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**APPROVED**

**MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING**

May 24, 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:** Chairman Finan called the meeting to order at 5:30 p.m. Chairman Finan introduced Board members and 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.

**2. APPOINTMENTS:**

**5:30 p.m. – Recognition of Service to the town – Retirement of Patrol Officer George Durham.** Police Chief Douglas indicated that after 23 years of service, Patrol Officer George Durham has decided to retire; his last day with the Milford Police Department will be May 28, 2010. Further, Chief Douglas reviewed Officer Durham's career in Milford including being the School Resource Officer (SRO) from 2000-2007 where he impacted numerous kids in the school system and he is currently a member of the police motorcycle unit. Chairman Finan presented a gift for Officer Durham's years of service. Officer Durham indicated it is nice to be recognized for his 23 years of service and that he has known most of the people on the Board for many years. Chief Douglas and the Board of Selectman thanked Officer Durham and wished him well in his retirement.

**5:35 p.m. – Departmental Update – Police.** Police Chief Douglas, Captain Nervik and Captain Toom were in attendance for this presentation. Chief Douglas indicated that Sean Ostler has resigned effective June 18 and there will be one military departure for 12 months. The Police activity has increased in call reason reporting, but that is mostly self generated, such as business checks which cause the responses to be down. The Police Department has been working with Recreation and DPW regarding Keyes Field incidents, all incidents get reported and the individuals might be suspended from using the park depending on the incident. Graffiti incidents are down; training on mental health and domestic violence has been given to all officers. Last year the Police Departmental Update was a little later in the year so the numbers were higher for training, but most training is done in June and July. The bike auction will be in June this year. A K-9 demonstration will be held in the summer and 167 kids registered for the fishing derby which had no incidents. 151 fish were caught. The car thefts in the Jennison Road area sparked a neighborhood watch starting with a discussion at which 60-70 people attended, more information was collected and two arrests were made. The Ride Along program is being run for kids that may be interested in a career in law enforcement. There were 37 applications collected on Saturday and another job fair will be on Thursday 8-9p.m. for those individuals that could not attend Saturday; Chief Douglas noted there are some good candidates already. The Police Department has also done some Public Service Announcements (PSAs) and there will be more to follow.

Vice Chairman Daniels asked if the program is still being run for high school students interested in law enforcement. Chief Douglas said that is the Ride Along program and they also offer an internship program through St. Anselm college; there were 3-4 requests recently but the department is unable to take them on due to short staffing. Vice Chairman Daniels asked if the program is only through St. Anselm, or is it through the Tech Colleges as well. Captain Nervik said there are two candidates meeting with Sergeant Furlong from Hesser or the Tech, but at the high school level the police do not do a lot of mentorships, however there is a one day program at the high school when an officer can interact with students at the high school that may be interested in this career. There are a number of colleges that do the Ride Along program. Selectman Putnam asked about the notification to residents of incidents in town – are they only on PEG access? Chief Douglas responded that it is done on the website or in a PSA if it is of importance to notify Milford residents. Selectman Putnam thanked the Police Department for a job well done. Chairman Finan asked what the reason may be for the decrease in motor vehicle stops. Captain Toom responded the officers are doing more community oriented issues on the back roads and spending less time on the high traffic roads where motor vehicle stops are more common; which was a goal for the department to be more back-road oriented.

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1 Chairman Finan asked about motorcycle noise. Chief Douglas received two complaints over the weekend; 106 decibels is legal, but it is loud. Selectman Bauer stated the motorcycles are out now, so people have noticed more in  
2 the nice weather. Chairman Finan asked if Milford can limit the parking during the parades for people who go to the  
3 oval to watch. Chief Douglas said they can do anything, but there is not enough parking downtown. Chairman Finan  
4 suggested limiting the parking across from the Town Hall auditorium stairs where the parade goes by. Guy  
5 Scaife thinks it would be appropriate in that area to restrict parking since it interferes with the intent and is logical.  
6 Also, Guy Scaife said it is important to state the issue is not the motorcycles; it is the 1 out of 8 motorcycles that  
7 have excessive noise. Chief Douglas asked for clarification on the parade parking since the Memorial Day and Labor  
8 Day parades have a different route. Guy Scaife suggested it be adjusted accordingly to the parade route. Vice  
9 Chairman Daniels asked about handicapped parking during that time. Chief Douglas suggested he would look at  
10 eliminating parking on one side of the oval and have handicapped parking on the other side during parades.  
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13 **6:05 p.m. – Interview of Judy Parker as a Heritage Commission Candidate.** Judy Parker was in attendance for  
14 this interview which began at 8:00 p.m. Ms. Parker has been on the Heritage Commission since it started. Select-  
15 man Bauer explained there are two new Heritage Commission members, therefore Judy Parker will now become an  
16 alternate member. Vice Chairman Daniels asked if Ms. Parker has a sense of where the Heritage Commission is  
17 heading in the next year. Ms. Parker said one of the concerns is the dam removal; she does not think it is the direc-  
18 tion the town wants to go. People look at the dams which create serenity and she would hate to see the town lose  
19 that. Selectman Bauer said that is why a thorough study will be done and the public will have a chance to state their  
20 case. Ms. Parker also indicated that Monson Village Day was held last year and it will be held again this year as  
21 more of a festival. Selectman Putnam moved to appoint Judy Parker as an Alternate member of the Heritage Com-  
22 mission until March 31, 2013. Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.  
23

