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APPROVED

MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

January 25, 2010

PRESENT: Tim Finan, Chairman
Gary Daniels, Vice Chairman
Katherine Bauer, Member
Mike Putnam, Member
Nate Carmen, Member
Guy Scaife, Town Administrator
Darlene J. Bouffard, Recording Secretary

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

INSTRUCTIONS: Selectman Putnam moved to enter into non-public session for the 5:30 p.m. appointment, with Selectman Bauer seconding. All were in favor. After the non-public appointments, Chairman Finan called the public meeting to order at 6:50 p.m. and welcomed those in attendance to the Board of Selectman meeting. Following introductions of Board members, Chairman Finan led the audience in the Pledge of Allegiance. Chairman Finan noted 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. Chairman Finan announced that in non-public session, the Board discussed a legal matter and a land discussion; no decisions were made and no votes were taken.

2. APPOINTMENTS:

5:30 p.m. – Non-Public Session (RSA 91-A:3, II(e)) - Legal. Selectman Putnam moved to enter into non-public session at 5:30 p.m., seconded by Selectman Bauer. All members were polled individually and concurred to enter non-public session to discuss a legal matter. The minutes of this meeting were sealed on motion made by Selectman Putnam and seconded by Vice Chairman Daniels. All members were in favor. After discussion, Selectman Putnam moved to come out of non-public session at 5:35 p.m. Selectman Bauer seconded. All were in favor. Motion passed.

5:40 p.m. – Non-Public Session (RSA 91-A:3 II(d)) – Land Acquisition. Vice Chairman Daniels moved to enter into non-public session at 5:39 p.m., seconded by Selectman Putnam. All members were polled individually and concurred to enter non-public session to discuss a land acquisition matter. After discussion the minutes of this meeting were sealed on motion made by Selectman Putnam and seconded by Vice Chairman Daniels. All members were in favor. After discussion, Selectman Putnam moved to come out of non-public session at 6:50 p.m. Vice Chairman Daniels seconded. All members were in favor. Motion passed.

6:25 p.m. – 2010 Warrant Article Discussions and Pre-Warrant Posting Votes. Chairman Finan explained that he will go through each Warrant Article and get the votes of Board members in favor or opposed to each article; no motion is necessary, just a vote.

ARRA BORROWING ISSUE – SEWER UPGRADE PROJECT - \$1,199,690

In Favor – Selectman Putnam, Selectman Bauer, Selectman Carmen, Chairman Finan, Vice Chairman Daniels
Opposed – None

Discussion: Bill Fitzpatrick, BAC, indicated that because this is a Water Commissioner item, he understands the Water Commissioners would take a position; however, since the town will be encumbered, he feels a Board of Selectman position should also be taken. Guy Scaife said the town is encumbered but it is paid for by the Water & Sewer Department. Mr. Fitzpatrick felt it would be appropriate for this body to take a position.

FIRE DEPARTMENT / AMBULANCE SERVICE LAND PURCHASE BOND - \$850,000

In Favor – Selectman Putnam, Selectman Bauer, Selectman Carmen, Chairman Finan
Opposed – Vice Chairman Daniels

Discussion: Selectman Bauer asked if a member is opposed, will they have the opportunity to explain why they are opposed. Chairman Finan indicated it is up to the individual; that discussion will be held at deliberative session after which, the Board will take another vote on each item. Guy Scaife explained the Board votes will be provided to attendees at deliberative session, along with the Budget Advisory Committee (BAC) positions. After deliberative session there might be changes made and another Board

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1 vote will be taken. In the past, members of the Board would only bring up the articles for which they are
2 interested in making a change. The votes from tonight will be on the handouts at deliberative session. Bill
3 Fitzpatrick, BAC, indicated the BAC is meeting Wednesday at the Library at 6:30 p.m. and the Board of
4 Selectman is welcome to attend; Mr. Fitzpatrick is very interested in the positions of Board members. Guy
5 Scaife said he will be at that Wednesday meeting to express the opinions of the Board. Selectman Putnam
6 asked what is the procedure if the vote is split? Guy Scaife said the majority rules, this Board has five
7 members, so there would not be a tie. The Board of Selectman will have the majority and minority reports.

