UPDATE - Ambulance Director, Eric Schelberg

In Summary: Warrant Article 12 – Ambulance and Equipment Lease-Purchase, passed at the 2020 Town Meeting in the amount of \$45,180 by a 64% margin (1830-1039). The original language included a Fiscal Funding Clause (Escape Clause) which required a 3/5 majority. On the morning of the Deliberative Session, Town Council was approached about changing the language to remove the Fiscal Funding Clause (Escape Clause) which then would only require a simple majority to pass. Town Counsel stated that the change would not affect our ability to withdraw monies from the Ambulance Capital Reserve. Our NHDRA auditor advised against that change before publicly posting the Warrant. Michelle Clark, NH DRA representative to the town, informed the town NH DRA will soon formally advise they will disallow the portion of the warrant article to withdraw the requested \$75,000 from the Ambulance Capital Reserve Fund for use toward the purchase of the durable equipment.

Options moving forward are:

DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 09/28/2020

- 64 1. Expend, from the 2020 budget, any surplus, or from the fund balance, a minimum of \$19,000 to purchase the stretcher to
65 put the replacement ambulance being delivered in early November, in service, or expend the entire \$75,000 to purchase all
66 of the requested items - cardiac monitor, stair chair, mobile radios, and video laryngoscope and blades plus the stretcher
67 note above;
- 68 2. Put forward a Warrant Article at the 2021 Town Meeting a request to expend \$56,000 – if the \$19,000 for the stretcher
69 purchase is exercised, otherwise \$75,000 from the Ambulance Vehicle Replacement Capital Reserve account for the pur-
70 chase of the remaining items noted in Option 1 to equip the 2020 ambulance;
- 71 3. Use COVID-19 CARES Act funds for the purchase of the above-mentioned items.

72
73 Chairman Daniels asked how much do we expect from the CARES Act. Administrator Shannon said we received \$64,000
74 as a town so far. We don't know how much more we will be receiving, we have another submission out that we haven't
75 received yet. We could get another \$311,000. We should know more before the next Board meeting.

76
77 Selectman Freel asked what the \$64,000 was reimbursed for. He is confused as to where the \$75,000 for the ambulance
78 equipment will come from. Administrator Shannon said the \$64,000 is what we've received as reimbursement for the town
79 for COVID-19 expenses. We spent the \$64,000 on expenses due to COVID-19 and the state reimbursed us for that.

80
81 Administrator Shannon said we might be reimbursed for salary pay for our emergency services but we are not sure yet. We
82 already budgeted for salaries and spent that money. If the state gives us additional monies for those salaries, it's over and
83 above what we already had. Selectman Freel

84
85 Selectman Dargie wants to buy the equipment this year. He would like to find the money someplace either from the budget,
86 CARES Act, or remove it from the paving budget. Selectman Labonte has concerns about spending CARES Act money
87 with three months left into this year, with so many unknowns. We can't spend more than what we budgeted for the year so
88 we can't spend the money twice.

89
90 There continued to be a huge amount of confusion about what we spent, what we are due back, and what we may receive.
91 Administrator Shannon said we are not going to ask the state to outfit our ambulance with CARES Act money. If we get
92 the full reimbursement that Milford was eligible for, then that money would then come back to the town.

93
94 Paul Calabria, Finance Director said the money will hopefully come in for reimbursement for salaries and benefits that were
95 already budgeted for our first responders dealing with COVID-19. This will provide the town with a potential surplus. In
96 November we will figure out what our surplus is expected to be for the year and at that point the Selectmen can decide to
97 spend money out of the anticipated surplus for the ambulance item. You don't get to spend the money twice. If the addi-
98 tional salaries and benefits money comes in for emergency services, we will be reimbursed for the money that we already
99 had in the budget. It's money that has already been spent and we already raised it through taxation.

100
101 Selectman Freel clarified that this has nothing to do with the stipend. The state said we are allocated for \$375,000 and some
102 of that can go for COVID-19 expenses however it's going to give us more than what we incurred and we will be getting
103 money back on normal payroll that we already have in the budget. He doesn't feel that Milford should be pulling any addi-
104 tional money from the state if it isn't something that costs us money. We should give the money back to the state and Mil-
105 ford should buy their own ambulance stuff. We shouldn't be stealing from the state to pay for stuff in Milford.