24 **6:10 p.m. – Interview of Kim Paul as a Wadleigh Memorial Library Trustee Alternate Candidate.** Kim Paul  
25 was in attendance for this interview to become an alternate member of the Library Trustees. Ms. Paul indicated she  
26 has lived in Milford for 10 years and loves to read, frequently patronizing the library. Ms. Paul wants the Library to  
27 be the best it can be and wants to serve the community. Chairman Finan asked if Ms. Paul would be interested in  
28 running for an elected position for Library Trustee. Ms. Paul said she would. Vice Chairman Daniels asked if Ms.  
29 Paul thought about where she wants the Library to go from here. Ms. Paul would like to be able to keep up with  
30 other libraries with the technology, e-books, e-readers, etc. and see Milford be able to keep up with what is needed  
31 for children in school. Vice Chairman Daniels asked about social networking and how is that being used by the  
32 Library today. Ms. Paul is a Friend of the Library on Facebook where they send out announcements that keep her  
33 up to date on activities, but she is not that familiar with how Facebook could be used with business. If used right,  
34 Facebook could be an asset. Vice Chairman Daniels asked how much does the Town Administrator interact with the  
35 Board of Trustees. Guy Scaife said it is intermittent, but it is a good relationship and is very smooth, but the Library  
36 Trustees interact more with Human Resources and Finance than the Town Administrator. Vice Chairman Daniels  
37 moved to appoint Kim Paul as an alternate member of the Library Board of Trustees until March 31, 2011.  
38 Selectman Putnam seconded. All were in favor. Motion passed 5/0.  
39

40 **6:15 p.m. – Interview of Andy Hughes as a Conservation Commission Candidate.** Andy Hughes was in  
41 attendance for this interview and is currently an alternate member of the Conservation Commission and has years of  
42 history in conservation and a good awareness of conservation. Mr. Hughes feels he can continue to help Milford in  
43 this area. Vice Chairman Daniels asked if the Conservation Commission does anything with the Heritage  
44 Commission. Mr. Hughes responded that he did not recall. Selectman Bauer indicated that Andy has some good  
45 ideas and speaks out at meetings and would be a good addition. Selectman Carmen moved to appoint Andy Hughes  
46 as a full time member of the Conservation Commission until March 31, 2012. Selectman Bauer seconded. All were  
47 in favor. Motion passed 5/0.  
48

49 **6:20 p.m. – First Public Hearing on Ordinance 2010-002 to Enact Modifications to Milford Municipal Code**  
50 **Book 3.20 – Taxicabs.** Chairman Finan opened the public hearing for the Taxicab Ordinance 2010-002 at 6:24 p.m.  
51 Chairman Finan explained this amendment is to remove the requirement for the health card and he read the amended  
52 language. Chairman Finan asked if there were any comments from the public.  
53

54 Harry Knightly, Milford Taxi, asked who will pay the fee for random drug testing. Selectman Carmen drafted the  
55 amendment, noting if Milford requires the random drug test, the town should pay for it. Chairman Finan asked if  
56 that is how other towns do it. Selectman Carmen could not find that information anywhere. Selectman Putnam has  
57 not thought this through yet, asking how much the drug test costs? Mr. Knightly responded it costs about \$90;  
58 Nashua Taxi does about 150 drivers per year and pays about the same license fee as in Milford. The cost of the test

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1 is included in the license fee charge in Nashua. The random drug test is pretty much a urine specimen and breath  
2 test and that's it. A 15-panel drug test shows what is in the individual's system from one month back. Chairman  
3 Finan thinks it should be paid for through the town fee. Selectman Bauer said the fee is only \$25, how can that pay  
4 the test? Selectman Putnam suggested looking at adjusting the fee if necessary for the next hearing.  
5