8
9 Vice Chairman Daniels explained he is opposed to this Warrant Article because he understands the
10 economics of the Warrant Article, but he also understands the economics of the taxpayers. There was no
11 further discussion.
12

OPERATING BUDGET - \$11,432,062

13
14 In Favor - Selectman Putnam, Selectman Bauer, Selectman Carmen, Chairman Finan, Vice Chairman Daniels

15 Opposed – none

16 Discussion: Selectman Bauer would like to compare this budget with the Default budget; the difference
17 between the 2009 and 2010 budgets. Guy Scaife indicated there is a \$138,000 difference between them.
18

ROUTE 101A / ROUTE 13 / OVAL IMPROVEMENTS GRANT - \$155,000

19
20 In Favor - Selectman Putnam, Selectman Bauer, Selectman Carmen, Chairman Finan, Vice Chairman Daniels

21 Opposed – none

22 Discussion: Guy Scaife explained this is the fourth year of matching money for the grant of \$3.5 million;
23 Milford is in its fourth year of a 5-year obligation.
24

OSGOOD ROAD SIDEWALK / BICYCLE LANE PROJECT – PHASE II - \$73,500

25
26 In Favor – Chairman Finan, Selectman Carmen, Selectman Bauer

27 Opposed – Selectman Putnam, Vice Chairman Daniels

28 Discussion: Guy Scaife explained this is a Traffic Enhancement grant with an 80/20 match, for which the
29 town will be responsible for \$73,500. Selectman Putnam does not think this is the time to spend this
30 money; this grant Traffic Enhancement grant, which is federal; Selectman Putnam feels the 80/20 split is
31 supported by Federal taxes that everybody already pays and he does not think Milford should expend
32 money on anything the town does not need, when people are losing jobs and their homes. Fund balance is
33 down to the minimum and it will be tapped again this year; Selectman Putnam suggested the TE grant will
34 eventually come back around; we have to stop spending money. Bill Fitzpatrick, BAC, indicated with the
35 number of Middle and High school students that must walk to Adams Field in the hundreds, it is dangerous.
36 The town should not have Middle school students walking down there. Selectman Putnam indicated the
37 town should have thought about that before putting a field there. Mr. Fitzpatrick said the field is there and
38 in looking at the money being spent, there might be 6-8 people that gain a job by having the town vote on
39 this Warrant Article. The Government has to step up so that people start getting back to work. People have
40 to spend money in order for people to have jobs. In looking at Osgood Road sidewalks, and the number of
41 students that walk to Adams Field, Selectman Bauer said this will cost taxpayers \$.04 per thousand on their
42 property taxes; she feels strongly about getting the 80% by providing the 20% and noted there is value
43 added. Guy Scaife pointed out there are in excess of 200 students walking that route; it is a safety issue and
44 is in the Master Plan. The Federal money will be spent either here or in another community. Vice
45 Chairman Daniels asked about striping and the width. Guy Scaife said it was engineered and he does not
46 have that information tonight. Selectman Bauer had asked that of Bill Parker but she did not remember the
47 outcome. Chairman Finan noted there is a wide shoulder in that portion of the road. There was no further
48 discussion.
49

GRANITE TOWN RAIL TRAIL - \$53,210

50
51 In Favor - Chairman Finan, Selectman Carmen, Selectman Bauer

52 Opposed – Selectman Putnam, Vice Chairman Daniels

53 Discussion: Chairman Finan explained this is a Traffic Enhancement grant with an 80/20 match for which
54 the town will be responsible for \$53,210 to resurface 3 miles of trails, create a pedestrian tunnel under
55 Melendy Road and extend the trail to the oval. Selectman Bauer asked when the town will hear on the
56 award for these grants. Guy Scaife expects in March sometime after deliberative session. If Milford does
57 not receive the grant, this Warrant Article will be withdrawn. Vice Chairman Daniels asked if the \$53,210
58 will still be appropriated. Guy Scaife said no, it will not be considered in next year's tax rate if it is

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1 withdrawn. No money would be appropriated; it is totally dependent on the award of the grant. Selectman
2 Carmen indicated the town may end up with this grant or the other TE grant, and possibly both.