106
107 Eric Schelberg said he doesn't need a decision today but added that there is a 6 week lead time on some of the equipment.
108 Selectman Labonte asked Eric how his budget was doing. Eric said they are running tight. Their maintenance budget is
109 under so there is some flexibility there. If we do get the payroll reimbursement from the state, it will be a significant
110 amount. Selectman Labonte asked about taking a cardiac monitor from another ambulance. Eric said we would already
111 do that and the backup wouldn't have the cardiac monitor in it. Currently, all three ambulances have cardiac monitors in
112 them. He is just making the Board aware that if the backup monitor fails, it's done.

113
114 Selectman Dargie said if the ambulance is due in 6 weeks we should be ordering the equipment now. Selectman Dargie
115 said if the money from the CARES Act comes in it would be unanticipated revenue which has to be accepted and voted on
116 and to spend it. It then gets added to the budget.

117
118 Selectman Labonte would rather wait to see where we are at our next meeting to see where we are at. The ambulance is
119 important and we are fortunate that we currently have three. He would rather hold off to see what we could do as far as
120 maybe some release on some communications for the Police Department as far as on their communications before we go
121 spending all the money.

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123 **5:45 p.m. – Joint Meeting on the Inter-Municipal Agreement (IMA) with Select Boards from Milford, Mont Vernon,**
124 **and Wilton.** Chairman Daniels introduced the Select Boards.

125
126 **Milford Select Board** – Chairman Gary Daniels, Vice Chairman Paul Dargie, Selectman Laura Dudziak, Selectman Chris
127 Labonte, and Selectman Dave Freel.

128
129 **Mont Vernon Select Board** – Chairman Jack Esposito, Selectman Tim Berry, and Selectman Kim Roberge

130
131 **Wilton Select Board** - Selectman Kellie-Sue Boissonnault and Selectman Kermit Williams. Town Administrator Paul
132 Branscombe was also in attendance.

133
134 Chairman Daniels said the Milford Board voted to use the 2013 IMA and he provided a side by side IMA for both 2013 and
135 2018. Chairman Esposito said he would like to know what the differences were; they already signed the 2018 IMA.
136 Chairman Daniels said the side by side was sent out twice. Chairman Esposito said his board only reviewed the 2018 IMA.

137
138 **1st point:** Chairman Daniels said the other towns wanted a 10-year agreement and Milford voted for a three-year agreement
139 with a condition that a language is removed in section 9E. The language said that if a town withdrew from the agreement,
140 they would have returned to that specific town, any money due them via surplus, rebates, refunds or credits, etc.

141
142 Selectman Boissonnault, Wilton, said they would negotiate a five-year agreement versus a three-year agreement but are
143 not willing to remove any of the language. Chairman Daniels said a five-year agreement was discussed and it ties into the
144 commitment of whatever agreement we got into the town would be responsible for any encumbered debt. We rejected that
145 and by a 3/2 vote, we went with three years. Selectmen Boissonnault said we will do a five year. All three towns would
146 need to agree to the debt to move forward. Chairman Daniels said that was under the 2018 agreement, under the 2013
147 agreement we didn't favor letting MACC Base do any borrowing. Selectman Boissonnault said all the towns already
148 agreed with that statement. Chairman Esposito also agreed.

149
150 Chairman Esposito, Mont Vernon, said his Board hasn't made a decision but they would prefer a five year versus a three-
151 year agreement. Borrowing is easier to spread out over the five years. Anything discussed tonight at this meeting will be
152 discussed with the Mont Vernon Board later tonight. Selectman Boissonnault agrees with Chairman Esposito. Selectman
153 Williams, Wilton, said they need to have some stability and they need to know where they are going to understand where
154 they are getting their services from for at least a few years.

155
156 Chairman Daniels said if a warrant article passes in March, we would be leaving MACC Base within two years. Agreeing
157 to a five-year extension gives a false message. Also, our position is to stay with the current clause on borrowing to not to
158 exceed beyond the end of the fiscal year in which the funds are borrowed. Chairman Esposito said that's always been the
159 hangup, that's why they want the five years for budgeting.

160
161 Chairman Daniels clarified that if we go with a five year and we pass something to buy equipment that goes to MACC
162 Base, if Milford was to leave after the second year we would still be responsible for that debt for the next three years.
163 Chairman Esposito said yes. Chairman Daniels said that is what they opposed. He asked Selectman Boissonnault how that
164 would work taking out that language. Selectman Boissonnault said she would need to speak to her board. Chairman Es-
165 posito said if Milford leaves and you want to take that language out then Wilton and Mont Vernon is on the hook for Mil-
166 ford's share of the balance.

