

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
April 27, 2009

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

EXCUSED: Nate Carmen, Member

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

INSTRUCTIONS: The meeting was called to order by Chairman Finan at 5:30 p.m. who 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 go to a microphone in order to be heard on the PEG Access live broadcast.

2. APPOINTMENTS:

5:30 p.m. – Non-Public Session (RSA 91-A:3, II (d & e)) – Land Acquisition & Legal. Selectman Putnam moved to enter non-public session at 5:30 p.m. for RSA 91-A:3, II(d & e) for land acquisition and legal. Vice Chairman Daniels seconded. All members were polled individually and assented to enter non-public session. After discussion, Selectman Putnam moved to come out of non-public session at 5:55 p.m. Vice Chairman Daniels seconded. All were in favor of coming out of non-public session. Chairman Finan announced that in non-public session the Board discussed land acquisition and legal; no decisions were made.

6:00 p.m. – Request for Acceptance of FEMA Floodplain Map. Sarah Marchant, Town Planner, explained this effort began in February 2007 and the requested changes from OEP and FEMA have been made. Chairman Finan asked if this is needed for insurance purposes. Ms. Marchant responded that the lines determine who needs flood insurance and who doesn't. The mortgage companies have been using this since 2006; the lines have not changed, the maps are just clearer. Selectman Bauer indicated the maps are marked "preliminary", when do the maps become "final"? Ms. Marchant responded that once the Board of Selectman signs off, it is official; there will then be new maps available on the website. The maps will be issued ASAP but the date of effectiveness is in September. They cannot change in the next six months. Vice Chairman Daniels asked if everyone in the affected area is aware of the changes. Ms. Marchant responded that they have all been notified. Selectman Putnam moved to sign the maps and accept the resolution as recommended by Town Planner Sarah Marchant as follows:

Pursuant to RSA 674:57 by resolution of the Milford Board of Selectman, all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the County of Hillsborough, NH" dated September 25, 2009, together with the associated Flood Insurance Rate Maps dated September 25, 2009, are declared to be part of the Milford Floodplain Management District and are hereby incorporated by reference.

Vice Chairman Daniels seconded for discussion. Vice Chairman Daniels asked if the study that is notated on the maps has been complete. Ms. Marchant said it has been completed. All were in favor of the motion. Motion passed 4/0.

6:15 p.m. – Request for Approval of (4) and Denial of (3) Property Tax Abatement Applications, (22) Veteran Tax Credit Applications and (55) Elderly Exemption Applications. Town Assessor, Marti Noel, presented the abatement applications being recommended for approval (4) and denial (3). There was one resident, whose property is recommended for approval at 11 Oakland Drive, in attendance. Angela Lyons, 11 Oakland Drive, expressed that she had requested the value to be lowered to \$260,000 but it was only lowered to \$293,700. Ms. Noel explained that the physical data was corrected, however the market conditions were not changed since she feels what was used is sufficient. Chairman Finan explained that this assessment is based on the 2006 value and all properties are based on those values; the town cannot adjust one person's value and not adjust everyone's value based on the 2006 market conditions. Ms. Lyons explained that they had work done to the house and they were surprised at

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1 how much the taxes increased; her appraiser felt it should not have jumped that much. Chairman Finan stated the
2 assessment is based on the 2006 value. Ms. Noel said when comparables were looked at, she looked at the value
3 per square foot, and they are in the lower end of that value. Chairman Finan added that Ms. Lyons can go to the
4 BTLA if she feels it is wrong. Selectman Putnam moved to accept the three abatements recommended for denial.
5 Vice Chairman Daniels seconded. All were in favor. Motion passed 4/0.

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7 Selectman Putnam moved to accept the four recommendations for approval. Vice Chairman Daniels seconded for
8 discussion. Vice Chairman Daniels asked if the estimates that Ms. Lyons provided were from 2006 or 2009. Ms.
9 Lyons responded from 2009. Ms. Noel indicated they are actually dated June 2007. Vice Chairman Daniels noted
10 that 2006 and 2007 are pretty close. Guy Scaife pointed out that the square footage needs to be considered, not just
11 the total value. All were in favor of the motion. Motion passed 4/0.