AFSCME UNION COLLECTIVE BARGAINING AGREEMENT - \$49,829

5 In Favor – none

6 Opposed - Chairman Finan, Selectman Carmen, Selectman Putnam, Vice Chairman Daniels

7 Recused – Selectman Bauer

8 Discussion: Selectman Bauer recused herself from this vote. Guy Scaife clarified that this is what has been
9 brought forward by the fact finder. No agreement was voted on at the last town meeting. The fact finder's
10 recommendation must be brought to the voters. This is for 2009, 2010 and 2011. This is in line with the
11 financial numbers; however Guy Scaife is not in support of this and the disagreement is that the union has
12 refused the sick time policy accepted by town employees which has also been endorsed by the Teamsters
13 union and Guy Scaife is recommending the Board of Selectman not support this Warrant Article, so that
14 they can come back to the table to talk about the sick policy. There are 17 employees under this contract.
15 Because this contract still contains the sick time buy out, there is money set aside for those employees for
16 three years. The sick time buy out benefit was felt to be excessive and needed to be fixed. All employees
17 should have benefits that are across the board. Guy Scaife hopes that before deliberative session they will
18 re-consider, but at this point, they have refused to agree to the policy for sick time. Chairman Finan added
19 that two significant things they were requesting were sick time buy out and merit pay. In exchange for not
20 insisting on merit pay, the town expected them to embrace the sick time policy, but they did not. There was
21 no further discussion.

NON-EMERGENCY COMMUNITY TRANSPORTATION BUS SERVICE - \$37,137

24 In Favor - Chairman Finan, Selectman Carmen, Selectman Putnam, Vice Chairman Daniels, Selectman Bauer

25 Opposed – None

26 Discussion: Chairman Finan indicated this is for the bus service to continue for another year. Selectman
27 Bauer explained the reason Milford's share is higher than other towns is because they are using 65% of the
28 bus transports. It has gone from non-emergency transports to shopping transports and is being used by
29 seniors and non-seniors. The \$37,137 adds \$.02 per thousand to the tax rate. Vice Chairman Daniels will
30 support this with reservations; suggesting riders should pay additional shares, however he understands that
31 the extra fees would go into the administrative costs for the bus company instead of funding this service.
32 Vice Chairman Daniels is prioritizing the Warrant Articles and he feels this is a higher priority because it
33 deals with people who do not have other ways to get around.

SOCIAL SERVICES - \$35,000

36 In Favor - Chairman Finan, Selectman Carmen, Selectman Putnam, Selectman Bauer

37 Opposed - Vice Chairman Daniels

38 Discussion: Vice Chairman Daniels opposes this because of cost and because the Board has given it no
39 scrutiny as to what agencies are on there or if there are duplicate services. The \$35,000 is his issue but he
40 would favor a lower amount. Chairman Finan indicated each organization supported was previously
41 spelled out. Selectman Putnam thinks it became the discretion of the Human Resources Director.
42 Selectman Bauer said it used to be spelled out and if the town is not signed up with some of these receiving
43 agencies, it costs the town a lot more money. Guy Scaife said the BAC has the document which identifies
44 the specific agencies and how much money is allocated to them. Guy Scaife can provide that to the Board
45 of Selectman. Selectman Bauer remembers going over that list and there was not any duplication of
46 services. Chairman Finan noted when there is an economic downturn, people use a lot more of these
47 services. When times are bad, people need these things more. There was no further discussion. After the
48 meeting was adjourned, Guy Scaife provided the detailed listing of receiving agencies to the Board.

GENERAL FRANK E. KALEY PARK - \$25,000

51 In Favor - Chairman Finan, Selectman Carmen, Selectman Bauer

52 Opposed - Selectman Putnam, Vice Chairman Daniels

53 Discussion: Chairman Finan indicated that both Keyes Field and Adams Field may be unusable over the
54 next couple of years because of the Fletcher clean up and the dredging of Osgood Pond. Therefore, this
55 park should be up and ready to roll. This Warrant Article will provide for that. Selectman Carmen said
56 there is also a match to what the town is sponsoring, to be raise through fundraising. Vice Chairman
57 Daniels asked if the town will appropriate \$25,000 even if it is not matched? Guy Scaife clarified that the
58 town will only appropriate the amount up to the amount received in donations. If they only get donations

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1 of \$15,000, then only \$15,000 would get appropriated by the town. Attorney Drescher felt this way, the
2 (donated) match must come in first before this money is authorized to be spent by the town. Vice
3 Chairman Daniels asked if there is a timeline for the project. Guy Scaife said it is set for the end of 2010,
4 the plan is to do the work this summer; by late summer they either will raise the donations or they won't.
5 Chairman Finan indicated the date in the Warrant Article (12/31/10) could be changed at deliberative
6 session. There was no further discussion.
7