167
168 Selectman Labonte is in favor of a five year, it meets in the middle of a ten year. He feels that the warrant article won't pass
169 next March. If it doesn't pass, are we just going to re-negotiate again? Going into a two or three-year agreement and hav-
170 ing the voters not pass it, then waiting another year to try to put it through again, puts our first responders in more turmoil
171 than they are in now by not coming up with a fix. Just because some people feel it's a good fix, the voters might not feel
172 that it's the right one. This Board doesn't have that decision, the voters do. Chairman Daniels said he's aware that this
173 Board makes the recommendation to the voters, but it's up to this Board, or the majority that's in favor, to educate our citi-
174 zens either way. We shouldn't run on the fear that this won't pass. Selectman Labonte as not being a supporter of this, he
175 will also educate the voters on the alternative side.

176
177 Selectman Freel said if we were in a five-year term, how would MACC Base be able to borrow money if we have two votes
178 and the other towns each have one vote if we don't want to spend the money going into it if we are planning to pull out.
179 Chairman Daniels said it would be upon the direction of this Board which could change every year. Selectman Freel asked
180 what MACC Base would be borrowing money for knowing that Milford wants to pull out. He doesn't think our representa-
181 tive will vote yes on that. Chairman Daniels said our representative has to follow the direction of the Board. Selectman

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182 Freel said it would not be good for us to go to a five-year agreement, allow borrowing, and potentially lose hundreds of
183 thousands of dollars of Milford tax-payers money because we got into a contract with a chance of our warrant article pass-
184 ing.

185
186 Dave Boissonnault, EMD Director, Wilton, said he's gone two years without radios because they are trying to figure out
187 what MACC Base is going to do. The five-year agreement would give them the stability to plan out his budget. He doesn't
188 think Milford will pass their warrant article. Chairman Daniels repeated if would leave MACC Base within two years.
189 agreeing to a five-year extension gives a false message. Dave said agreeing to do a five-year agreement shows your emer-
190 gency services that you are willing to work with the other towns.

191
192 Selectman Labonte said if the warrant article doesn't pass, you are out three years, how many years can you keep putting it
193 off. Does that mean there is no improvement for three years? This year there are a lot of strikes against it. Chairman Dan-
194 iels said Milford will discuss going a five year and the clause.

195
196 **2nd Point:** Chairman Daniels said, after defining "Board" as the Governing Board, "Board" is used in the following con-
197 texts: Board, board, Governing Board, Board of Selectmen, Board of Governors and Town's Governing Boards. The use of
198 "Boards" sometimes appears incorrectly relating to something other than the Governing Board.

199
200 Chairman Esposito asked if the 2018 IMA went to Town Council. Chairman Daniels said no, only 2013 was agreed upon.
201 Both Mont Vernon and Wilton will take this under discussion when they meet.

202
203 **3rd point:** Removing a non-financial vote, Milford doesn't want the vote removed. Selectman Boissonnault said their
204 Board of Governors suggested that Milford has two people, not one person with two votes. Chairman Daniels asked what
205 their reasoning was for this suggestion. Their Board of Governors is supposed to be following the directive of the Board of
206 Selectman. Selectman Boissonnault said it's another person with another idea and a different point of view than the one
207 person you currently have. Two votes, two people. They go by your direction but they could also add additional conversa-
208 tion and ideas coming forward. Chairman Daniels said that would require more changes in the By-law and the IMA. Our
209 representative should be following the direction of the Board and not fighting against it.

210
211 Selectman Labonte two people could bring more ideas to the Board. As a Board, we may give the directive as a majority of
212 the Board but we don't answer a question that is voted on up at MACC Base through our Board of Governor. Chairman
213 Daniels said as a member of the Board of Selectmen, he's opposed to putting people up there that are going to be contrary
214 to each other and cause a stalemate on our decisions. Selectman Boissonnault said now you feel our pain. You have two
215 votes and you stalemate us. We feel two votes, two people. Chairman Daniels said he feels that we would be unanimous in
216 going to one vote if this was split three ways on the cost.

217
218 Selectman Dargie is opposed to going to two people. If there is a quorum of the Board and only one Milford person shows
219 up, the other two votes would be the majority of the people of the meeting and the vote may not be for the wishes of Mil-
220 ford. If the two votes are with one person, they are either at that meeting or not at that meeting.