12
13 Marti Noel presented the 22 applications for Veteran's Credit with the recommendation for approval. Selectman
14 Putnam moved to accept the recommendation for approval of the 22 Veteran's Credits as presented. Selectman
15 Bauer seconded for discussion. Vice Chairman Daniels asked why one application is for \$1400? Ms. Noel ex-
16 plained there are different credits for disability during service that are determined by the VA. Chairman Finan
17 asked if the numbers are similar to 2008. Ms. Noel explained she is not done processing the applications but will
18 provide that data once complete. All were in favor of the motion. Motion passed 4/0.

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20 Marti Noel presented the 55 applications for elderly exemption that meet the criteria and are recommended for ap-
21 proval. Selectman Putnam moved to accept the recommendation for approval of the 55 elderly exemptions as pre-
22 sented. Vice Chairman Daniels seconded. All were in favor. Motion passed 4/0.

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24 All listings of these requests are included in the final selectman packets of April 27, 2009.

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26 **6:30 p.m. – Second Public Hearing on Ordinance 2009-001 to Enact Modifications to Milford Municipal**
27 **Code Book 7.16.115 – Railroad Pond Fishing Limitations.** Chairman Finan opened the public hearing at 6:42
28 p.m. This is the second reading of Ordinance 2009-001; the first reading was two weeks ago at the Board of Se-
29 lectman meeting and the third reading is scheduled for May 8, 2009 at 8:30 a.m. in the Board of Selectman room.
30 Chairman Finan read the ordinance. Chairman Finan asked for any questions or comments from the public about
31 this ordinance. There were none. The public hearing was closed at 6:45 p.m. Vice Chairman Daniels asked that
32 the RSA number be included on the sign to be posted at the Derby. All board members concurred.

33
34 **6:45 p.m. – First Public Hearing on Ordinance 2009-002 to Enact Modifications to Milford Municipal Code**
35 **Book 6.32.110 (J) Whitten Road Curve.** Chairman Finan opened the public hearing at 6:46 p.m. This is the first
36 reading of Ordinance 2009-002. Chairman Finan read the ordinance and explained that this came to the Board from
37 the Traffic Safety Committee (TSC) who is trying to address a difficult curve on Whitten Road; this is a modifica-
38 tion to an ordinance. Chairman Finan asked for questions or comments from the public. There were none. The
39 public hearing was closed at 6:48 p.m. Selectman Putnam asked if the school speed limit was taken into considera-
40 tion with this change. Chairman Daniels said this ordinance does not represent what was discussed with the TSC;
41 he has talked with Chief Douglas and questioned why 25 mph would be in a school zone and was told the local au-
42 thorities can decrease an urban district, and the Chief noted that the 20 mph is 45 minutes prior to school beginning
43 and after school closes, people coming to a 20 mph sign will speed up at this curve. Vice Chairman Daniels thinks
44 there are a couple things not covered by this change. Vice Chairman Daniels thought a speed notation would be
45 added to the existing curve sign. Chairman Finan asked if this should be tabled until a determination is made by the
46 TSC. Vice Chairman Daniels said that would be fine. The consensus was to table the reading of Ordinance 2009-
47 002 for Vice Chairman Daniels to get back to the Board of Selectman about TSC input.

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49 **7:00 p.m. – Interview for PEG Access Advisory Committee.** Jose Luna was in attendance for this interview for
50 the PEG access advisory board. Chairman Finan explained there has been some back and forth about this; Jose
51 would like to join the PEG committee and it has been unclear whether or not he needed to come to the Board of
52 Selectman. Jose wanted to interview with this Board because he would like to write grants for PEG and he believes
53 that his authority to act on the town's behalf would be clearer if he were formally approved by the Selectmen. Jose
54 Luna explained he comes from the Dominican Republic and came to Milford about five years ago. His background
55 includes radio and he has done a lot of grant writing working for the Ministry of Education. Selectman Bauer
56 thinks it is great that Jose has experience in writing grants and is willing to give the town that experience. Vice
57 Chairman Daniels asked if Jose has cable TV. Jose said he currently does not have cable because he encourages his

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1 children to read instead of watching TV, but he is contemplating getting cable if he is involved in PEG. Vice Chair-
2 man Daniels asked Jose how he became interested in PEG without cable. Jose explained he has always been in-
3 volved in all types of media. Chairman Finan noted that Dave Kirsch is working on getting public meetings
4 streamed on the computer. Selectman Putnam moved to appoint Jose Luna as a member of the PEG Access com-
5 mittee. Selectman Bauer seconded. All were in favor. Motion passed 4/0.