TEAMSTERS UNION COLLECTIVE BARGAINING AGREEMENT - \$24,040

8 In Favor - Chairman Finan, Selectman Carmen, Selectman Bauer, Selectman Putnam, Vice Chairman Daniels
9
10 Opposed – None

11 Discussion: Guy Scaife explained this contract is for 23 employees; last year agreement was reached,
12 however the voters rejected it because it was a five year contract. The Teamsters agreed to work with us on
13 it and have adopted the sick time policy. This contract provides for a zero increase for this year. Guy
14 Scaife supports this contract. Chairman Finan said this shows how union negotiations can work. Last year
15 they came back and changed it to what the voters would support. There was no further discussion.
16

PUMPKIN FESTIVAL, HOLIDAY DECORATIONS AND PLANTINGS - \$15,000

17 In Favor - Chairman Finan, Selectman Carmen, Selectman Bauer, Selectman Putnam, Vice Chairman Daniels
18
19 Opposed – None

20 Discussion: Chairman Finan indicated this is the same amount as was approved last year. There was no
21 further discussion.
22

DO-IT OPERATING BUDGET SUPPORT - \$15,000

23 In Favor - Chairman Finan, Selectman Carmen, Selectman Bauer, Selectman Putnam, Vice Chairman Daniels
24
25 Opposed – None

26 Discussion: Chairman Finan indicated this amount is \$5,000 more than last year. Guy Scaife said that last
27 year it was lowered to \$10,000; they used some Fund Balance and their expenses have not gone down; they
28 will use some Fund Balance again this year. Part of the reason to keep the Fund Balance, said Selectman
29 Bauer, is because they do a lot of grant writing and in order to be eligible for grants, the operation must
30 prove viability. There was no further discussion.
31

CONSERVATION LAND FUND - \$15,000

32 In Favor - Chairman Finan, Selectman Carmen, Selectman Bauer,
33
34 Opposed - Selectman Putnam, Vice Chairman Daniels

35 Discussion: It has been discussed at the Conservation Commission (CC) meetings, that a parcel will be
36 purchased on Boynton Hill for \$70,000, in which case the Conservation Land Fund would be depleted.
37 This Warrant Article is to replenish the fund if the land purchase goes through. If the land purchase does
38 not get approved, the \$15,000 in this article would not be expended. Selectman Putnam indicated he feels
39 \$5,000 would be enough to have in the account, he will not support \$15,000. Selectman Carmen indicated
40 there are things that this funding is needed for through the course of the year. If the land is purchased and
41 the fund goes to zero, they cannot spend funds without coming to the Board of Selectman. Diane
42 Fitzpatrick, Conservation Commission, said in 2009 the CC spent money on surveys, lot line adjustments,
43 easements, etc. These are all little pieces that need to be paid for. If there is nothing in the fund, the
44 Conservation Commission's hands are tied. On a \$200,000 house, the tax impact would be about the cost
45 of a cup of coffee. Vice Chairman Daniels asked if people donate to the Conservation Land Fund. Ms.
46 Fitzpatrick responded that the CC does not charge for trail use or maps; collections have been done at the
47 Pumpkin Festival, at which \$150 was collected. Vice Chairman Daniels asked about unanticipated funds,
48 does the fund get unsolicited donations? Ms. Fitzpatrick said they occasionally do. Vice Chairman Daniels
49 asked how much per year. Ms. Fitzpatrick responded what recently happened when the Conservation
50 Commission received about \$1,000 in unanticipated funds from a fundraiser and it might be a couple years
51 before another one comes along. Selectman Carmen asked if the purchase on Boynton Hill will come from
52 the Conservation Land Fund or taxpayers. Ms. Fitzpatrick indicated nothing will be from taxpayers; she
53 did not ask for a Warrant Article for the purchase and the Board of Selectman suggested that she do a
54 Warrant Article to get some money back in the account if the purchase goes through. Selectman Bauer said
55 this article will cost homeowners about the cost of a cup of coffee; the Conservation Commission does such
56 a good job and have activities that add to the town. \$15,000 is as low as this fund should get. Vice
57 Chairman Daniels said he would support \$10,000 for this, not \$15,000. The Conservation Commission

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1 does important things that benefit the trails and the citizens, but he will not support \$15,000. That could be
2 brought up at deliberative session. There was no further discussion.