221
222 Selectman Labonte said without Milford's representative there, there is no meeting. Chairman Daniels said if one of Mil-
223 ford's representatives wasn't there, there would still be three votes but Milford would not have their 50%. Chairman Dan-
224 iels said a majority of Milford's Board will most likely maintain their position of one person two votes. They will discuss it
225 later.

226
227 Selectman Berry, Mont Vernon, asked how we overcome a problem with a voting deadlock with four votes if we know we
228 need to spend some money to make necessary improvements to the infrastructure. Milford has already told us that they are
229 not interested in anything other than treading water until you can get your voters to okay your \$4,000,000 whatever it is.
230 We don't want to belong to a system that's going to fall apart on us and we can't vote to spend our own money to fix it be-
231 cause it would be two votes against two votes. How would we make this MACC Base system work for even a short period.

232
233 Chairman Daniels said our emergency services are part of that. If they came to us and said they can't function and need to
234 fix something now that is something our Board would need to consider. We all realize that the system isn't working as it
235 should be based on our study. The faster that we can get into something that fixes the problem, that will work better for
236 everyone. Other towns could join us and have the full service that we don't have now.

237
238 Selectman Dudziak said Selectman Berry incorrectly stated that the cost for a new communications center for Milford was
239 \$4,000,000, that would be the amount to fix MACC Base. Milford's fix will be just over \$2,000,000.

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240 Selectman Boissonnault asked if Milford has something from the Police Union stating that they want some corrections for
241 the safety of their officers. Chairman Daniels said it was something that said that we need to get the problem fixed. Se-
242 lectman Boissonnault said that would mean making sure the Police Department was safe and that would be urgent. Chair-
243 man Daniels said he believes it was their letter urging Milford to go ahead with a standalone project, which is what they are
244 trying to do.

245
246 Selectman Labonte said he recalls a while ago that there have been problems and nothing has been done to fix them.

247
248 Chairman Esposito reminded everyone that the funding stops at the end of the year; we may need an interim agreement. We
249 can't have services terminated at the end of the year. Chairman Daniels said that was Milford's proposal, to begin with at a
250 two-year extension of the 2013 IMA. Chairman Esposito said we are now at a five-year extension and Milford is at a three-
251 year extension and we need something done soon.

252
253 **4th point:** Borrowing of Funds, Chairman Daniels said he reads this to be warrant articles being passed by each town, both
254 Wilton and Mont Vernon said yes.

255
256 **5th point:** Notice of withdrawal or non-renewal 24 months versus 12 months. Chairman Daniels a detriment to any town
257 deciding if they go to 24 months is that currently, once you give notice, you can't vote on the next budget. There is a possi-
258 bility that you won't be able to vote on two budgets which means the other towns set a budget that you have to pay for but
259 have no input on.

260
261 Selectman Boissonnault said it was Milford that asked for a 24-month notice. Chairman Daniels said he didn't believe that
262 Milford's current Board did not ask for this. This is a disadvantage to Milford because a budget could be passed in which
263 we have no say or vote yet we are still paying 71% of the bill.

264
265 Selectman Labonte asked if it would change the Chairman's opinion if the IMA changed to say that on the last year of your
266 notice you couldn't have input on the budget on what would be the first year that you're not going to be there anymore.
267 Chairman Daniels said if this was put in for Milford's benefit then his Board will need to discuss this item and decide if
268 they want 12 or 24 months. Selectman Labonte said the agreement can be changed because no one should be forced into a
269 situation of a budget that they don't have any say on. Chairman Daniels asked if Milford decided that they wanted to stay
270 with 12 months, would that be a problem. The other towns said they will discuss it. Chairman Esposito thought it was the
271 last year you couldn't vote on the budget. Chairman Daniels said it's the current year. If we have to give a 24-month notice
272 we may not be gone in the next year.

273
274 **6th point:** Cost and encumbered debt. Chairman Daniels said this goes back to whether or not a town wants to authorize
275 multi-year borrowing.

276
277 **7th point:** Proposal for non-voting members. Chairman Daniels said Milford hasn't talked about this much but he doesn't
278 have a problem with it.

279
280 Chairman Daniels said he will put this on Milford's agenda for discussion on October 12th. Selectman Boissonnault said
281 she would hope that Milford will take into consideration a negotiation. It can't just be that Wilton and Mont Vernon cave
282 into all of your demands; we are asking that you consider what we have brought forward and also consider negotiating with
283 us instead of standing still and stalemating us with all determinations.