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7 **3. PRESS AND PUBLIC COMMENTS (regarding items that are not on the agenda):**

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9 **4. DECISIONS:**

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11 a) **CONSENT CALENDAR.** Chairman Finan asked if there were any items to be removed from the Consent
12 Calendar. He explained that if they are taken off the Consent Calendar, they will be discussed fully; otherwise they
13 will be accepted together without discussion. There were no items removed for discussion. Selectman Putnam
14 moved and Vice Chairman Daniels seconded to approve the Consent Calendar, as follows, with all members in fa-
15 vor.

16
17 (1) **Request to Approve Taxicab Licenses (2).** The Board was presented and approved two Taxicab Licenses
18 for Independent Livery Service for License # 3 and #5 through February 2010.

19
20 (2) **Request to Approve Taxicab Operator Permit Applications (3).** The Board was presented and ap-
21 proved three Taxicab Operator's Permits as requested from Milford Taxi for Michele Knightly, Paul
22 Knightly and William Labelle.

23
24 b) **OTHER DECISIONS**

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26 (1) **Request for Submissions for the Quarterly Employee Newsletter & Request for Selectmen's Repre-**
27 **sentative.** Ruth Bolduc, HR Director, has requested a Board representative for the quarterly employee newsletter
28 and submissions for the next newsletter no later than May 15. Chairman Finan volunteered to be the Board repre-
29 sentative for this submission.

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31 **5. TOWN ADMINISTRATOR REPORT:**

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33 a) **Recycling/Co-Op Contract.** Guy Scaife sent out an e-mail to let everyone know several communities
34 have committed to the contract; Guy Scaife is hoping that the Board will be in a position to make a deci-
35 sion by the next Board meeting May 11. If there are specific questions that need to be addressed, please let
36 him know. We need to make some other decisions such as enforcing the mandatory recycling ordinance.
37 If the town does not go with single stream, the town needs to identify a good solution. Mr. Scaife along
38 with Chairman Finan, Bill Parker and John McCormick, visited Hitchiner Manufacturing last week to dis-
39 cuss ways that the town can work with local businesses. One of the issues discussed was recycling.
40 Hitchiner does not currently recycle, but they feel that it would be easier for them to recycle if the town
41 goes with single stream. Selectman Bauer indicated only one or two of the commercial haulers offer recy-
42 cling, how would the town entice the rest of them to get on board? Mr. Scaife said it is through enforcing
43 the ordinance; if the town makes it easier to recycle, there will be more people participating. Chairman Fi-
44 nan noted that Hitchiner was looking at it from a pure economic standpoint and they want to lower the cost
45 of hauling waste for their company. It would be the same for multi-family apartments. Vice Chairman
46 Daniels asked how it can be enforced? Mr. Scaife explained the details have not been worked through, but
47 the town would need to give written notice first, to alert them that this is a standing ordinance and give a
48 deadline to comply. Vice Chairman Daniels wants to know how the ordinance can be enforced. Mr.
49 Scaife suggested the town needs to first focus on the biggest opportunity; the town has not dealt with a
50 large portion of the population (multi-family). There is a limit about how much the town can enforce, if we
51 see people not recycling, the people at the transfer station will speak up. Mr. Scaife wants to focus on the
52 major area of improvement, but the town will not be ripping open trash bags for compliance.

53
54 Selectman Bauer thinks single family homes will be more apt to participate with recycling with single
55 stream because it is easier; Selectman Bauer asked if the commercial haulers will be notified that this will
56 happen? Mr. Scaife said it will be in the newspaper and a notice will be sent to landlords as well. If this
57 Board supports single stream, Chairman Finan asked if there is any action needed prior to 2010 when the

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1 facility opens. Mr. Scaife said the town will gear up to get ready for this change. Chairman Finan asked if
2 this Board will be prepared to vote at the next meeting? Selectman Bauer feels with the work done by Mr.
3 Scaife and Bill Ruoff, the tour of the Transfer Station, and the public hearings that have been done, she
4 feels ready to vote at the next meeting. Vice Chairman Daniels and Selectman Putnam feel they will be
5 ready to vote as well. Chairman Finan will put that on the agenda for the next Board meeting.
6

7 **b) Stimulus Funding Update.** Guy Scaife explained there are three areas that Milford may receive some of
8 the stimulus funding:

9 **South Street Project** – ever since the opportunity for stimulus funding came out, the town has been active
10 and on the phone with representatives and has attended meetings with Congressman.