FIREWORKS - \$8,500

6 In Favor - Chairman Finan, Selectman Carmen, Selectman Bauer,

7 Opposed - Selectman Putnam, Vice Chairman Daniels

8 Discussion: Selectman Bauer asked that Chairman Finan explain the benefits that were lost when the town
9 did not have fireworks last year. Chairman Finan indicated the Recreation Commission had indicated there
10 were significant losses to the concessions as well as the MCAA fundraisers when there were no fireworks.
11 In addition, it was mentioned that there was lost revenue to the town businesses since people did not come
12 to the town for the fireworks. If this Warrant Article passes, the bonfire will be held in conjunction with
13 the fireworks; but without the fireworks there is money lost. Selectman Putnam asked how much of a
14 margin did the fireworks lose by last year. Vice Chairman Daniels looked up the voting results and
15 indicated there were 692 yes votes and 920 no votes on fireworks in 2009.

SUMMER BAND CONCERTS - \$9,000

18 In Favor - Chairman Finan, Selectman Carmen, Selectman Bauer, Selectman Putnam, Vice Chairman Daniels

19 Opposed - None

20 Discussion: Vice Chairman Daniels feels this is a good community event; he supports this versus the
21 fireworks since it lasts all summer. There was no further discussion.

MEMORIAL, VETERANS & LABOR DAY PARADE TOWN SUPPORT - \$6,000

24 In Favor - Chairman Finan, Selectman Carmen, Selectman Bauer, Selectman Putnam, Vice Chairman Daniels

25 Opposed - None

26 Discussion: Selectman Bauer indicated this supports Public Works, Police and other town departments for
27 parade activities, but does not pay for the parades, that is done by the VFW. If the town does not pass this
28 Warrant Article, there will probably not be any parades in town. Chairman Finan said that is correct.

NON-APPROPRIATION & PETITION WARRANT ARTICLES

COMMUNITY MEDIA DEPARTMENT - CABLE ACCESS REVOLVING FUND FUNDING

32 In Favor - Chairman Finan, Selectman Carmen, Selectman Bauer, Selectman Putnam, Vice Chairman Daniels

33 Opposed - None

34 Discussion: Chairman Finan indicated this will not go into effect until 1/1/2011.

FINANCE DEPARTMENT

ADOPTION OF RSA 41:14-a - AUTHORITY TO SELL OR BUY LAND & BUILDINGS

38 In Favor - Chairman Finan, Selectman Carmen, Selectman Bauer, Selectman Putnam, Vice Chairman Daniels

39 Opposed - None

40 Discussion: Guy Scaife explained the town needs the ability to move quickly when something is time
41 sensitive; this still has three bodies for checks & balances - the Board of Selectman, Conservation
42 Commission and Planning Board.

DISCONTINUANCE OF LIBRARY EXPENDABLE TRUST FUND

45 In Favor - Chairman Finan, Selectman Carmen, Selectman Bauer, Selectman Putnam, Vice Chairman Daniels

46 Opposed - None

47 Discussion: The fund has a zero balance; no further discussion.

ADOPTION OF RSA 31:19 - AUTHORITY TO ACCEPT TRUSTS

50 In Favor - Chairman Finan, Selectman Carmen, Selectman Bauer, Selectman Putnam, Vice Chairman Daniels

51 Opposed - None

52 Discussion: This is a housekeeping Warrant Article; no further discussion.

COMMUNITY DEVELOPMENT

RECLASSIFICATION OF JENNISON ROAD AS SCENIC W/CORRECTED TERMINAL POINTS:

56 In Favor - Chairman Finan, Selectman Carmen, Selectman Bauer, Selectman Putnam, Vice Chairman Daniels

57 Opposed - None

58 Discussion: This is a housekeeping Warrant Article; no further discussion.

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FOSTER ROAD – SCENIC CLASSIFICATION:

In Favor - Chairman Finan, Selectman Carmen, Selectman Bauer, Selectman Putnam, Vice Chairman Daniels
Opposed – None

Discussion: Chairman Finan asked what the difference is for a scenic road. Ms. Fitzpatrick indicated the regulations for a scenic road require Planning Board approval for stonewalls and tree trimming. This is a housekeeping Warrant Article; no further discussion.