284
285 Chairman Daniels said they will look at that but each town needs to look out for its people first and that may differ from
286 town to town. Selectman Williams said he would like to encourage everyone to finish this agreement rather than extending
287 it again. He feels that we are close.

288
289 Chairman Esposito said that Mont Vernon and Wilton don't have a problem with the operation of MACC Base today. It's
290 up to Milford to tell us what their positions will be and then we can discuss it. Your Board wants to be independent and
291 have us as customers and that isn't what we want but if we have to do it, we have to do it.

292 Selectman Boissonnault agrees with Mont Vernon. The plan A that Wilton and Mont Vernon would like to do is stay with
293 MACC Base, a community-based communications center along with Milford and possibly look at other partners and cus-
294 tomers coming on. If we are pushed into a corner, we have a plan B that we are looking at, it's just not our favorable an-
295 swer.

296
297 Selectman Freel said if we don't come to an agreement we may need a one or two-year extension to get through this. We
298 are coming down to the wire. We can go for one more warrant article and see what happens. Chairman Daniels said our

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299 original position was a two-year extension but the other towns didn't want that, they wanted the 2018 proposal. Selectman
300 Freel said we need to keep MACC Base running so how do we do that.

301
302 Selectman Roberge, Mont Vernon, said they are hoping to hear from Milford's Board as well besides just on the IMA, as to
303 how to prevent the deadlock on the essential upgrades. Even if we are discussing an extension she would like to hear that
304 Milford would be supportive of upgrades that are needed during that extension period. There haven't been any upgrades.
305 She doesn't feel that joining Milford's system is even on plan D based on how the negotiations have gone and the control
306 situation of the two votes and blocking everything from a financial standpoint. We need to hear what Milford's stand would
307 be whether it is a two-year extension or a five-year new IMA on upgrading the system. Surprisingly, we all received the
308 letter from the Union Representative of the Milford Police and they called out multiple things. Waiting for Milford's March
309 vote isn't in their best interest to make sure that this system gets some improvements on it.

310
311 Selectman Labonte hopes we can work out a successful IMA. We already had a two-year extension, it's time to negotiate
312 the IMA.

313
314 Selectman Freel said he would like to see another warrant article and give the tax players another chance to decide. If the
315 taxpayers say no, then he would like to hear about MACC Base being renovated if it needs to be done.

316
317 Chairman Daniels thanked the members of the other Boards.

318 **3. PUBLIC COMMENTS** – Kathy Parenti, Library Chair of Trustees, thanked the Board of Selectmen and Town Admin-
319 istrator for their visible and vocal support of the library's successful nomination for New Hampshire Library of the Year
320 2020. The Select board's letter of support, citing the library's service and support to the community and their appreciation
321 of the library staff was a highlight of the nomination package. This award is much-appreciated recognition of the many
322 accomplishments of our library team and the outstanding partnership we have with our community and its leadership.

323 This year has brought unprecedented challenges. Being part of a collaborative town has been very helpful. The communi-
324 cation among the library's and town's leadership and administrations has allowed us to offer valuable services to Milford
325 and neighboring communities with appropriate care and concern for everyone's well-being.

326
327 Derek Mossey, Memo Foundation is trying to push forward on the renovations of the skatepark, the timeline is tight. They
328 found a contractor that is willing to work within their budget. The design will be slightly different. Chairman Daniels
329 asked Derek to stay on the call and we will take this up during discussions.

330
331 **4. DECISIONS** – Selectman Labonte asked that 4. a) 1) be removed for discussion. Selectman Dargie made a motion
332 to approve the consent calendar except for 4. a) 1). Seconded by Selectman Dudziak. A roll call vote was taken with
333 Selectman Dargie yes, Selectmen Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels
334 yes. All were in favor. The motion passed 5/0.