6 Vice Chairman Daniels asked what is done in other small towns and if wrecker services drivers in Nashua have to be  
7 drug tested, since they transport vehicle owners. Mr. Knightly said wrecker service drivers are not required to be  
8 drug tested. Vice Chairman Daniels noted that the towing services in Milford also transport residents and Milford  
9 does not require drug testing for them, so are we going overboard with this? Can we justify whether it should be  
10 done or not? Selectman Bauer asked if Merrimack or Hudson was checked. Selectman Carmen can look at that  
11 before the next Board meeting. Selectman Bauer thinks the larger towns do have the testing; she thinks it is  
12 important to have this done. Selectman Carmen agreed since we do not know where Milford will be (in size) in ten  
13 years. We should look at mid-size communities. Vice Chairman Daniels said there is nothing in the ordinance that  
14 says it applies to other businesses such as towing. Chairman Finan said that transporting the public is not the  
15 primary purpose of the towing company which provides towing of vehicles. Selectman Bauer would like to know  
16 that any driver of a taxi is drug free; it should just be part of the ordinance. Guy Scaife asked if the two Milford  
17 drivers are also licensed in Nashua. Michele Knightly said she is a driver in Nashua but Mr. Labelle is not.  
18 Selectman Putnam asked if random drug testing is required by the insurance company. Mr. Knightly said it is not.  
19 It is not a big issue, except who will pay for it. Random drug testing is a good tool. Selectman Bauer indicated this  
20 ordinance is for the town and goes forward into the future. If this goes forward, Vice Chairman Daniels would like  
21 to see if the testing is used for drivers in other towns that they could use the testing from another town instead of re-  
22 testing. Selectman Putnam agreed. Michele Knightly indicated they will not give the results to the person tested;  
23 there is only a phone call with pass or fail, but not the results; she does not get any written results. Selectman  
24 Putnam moved to table this reading until the additional information is brought forward. Vice Chairman Daniels  
25 seconded. All were in favor. Motion passed 5/0.  
26

27 **6:40 p.m. – Oval Area Parking Concerns.** Kevin Stephens, Union Street Grille, was in attendance for this  
28 discussion which began at 6:52 p.m., however, Scott Brooks, owner of the Verizon store, who originally requested  
29 this discussion was not in attendance. Selectman Putnam has yet to see a problem with parking and has not seen the  
30 municipal lot full, even on weekends. Selectman Bauer said it was mentioned that other business owners on the oval  
31 were concerned about the parking. Guy Scaife indicated this meeting was called by Scott Brooks who also feels  
32 there is a problem. Tonight was to see what the results were of the residents using the spaces since the winter  
33 parking ban was lifted. Selectman Bauer agreed there seems to always be multiple businesses concerned with  
34 parking and it would be good if there were more business representatives here tonight. Selectman Putnam again  
35 stated he has not seen a problem and this past weekend he checked again. Mr. Stephens said it has gotten a little  
36 better, but there is one vehicle always parked there, people living in the apartments do things and leave, but some  
37 people just park and stay there. The parking lot has done nothing for the tenant parking. Selectman Bauer asked  
38 about the kindergarten parents. Mr. Stephens feels they are using the parking lot; it was just difficult at the  
39 beginning of the school year. Selectman Bauer suggested reviewing this again but there were several owners that  
40 did not want restricting parking; it was not just a tenant problem. Selectman Bauer thinks the Board should do a  
41 survey or something to get people involved. Selectman Putnam moved to take this under advisement. Vice  
42 Chairman Daniels seconded. Vice Chairman Daniels, Selectman Putnam, Selectman Carmen and Chairman Finan  
43 were in favor with Selectman Bauer opposed. Motion passed 4/1.  
44

45 **3. PUBLIC COMMENTS (regarding items that are not on the agenda).** Gil Archambault said about 5-6 weeks  
46 ago, he noticed the oval flag pole was flying a small flag. After some research, he found that with a 42 foot flag-  
47 pole, the town should be flying a 15' x 10' flag; Mr. Archambault contacted the VFW who will order a 15' x 10'  
48 flag for the town and Bill Ruoff, DPW Director, has agreed to pick up the flag when it comes in which will be in  
49 within 2-3 weeks. Mr. Archambault said the town needs to be sure it is flying the correct size flag since it is our  
50 pride. Also, last year the Memorial Day flags were removed from the oval by 2 p.m. on Memorial Day. Why would  
51 they be taken down that early? Who made the decision to remove the flags at 2 p.m.? The Board should decide  
52 how long those flags should fly. Mr. Archambault just wanted to let the Board know these facts and thanked the  
53 VFW for their generosity. Chairman Finan acknowledged and thanked the VFW as well.  
54

55 **4. DECISIONS**

56 a) **CONSENT CALENDAR.** Chairman Finan asked if there were any items to be removed from the Consent  
57 Calendar. He explained that if they are taken off the Consent Calendar, they will be discussed fully; otherwise they

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1 will be accepted together without discussion. Vice Chairman Daniels moved and Selectman Putnam seconded to  
2 approve the Consent Calendar items as follows, with all members in favor.