MASON ROAD – SCENIC CLASSIFICATION:

In Favor - Chairman Finan, Selectman Carmen, Selectman Bauer, Selectman Putnam, Vice Chairman Daniels
Opposed – None

Discussion: This is a housekeeping Warrant Article; no further discussion.

PETITION ARTICLE:

Chairman Finan indicated that the Board does not take a position on Petition Articles. Vice Chairman Daniels said that last year the Board took positions on the Transportation Bus (SVTC) petition warrant. Chairman Finan responded that the Board would only take a position on a petition warrant article with a financial impact. Therefore this Board will not take a position on this petition warrant.

3. PUBLIC COMMENTS (regarding items that are not on the agenda)

4. DECISIONS

a) **CONSENT CALENDAR.** Chairman Finan asked if there were any items to be removed from the Consent Calendar. He explained that if they are taken off the Consent Calendar, they will be discussed fully; otherwise they will be accepted together without discussion. Selectman Daniels requested that item 4a1 be removed for discussion. Selectman Bauer requested that item 4a3 be removed for discussion. Selectman Putnam moved and Vice Chairman Daniels seconded to approve the Consent Calendar item 4a2 as follows, with all members in favor.

(1) **Request for Authorization on Return of Service Forms.** Selectman Daniels asked what is a Return for Service Form? Guy Scaife indicated it is the posting of the town deliberative session hours in accordance with SB-2 and the date and place for voting on official ballot. Chairman Finan indicated he does not understand why it is called a “Return for Service Form”, but that is what it is. This was approved by the Board of Selectman.

(2) **Acceptance of Unanticipated Funds Under \$5,000.** The acceptance of unanticipated funds under \$5,000 as follows:

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

Source	Amount	Purpose
Milford Lions Club	\$100.00	General donation to the Milford Police Department. The MPD wishes to designate the donation to the Law Enforcement Memorial Special Purpose fund.

(3) **Request to Approve Current Land Use Change Tax & Issuance of Warrant (Map/Lot 5- 3-1).** Selectman Bauer requested to recuse herself from this vote. Selectman Putnam moved to accept the Land Use Change Tax and Issuance of Warrant in the amount of \$2,000. Vice Chairman Daniels seconded. Selectman Putnam, Vice Chairman Daniels, Chairman Finan and Selectman Carmen were in favor, with Selectman Bauer abstaining. Motion passed 4/0/1.

b) OTHER DECISIONS

(1) **Request to Amend Request for Road Acceptance Vote, December 14, 2009 – Patch Hill Lane.** Town Roads Researcher Lorraine Carson requested that the Board rescind the vote taken on December 14, 2009 to accept Patch Hill Lane, due to incorrect wording usage. Selectman Putnam moved to rescind the vote taken on December 14, 2009 to accept Patch Hill Lane. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

Ms. Carson requested Patch Hill Lane road acceptance as follows:

“Patch Hill Lane: From Sta. 0+25 at its intersection with Mont Vernon Road (NH Route 13) to Sta. 26+18.68 at the commencement of the turn-around with a radius of 75 feet, a distance of

1 2618.43 feet, 50 feet wide, plus the turn-around, and including land for the pump house, as per
2 plan entitled 'Lot Consolidation/Subdivision Plan, Patch Hill, Prepared for Patch Hill Develop-
3 ment LLC, Map 9 Lot 1, Map 8 Lots 77-1 and -72, and Map 17 Lot 12, Falconer Avenue, NH
4 Route 13, Milford, New Hampshire' dated May 1, 2002, final revision October 10, 2002 and rec-
5 orded as Plan #32772 in the HCRD, and as per plan entitled 'As-Built Plan and Profile, Patch Hill
6 Lane, Sta. 0+00 through Sta. 10+50, prepared for Patch Hill Development LLC, Map 9 Lot 1, Map
7 8 Lot 77-1 and 72 and Map 17 Lot 12, Falconer Avenue - NH Route 13, Milford, New Hamp-
8 shire' dated May 1, 2002, final revision July 7, 2006, sht. 8 of 18 of Plan #32772, and 'As-Built,
9 Phase II, Plan and Profile, Patch Hill Lane, Sta. 9+00 through Sta. 26+18.68, Prepared for Patch
10 Hill Development LLC, Map 9 Lot 1, Map 8 Lot 77-1 and -72 and Map 17 Lot 12, Falconer Ave-
11 nue - NH Route 13, Milford, New Hampshire' dated May 1, 2002, final revision November 9,
12 2007, sht. 9 of 18 of Plan #32772, and as per plan entitled "Lot Line Adjustment Plan, Map 9 Lot
13 1-39, Patch Hill Development LLC and Patch Hill ROW, Milford, New Hampshire' dated No-
14 vember 18, 2005, revised January 6, 2006 and recorded as Plan #34637 in the HCRD which plan
15 depicts the final metes and bounds of the pump house property."