335
336 **a) CONSENT CALENDAR.**

- 337 1) Request for Acceptance and Appropriation of Unanticipated Revenues Under \$10,000 (31:95(b)) donation to the
338 Milford Ambulance Department from Homeland Security GRANT – EMS Warm Zone Grant - \$5,590.69.
- 339 2) Request for Acceptance and Appropriation of Gifts of Property Under \$5,000 (31:95(e)) – donation to the Milford
340 Ambulance Department - \$1,397.36
- 341 • Donation of 35 - 3D printed face masks from Amherst Market Place - \$350.00
 - 342 • Donation of 6 rolls of paper towels from the Artemik family - \$6.49
 - 343 • Donation of 10 small bottles of hand sanitizer from Peniel Environmental - \$10.00
 - 344 • Donation of 2 N95 masks from the Finan family - \$20.00
 - 345 • Donation of 20 cloth masks from the Roggenkamp family - \$30.00
 - 346 • Donation of 40 cloth masks from the Trisha Dionne - \$60.00
 - 347 • Donation of 12 cloth masks from the Bagley family - \$18.00
 - 348 • Donation of 20 cloth masks from the Burns Hill Christian Fellowship Church - \$30.00
 - 349 • Donation of 1 large jar of hand sanitizer from Dijin Spirits - \$25.00
 - 350 • Donation of 2 boxes of masks from County Stores - \$25.00
 - 351 • Donation of 1 case of vinyl gloves from the Riverhouse Café - \$8.00
 - 352 • Donation of 506 full face shields from Alene Candles – \$760
 - 353 • Donation of 750 thermometer probe covers from the Milton Fire Department - \$54.87

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- 354 • Donation of vehicle cleaning from Peniel Environmental - no estimated value
355 3) Request for Approval for New Hampshire American Physical Therapy Association to do a day of Service at Keyes
356 Field on October 17, 2020.
357 4) Request for Acceptance of Investment Policy Review and Re-Adoption, and Treasurer's Delegation
358

359 Selectman Labonte asked what the Homeland Security EMS Warm Zone Grant was for, what it covers, and where it goes.
360 Eric said this is a second EMS and the warm zone grant that they were approved for. It's for another set of four ballistic
361 gear helmets and go bags that will include tourniquets and other equipment that will go into the rescue task force. It adds to
362 the six that we have and we will share them with the Fire Department in the event of a rescue operation.
363

364 **Selectman Labonte made a motion to accept 4. a) 1). Seconded by Selectman Dudziak. A roll call vote was taken**
365 **with Selectman Dargie yes, Selectmen Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and Chairman**
366 **Daniels yes. All were in favor. The motion passed 5/0.**
367

368 b) OTHER DECISIONS.

369 2. N/A
370

371 5. TOWN STATUS REPORT – John Shannon

372 a. **Town Budget Process** - The Town has begun the annual budget process for 2021. The first draft budget has been put
373 together by the Town staff and will be submitted to the Board of Selectmen (BOS) and the Budget Advisory Committee
374 (BAC) this week. The process will continue throughout the fall. Any questions or concerns about the project can be di-
375 rected to the Town Administrator's Office.
376

377 Selectman Labonte asked for an update on the brush operation at the Transfer Station to include the cost. Administrator
378 Shannon said they rented a piece of equipment to mix up the brush and leaves to make it into a useable product for the town
379 and citizens. It's his understanding that this has been done in the past. He will get the cost from the Public Works Director
380 and send it out.
381

382 Selectman Labonte asked when the policy at the Transfer Station change as far as commercial haulers bringing in compost
383 and brush. He feels it should have come before the Board to be changed, not a departmental change. Last week they were
384 refusing commercial haulers and he was wondering why. Administrator Shannon will get an answer on that.
385

386 6. DISCUSSIONS:

387 a. **Revised RFP Discussion** – Selectman Labonte said there were many changes and he didn't understand why. He feels it
388 was strange to do an amendment on an RFP that we already had a pre-bid meeting on. He hasn't received any questions per
389 the attendance sheet he filled out at the meeting.
390

391 Captain Frye said the other RFP was designed for the architect and general contractor to bid on it. The architects wanted to
392 have a set of plans first. The new language simplifies the RFP to allow them to get a set of plans to move forward to a
393 smother step process. Two architects have asked for the amended copy. Selectman Labonte repeated that he didn't get any
394 e-mails from those questions. Captain Frye said he's the one who posted it that's why he didn't send the questions to him.
395 Selectman Labonte said all of this should be directed through our Town Administrator. Captain Frye said he knew about it.
396

397 Selectman Labonte is confused as to why we can't come up with a number before the Budget and Bond hearing. He is also
398 concerned about moving a memorial that was paid for with private money and it will be smaller. Captain Frye said yes, to
399 the other side of the building. He didn't measure it but there may not be bushes all around it, they may be just on two sides.
400 Selectman Labonte brought up maintenance issues on the memorial. Is the RFP changed to make it easier so that a general
401 contractor can bid on it? Captain Frye said yes.
402