11 **Energy conservation** – no specific projects identified but have been working with NRPC on the energy
12 conservation committee that is meeting again this week; depending on the outcome of that committee, Mil-
13 ford may have projects that qualify

14 **Fire and Ambulance facility** – there is money in homeland security funding that could be available; de-
15 pending on what happens with the consultant, there might be some money that could be pursued there.
16

17 **c) Miscellaneous.**

18 **Comcast.** The Comcast Cares day was April 25; there were two groups in Milford working at the MCAA
19 fields and on the Rail Trail. There was a lot of work done and still some more to do at the MCAA fields;
20 the employees will be back to finish. The area from DPW to Union Street was the worst area of the Rail
21 Trail, which was cleaned up; this summer additional clean up will get done.

22 **Walgreen’s Traffic Light** – At the June 8 Board of Selectman meeting the traffic engineer that planned
23 that intersection will be in attendance to explain how the light is set up and if there are any changes that
24 could be made.

25 **DPW** – Town wide clean up was last week and is still ongoing this year because of the damage from the
26 ice storm; if it is finished by this week that is an accomplishment. Starting this week, the paving program
27 will begin. The portion of Nashua Street from the railroad tracks down to Ponemah Hill Road will be
28 paved. There might be a shortage of materials due to a lot of projects at the State level.

29 **Senate Finance Committee.** Guy Scaife attended the hearing and spoke on behalf of Milford to raise the
30 issue of how the budget cuts impact the town. Guy Scaife indicated it was interesting listening to the opin-
31 ions of the issues from other towns. Guy Scaife said he expressed the town’s opposition to the \$10 hike in
32 car registrations.
33

34 **6. DISCUSSIONS:**

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36 **a) Board of Selectman Goals 2009-2010.** Chairman Finan indicated a work session will be set up to discuss
37 budgetary issues unless it can be covered at regular Board meetings. Selectman Bauer would rather use a
38 work session. May 18 at 5:30 was tentatively scheduled for a work session. Selectman Bauer thinks the
39 goal of going paperless should be a long term goal, noting there is a long way to go before the Board is pa-
40 perless. Vice Chairman Daniels stated it needs to start somewhere, a lot of stuff will need to get changed
41 over. Mr. Scaife added that having laptops for each Board member is also a cost that has not been dis-
42 cussed. Chairman Finan asked about the storm water regulations and how much of that is driven by federal
43 regulations and how much is local. Mr. Scaife pointed out that it is a federal mandate; Milford is desig-
44 nated an MS-4 community because of its proximity to the greater Nashua area. These are strict obligations
45 the town must meet. If Milford does not get more into it and set targets and funding activities, the town
46 could get fined. Snow storage is an area the town needs to improve on. Selectman Bauer stated the Plan-
47 ning Department got hit with this new regulation, but Milford does not have a choice. Chairman Finan ex-
48 pressed that he will have Board of Selectman goals on the agenda every 3-4 months to be sure the Board
49 stays on track.
50

51 **b) Milford Area Communications Center (MACC Base) 2009 Contract.** The updated by-laws were sent
52 to Board members by Selectman Putnam over the weekend. Mr. Scaife asked for a copy which Chairman
53 Finan responded he will forward. Selectman Bauer asked about notice for special meetings, and if public
54 notice is required? Selectman Putnam said it is required to be posted in each town. It was agreed to add
55 the wording to the by-laws (page 2, number 5) “. . . and town hall for posting . . .” Selectman Bauer also
56 questioned the removal of members or resignations and what happens when filling a vacancy. It was
57 agreed that needs to be addressed. Selectman Putnam is waiting for the final by-laws in order to set up a

1 joint meeting with all three towns. Selectman Bauer asked if Milford will be looking at alternatives for
2 MACC base in 2009? Selectman Putnam said the contract is good for five years, the financials will be
3 looked at, but it is not up for renewal this year. Chairman Finan noted that MACC Base is supposed to be
4 marketing itself, this summer the Board should hear what is being done to market itself. Vice Chairman
5 Daniels suggested the Board needs to review the service each year to see if there is something more eco-
6 nomical; Milford needs to continue to reassess the options.
7