16
17 Selectman Putnam moved to accept the Patch Hill Lane road acceptance as identified above by Lorraine
18 Carson, Town Roads Researcher. Selectman Bauer seconded. All were in favor. Motion passed 5/0
19

- 20 **(2) Request for Work Session to Take Final Votes Following Deliberative Session.** Dawn Griska, Execu-
21 tive Assistant, requested Board permission to post the regular Board of Selectman meeting of February 8 in
22 addition to a meeting immediately following deliberative session on February 6, in case it is needed to take
23 final votes. The Board concurred that both meetings should be posted as requested.
24

25 5. TOWN ADMINISTRATOR REPORT

26 **a) Financial Update.** Guy Scaife indicated there is no additional financial update to present; the Local Gov-
27 ernment Center is moving forward in suing the State for reducing their contribution to the Group II retirement bene-
28 fits; he will continue to monitor.
29

30 **b) Miscellaneous.** The Milford District court discussions continue; currently the Court is funded through
31 2010, but the latest report is that it will close after that and be consolidated with the new Merrimack court which is
32 still under construction. Guy Scaife said he appreciates the letters of support that were provided, noting there are so
33 many hearings going on that Guy Scaife just happened to notice one particular hearing which he attended which did
34 not have much showing from out area. It is obvious that closing the Milford Court would not be in the citizen's best
35 interest; he was surprised to hear that the subcommittee was not listening to their own members. The Executive
36 Branch is at fault by not having the obligation to analyze the impact of that action (closing Milford District Court) to
37 the citizens. The justification was based solely on saving rent money. Guy Scaife believes the committee should
38 challenge removing a service without analyzing the impact and hopes the court will continue. In the seven commu-
39 nities served by Milford District Court, there are approximately 42,000 citizens served. The commuting time alone
40 for residents of these surrounding towns averages 28 minutes each way (to Merrimack). That is lost productivity,
41 just in commuting time. Most of that lost time is law enforcement. Hopefully this gets turned around. Vice Chair-
42 man Daniels indicated this is in Finance now, the floor is probably next. Guy Scaife said Peter Leishman put this
43 bill forward to fund the Court in Milford. Selectman Bauer noted that the hearing held in town hall was well at-
44 tended by surrounding towns; she thought it was all going on the record, but she did not get any notification to come
45 and re-testify.

46 Guy Scaife indicated that his objectives for 2009 and his draft objectives for 2010 were provided to Board
47 members; items of focus can be discussed at a work session, there are a lot of irons in the fire, but there is nothing
48 new.
49

50 6. DISCUSSIONS:

51 **a) MACC Base Update.** Selectman Putnam explained that Guy Scaife had requested an update on the
52 MACC Base action to advertise its services. Selectman Putnam indicated that they are talking to an ambulance ser-
53 vice and two different towns; he feels one of them is 99% a go for about \$10,000 a year. They have also been talk-
54 ing about other towns that they might acquire additional equipment to get them connected. There is \$11,000 left in
55 the budget from last year, \$7,000 will be refunded to the town. The MACC Base Board of Governors (BOG) may
56 request to return that money to work up additional towns in the future. Guy Scaife noted the town does get a refund;
57 at this point it is estimated. It would be logical to do this if there is an opportunity but it is only a forecast, not an

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1 obligation. MACC Base must come before the Board of Selectman about the refund if it is proposed using to purchase equipment so that they could serve new customers. That money may be earmarked for other opportunities.