403 Selectman Labonte said the original RFP had to do with the whole facility, the second one only has to do with the addition.
404 That changes the scope of work. Captain Frye said yes because if it goes on the right-hand side we don't have to put a roof
405 into the old roof and it will be truly separated with a flat roof.
406

407 Captain Frye said if it's voted on today he will have to push the deadline back to the original one of October 13th. It won't
408 change the final date. Selectman Labonte asked if there will be firm prices by the Budget and Bond Hearing. Captain Frye
409 said yes. Selectman Labonte wants to strike the part about amending the warrant article. He isn't in favor of changing
410 numbers at the Deliberative Session.
411

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Chairman Daniels said this reads that you will have a total project cost estimate for inclusion for a warrant article. It doesn't say that the warrant article will have to be amended at the deliberative session but if someone wanted to amend the warrant article at the deliberative session you would need to have those numbers in place. The numbers have to be available for the public in case someone wanted to amend the warrant article. There was some confusion about when they go to bid.

Selectman Labonte asked where do they get the money to pay for the bid, they are not doing it for free. Do we have to pay architects, or do they do it for free? Captain Frye said their cost gets rolled into the bid when it's awarded as part of the project cost. Selectman Labonte said he's never know an architect that would do stuff for you before you contracted with them. Captain Frye said we should leave the dates in there. The cost estimate is by the 19th of November.

Chairman Daniels clarified that based on what we give them, they are going to give us back a proposal that will allow us to look it over and decide if we want it or not and that proposal will include their cost should they get approved. Captain Frye said yes. This makes sure that we get the number in time.

Selectman Labonte repeated that a lot was cut out from the original RFP and that confuses him. Captain Frye said it's a building design. What was removed was most of the scope stuff which gives the architects a chance to work within the design that they prefer to build. It also gives the Selectman a chance to voice their opinion on if this is what they want or need. Selectman Labonte asked how many renditions do they come back with.

Selectman Freel said typically the architects are going to come back with a plan and budget so that we can come up with a warrant article. If it passes we will go with the low bidder and the architects are going to get their money. If we want to tweak it we can, it may mean additional cost that we can deal with later. The architect is doing this upfront knowing that he is taking a chance. He doesn't see this as a problem because it isn't costing us anything.

Selectman Labonte said he spoke to some of the architects and they said they are just too busy. Captain Frye said Selectman Freel is correct about no cost. Selectman Labonte asked what less are we getting from the new RFP versus the old one. Captain Frye said the only thing that is changing is that the building is going on the other side. It changed for a reason to give flexibility for a suitable design.

Selectman Freel made a motion to accept the revised RFP as written. Seconded by Selectman Dargie. A roll call vote was taken with Selectman Dargie yes, Selectmen Dudziak yes, Selectman Labonte no, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 4/1.

Selectman Labonte requested a copy of all e-mails send out throughout this whole process.

At this time, Derek Mossey was moved ahead of the next section. Derek asked what the Board would like to see the Memo Foundation to complete this process. Derek shared a rough graph of the changes. Their original budget was about \$100,000. The reduced scope reduced it to \$60,000 and they may have an opportunity to get more.

Selectman Freel asked if there were permits involved. They need to go through Planning/Zoning. He asked about some of the dimensions and Derek explained what they were. Selectman Freel said he thought we already approved this project. Chairman Daniels said we approved the in-ground design. Selectman Freel said Derek should meet with Community Development on this. Selectman Labonte agreed and also meet with the Public Works Director.

Selectman Freel made a motion to approve the amendment and design of the MEMO plan. Seconded by Selectman Dudziak. A roll call vote was taken with Selectman Dargie yes, Selectmen Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.

b. Repeaters in Vehicles - Selectman Labonte said they received \$76,000 back from the return from MACC Base and he would like that to be used for repeaters in the police vehicles as long as they are P25 compliant. We need to take a step to solve a current problem as far as safety is concerned.