- 8 c) **Modifications to the 3.20.070 Taxicab Ordinance.** The revised Taxicab Ordinance was forwarded to
9 Board members by Selectman Putnam, but it was found to be the old version. The only change to the ordi-
10 nance was the time limits within convictions and the valid health card as required by DOT. The correct
11 version will be forwarded by Chairman Finan to Dawn Griska to be formalized and be presented for the
12 first reading at the next meeting. Vice Chairman Daniels asked if these types of documents could be sub-
13 mitted electronically to Board members. Chairman Finan will coordinate that with Dawn Griska.
14

15 **7. SELECTMEN'S REPORTS/DISCUSSIONS:**
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- 17 a) **FROM SPECIAL BOARDS, COMMISSIONS & SPECIAL COMMITTEES.** Chairman Finan would
18 like members of boards/commissions/special committees to provide updates to the Board at each meeting.
19 Facilities Committee: Selectman Bauer said that tours were given of the town facilities to potential consult-
20 ing firms, which ended up with eight proposal submissions as of April 24 from companies interested in the
21 consulting job.
22 Comcast Cares Day: Selectman Bauer was at the organizing site at the DPW; Comcast has it organized
23 well and she was impressed by the people being enthusiastic and organized.
24 Recreation Commission: Chairman Finan reported that the MCAA Comcast cares day also went well, not-
25 ing it was a good size group that accomplished work on the dugouts and painting. A Recreation Commis-
26 sion meeting is being held May 5, 7-9 p.m. at which they will discuss Fourth of July ideas.
27 Solid Waste/Recycling: Vice Chairman Daniels asked why this committee is inactive and could input be
28 sought from them regarding single stream? Guy Scaife indicated there was no specific project when this
29 committee was made inactive, but he did contact committee members who were in favor of single stream –
30 he agrees the committee should now be made active, but not to get input on this project since is it too close
31 to the deadline. Chairman Finan noted that committee members were present at the presentations and there
32 was no opposition, but he will contact Noreen O'Connell who was the Chairman on this committee. Vice
33 Chairman Daniels noted that he feels they are interested and might have perspective. Chairman Daniels
34 will speak with some of the members of this committee to see if their view has been fairly represented.
35

- 36 b) **OTHER ITEMS (that are not on the agenda).**
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38 **8. APPROVAL OF FINAL MINUTES.**
39

40 Selectman Putnam moved to approve the minutes of April 13, 2009 as presented. Vice Chairman Daniels seconded.
41 All were in favor. Motion passed 4/0. Vice Chairman Daniels requested that once approved, he would like the min-
42 utes e-mailed to him, to which Guy Scaife responded that once approved, the minutes are uploaded to the website.
43 Vice Chairman Daniels said he will check the website.
44

45 **9. INFORMATION ITEMS REQUIRING NO DECISIONS**
46

47 **10. NON-PUBLIC SESSION:**
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49 Selectman Putnam moved to enter non-public session at 8:05 p.m. for RSA 91-A:3, II(e) for legal. Vice Chairman
50 Daniels seconded. All members were polled individually and assented to enter non-public session. Selectman
51 Bauer moved to un-seal the NPS minutes of April 13, 2009. Selectman Putnam moved to approve the non-public
52 minutes of April 13, 2009 as presented. Selectman Bauer seconded. All were in favor. Motion passed 4/0. Se-
53 lectman Putnam moved to re-seal the non-public minutes of April 13, 2009. Selectman Bauer seconded. All were
54 in favor. Motion passed 4/0. Selectman Putnam moved to come out of non-public session at 8:10 p.m. Selectman
55 Bauer seconded. All were in favor of coming out of non-public session at 8:10 p.m. Chairman Finan announced
56 that in non-public session the Board approved non-public minutes of April 13, 2009.
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11. ADJOURNMENT:

There being no further business to come before this Meeting, Selectman Putnam moved to adjourn at 8:10 p.m. Vice Chairman Daniels seconded. All were in favor. Motion passed 4/0.

Tim Finan, Chairman

Mike Putnam, Member

Gary Daniels, Vice Chairman

Katherine Bauer, Member

Nate Carmen, Member