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4 Chairman Finan asked if Mark Schultz, MACC Director, will come in during the next couple months to discuss this. Selectman Putnam asked if this Board would like to discuss it. Chairman Finan said he thinks we should. Selectman Putnam responded that specific discussions need to be in non-public session. Chairman Finan also noted that Selectman Carmen is interested in taking over as the Board of Selectman representative to MACC Base. Selectman Putnam said this is the time to do that since Selectman Carmen will be on the Board for a couple more years. Chairman Finan asked if any members have any problem with Selectman Carmen taking over that position. Selectman Putnam said all that is needed is a letter from Chairman Finan. Selectman Carmen has no issue with that. Selectman Putnam is okay with it as well. Chairman Finan indicated that Selectman Putnam has done a marvelous job for three years. Vice Chairman Daniels asked if MACC Base is on a calendar budget year. Selectman Putnam said they are. Vice Chairman Daniels asked if Selectman Putnam is looking for this Board to ask for the retention of the refund. Selectman Putnam felt the figures will be available when the numbers are finalized but the vote would be helpful tonight. Chairman Finan asked if the Board wants to turn that money back to them now? Vice Chairman Daniels heard that the money would be used to get other towns hooked up. Guy Scaife said the town does not normally see the refund until about June, so he recommended that no action be taken until a plan comes forward and use of the funds is discussed; the money is part of the revenue stream, there is plenty of time. Vice Chairman Daniels asked when MACC Base does their audit. Selectman Putnam answered within the next couple of months. Vice Chairman Daniels asked if Mark Schultz will come in to present. Selectman Putnam said Mr. Schultz will come in when the refund is available and contingent on the current talks. Chairman Finan suggested that Selectman Carmen, Selectman Putnam and Mark Schultz get together to discuss.

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24 Selectman Putnam moved to appoint Selectman Carmen as the MACC Base representative from the Board of Selectman on the Board of Governors. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

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

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29 **a) FROM SPECIAL BOARDS, COMMISSIONS & SPECIAL COMMITTEES.**

30 1-Chairman Finan reported that the Granite Town Media (GTM) Advisory Committee has voted to allow MCAA to advertise on Channel 21, since that is close enough to a town sponsored event to qualify. There was much discussion about this by the GTM Advisory Committee and it was decided that the MCAA would qualify. Selectman Putnam asked if they can put signage on the oval. Chairman Finan did not know but they never asked to have signage on the oval. If they are allowed to put signs on the oval, it is felt they can advertise on PEG.

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

37 1-Selectman Bauer asked when the parking spaces in front of the Red Arrow will be moved. Guy Scaife indicated as soon as the weather permits, that project will be completed.

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40 **8. APPROVAL OF FINAL MINUTES –January 11, & 18, 2010.**

41 A motion was made by Selectman Putnam and seconded Selectman Carmen to approve the minutes of January 11 & 42 18, 2010 as presented. All were in favor of approval. Motion passed 5/0.

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

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46 **10. NON-PUBLIC SESSION – Non-public Session, Approval of Non-public Minutes (RSA 91-A:3, II (d & e) Land Acquisition & Legal – January 11, 2010 and Personnel (RSA 91-A:3, II (b)).** Selectman Putnam moved to enter into non-public session at 8:24 p.m. to approve non-public minutes of January 11, 2010 and discuss a Personnel issue. Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.

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51 Selectman Putnam moved to unseal the non-public minutes of January 11, 2010. Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.

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54 Selectman Putnam moved to approve the non-public minutes of January 11, 2010 as presented. Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.

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57 Selectman Putnam moved to re-seal the non-public minutes of January 11, 2010. Selectman Carmen seconded. All were in favor. Motion passed 5/0.

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2 After the approval of non-public minutes of January 11, 2010, there was discussion of a Personnel matter after
3 which Selectman Putnam moved to come out of non-public session at 8:45 p.m. Vice Chairman Daniels seconded.
4 All were in favor. Motion passed 5/0.

5
6 Chairman Finan announced that in non-public session, the non-public minutes of January 11, 2010 were approved.
7 The Board then discussed a personnel matter. There were no votes taken or decisions made. The NPS minutes for
8 the Personnel discussion were sealed on motion made by Selectman Putnam and seconded by Vice Chairman Da-
9 niels. All were in favor. Motion passed 5/0.

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11 **11. ADJOURNMENT:**

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13 There being no further business to come before this Meeting, Selectman Putnam moved to adjourn at 8:45 p.m.
14 Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.

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17 _____
18 Tim Finan, Chairman Gary L. Daniels, Vice Chairman

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21 _____
22 Katherine Bauer, Member Nate Carmen, Member

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26 Mike Putnam, Member