Cheryl Giggetts, CTA Consultant, said about 15 units in the Police Department would need to have the repeaters. It would cost about \$127,500 to put the repeaters in the vehicles. The mobile radios would need to be programmed at a cost of \$3,750 and portable radios for \$3,100. These would need to be P25 compliant however with your existing radios are with

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466 Motorola and you would have to go with Futurecom. Futurecom would have to let you know if your current radios are the
467 proper model that they can work with. If not, you would have to purchase new ones. You are talking about \$135,000 to
468 \$140,000 presuming you don't have to replace your mobiles and portables. Another thing to consider is if your warrant
469 article is approved in March, we put out a competitive speck and to be as transparent as possible so that you get the best
470 possible cost, you've now spent this money on the Futurecom or Motorola equipment. You can potentially reuse it in a P25
471 system but she wouldn't be able to guarantee it because Futurecom tends to put proprietary things into their units. She
472 would have to speak with them and we would have to be careful about how we program them to work with your current
473 system.

474
475 Cheryl said another problem is that your current system is aged and the technology isn't current so it will be difficult for
476 them to program the radios to work with your system, not that they can't because they have in some surrounding towns. If
477 they get it to work with the current system, will it work with the new P25 system? I don't want to give you a recommendation
478 and tell you to spend over \$100,000 then turn around next year and then this gets approved and you move forward and that is just going
479 to cost you.

480
481 Selectman Freel asked how many different companies would be giving us a proposal if this passes and we go with a
482 standalone system? Cheryl said four manufacturers, but there may be others beyond those four that give you a mix of
483 equipment. Selectman Freel asked out of the four, how many are compatible with Futurecom? Cheryl said at least one,
484 possibly two. Selectman Freel asked if go with the P25 system are we looking at having repeaters no matter what. Cheryl
485 said potentially yes, it depends on if the vendors chose to put another site in. There are many things to factor in. The issue
486 is that we have to get you the portable coverage and the end building coverage. We get that in either the DVR units to ex-
487 tend our coverage or potentially adding another site to give us more saturated coverage. Selectman Freel asked if that
488 would get you inside buildings. Cheryl said yes.

489
490 Selectman Freel said if it's going to be \$150,000 for repeaters a new station might be \$300,000 so it might be cheaper to go
491 with the repeaters even though they might not be as good. Or are they just going to go in for the most expensive fix?
492 Cheryl said no they are not because the cost is an extremely big part of this which was in the evaluation criteria. They
493 won't go for the more expensive fix because that would put them outside of the competitive cost.

494
495 Chairman Daniels asked at what point would we know what would be their proposal whether it be a new site or repeaters.
496 Cheryl said October 7th or 8th.

497
498 Selectman Dargie asked Cheryl's opinion of the change, how effective would it be on improving the system. Cheryl said
499 she thinks it's going to be limited. DVR is going to extend the good coverage that you have. If you don't have good cover-
500 age now, it has nothing to extend. If you have areas that you're not getting coverage, this unit isn't going to assist you. If
501 you're in an area where you do have coverage and you want to extend it further to go inside of a building or get a little fur-
502 ther away from your car, it will help with that. We've seen that a lot of the issues are portable but it's unclear if those is-
503 sues are portable alone or if you are actually in an area where you don't have coverage.

504
505 Selectman Dargie said then your guess is that there would be some sort of improvement but you are not sure how much.
506 Cheryl said yes. Selectman Labonte said seeing that there is a severe communication problem, would there ever become a
507 point where you would recommend instead of waiting 18 to 24 months to do anything to the communications to make it
508 better, out of the 15 to 18 vehicles that we have, do you find it necessary, if we are trying to meet a goal but conserve mon-
509 ey, we have to equip 15 vehicles. How many patrols do we typically have? If you have four cruisers going to a scene, as
510 long as you have one or even two vehicles with repeaters in them, portable radios are still going to pick up off the repeaters
511 in the vehicles next to them.

512
513 Cheryl said yes and she appreciates Selectman Labonte's wanting to make sure that they do everything they can to protect
514 our public safety people on the streets today. She would recommend not waiting for 18 months but she would certainly
515 recommend waiting a few more weeks. Once they have the proposals in, we can give much better recommendations mov-
516 ing forward. Yes, there is something we can do in the interim to help you along until we get a full system up and running.
517 Let's get the proposals in and give us another week after to evaluate them from a technical standpoint and let's see what you
518 can do going forward. The reality is we are going to have our evaluation done in the November timeframe which is what
519 we committed to you so that you could have a good solid price going forward. We will recommend a vendor. If you want
520 to put some repeaters in the cars you will then go with that vendor and pull that out of that RFP and do a separate procure-
521 ment for just those units that serve you not only now but going into the future. What she doesn't want to do is have you
522 invest a lot of money that may or may not help because it's limited by the existing system that you have.

523