3  
4 **(1) Request to Allow Vending at Keyes Field, Request to Temporarily Alter Times Vending Activities**  
5 **are Allowed, Request for Approval to Erect a Banner at the Entrance to Keyes Field Park & on the**  
6 **Keyes Field Stage.** The Milford Rotary Club requested Board permission to erect banners and allow  
7 vending at Keyes Field beginning at 7:30 a.m. at the 42<sup>nd</sup> annual Milford Rotary Swim Meet July 23 and  
8 24, 2010. This request was approved.

9  
10 **(2) Request to Approve Issuance of Timber Yield Tax Levy & Warrant.** Tax Collector Kathy Doherty  
11 requested approval of a Timber Tax Levy in the amount of \$501.60 from Riley Brothers Lumber on  
12 Christmas Tree Lane. This request was approved.

13  
14 **(3) Request to Approve Issuance of Timber Yield Tax Levy & Warrant.** Tax Collector Kathy Doherty re-  
15 quested approval of a Timber Tax Levy in the amount of \$454.53 from Mathew Stearns on Mileslip Road.  
16 This request was approved.

17  
18 **(4) Request for Approval of Annual Parade Permits.** American Legion Post 23 and Harley Sanford (VFW)  
19 Post 4368 requested permission to hold the annual parades as follows:  
20 May 31, 2010 Memorial Day Parade 10:00 a.m. – 12:00 p.m.  
21 September 6, 2010, Labor Day Parade 12:00 p.m. – 3:00 p.m.  
22 November 11, 2010, Veteran’s Day Parade 10:45 a.m. – 12:45 p.m.  
23 This request was approved.

24  
25 **(5) Acceptance of Unanticipated Funds Under \$5,000 and Gifts Under \$5,000.** The listing of unanticipated  
26 funds under \$5,000 and gifts under \$5,000 was approved as follows:

<u>Source</u>	<u>Amount</u>	<u>Purpose</u>
Milford Recreation Commission	\$507.60	Fundraiser donations for the Kaley Park Phase II Special Purpose Fund. This donation is to be Matched through the 2010 Warrant Article #14 General Frank E. Kaley Park
Larry Schiavone	\$100.00	Donation for the Kaley Park Phase II Special Purpose Fund. This donation is to be matched through the 2010 Warrant Article #14 General Frank E. Kaley Park
Milford Volunteer Ambulation Assoc.		Donation of an Automatic External Defibrillator to the Milford Ambulance Department. It has an approximate Value of \$1,029.30. See memo from Eric Schelberg, Ambulance Director.

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43 **(6) Request to Utilize Town-Owned Property for a Meeting and Small Bonfire.** Cub Scout Pack 421 has  
44 requested permission to end the cub scout year on June 7, 2010 with a small bonfire on town-owned land  
45 (adjacent to Heron Pond School). This request was approved.

46  
47 **b) OTHER DECISIONS**

48 **(1) Request for Acceptance of Amended Granite Town Media Advisory Committee By-Laws.** The Gra-  
49 nite Town Media Advisory Committee presented the proposed by-laws for approval. Selectman Putnam moved to  
50 accept the by-laws as presented. Vice Chairman Daniels seconded. All were in favor.

51  
52 **(2) Request to Approve Applications for Licenses to Sell Pistols and Revolvers.** In order to get all renewal  
53 dates lined up for those businesses selling pistols and revolvers, there are three licenses that expire May 31, 2010  
54 and require renewal: Greg A. Danas dba AG Guns Inc., Paul Livoli dba Paul’s Gun Shop and Nicholas D’Augustine  
55 which will bring the licenses up to date until May 31, 2013. Selectman Putnam moved to approve as presented.  
56 Selectman Carmen seconded. All were in favor. Motion passed 5/0.

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58 **5. TOWN ADMINISTRATOR REPORT**

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1 a) **Legislative Update.** Guy Scaife explained HB1393 was amended a couple weeks ago to put in controls for  
2 three organizations that provide risk coverage for municipalities. That is continuing and going into committee of  
3 conference. It is a situation that should have standalone legislation and there has not been adequate time to analyze  
4 the long term impact; it is a subject worthwhile of study but needs adequate time to be reviewed. A 5% reserve  
5 number was not mandated; that was defeated. They want the Secretary of State to have oversight instead of the in-  
6 surance commission office. That is one debate. With the other challenges before the State, to take this on when no  
7 one has defined what is broken is a mistake. They want to legislate someone else taking over, but what is broken to  
8 begin with has not been defined. There are financial issues at the State level that are not being dealt with. The  
9 House Bills and Senate Bills propose that local communities have the option to impose a local tax – Guy Scaife feels  
10 that is a bad idea. For example, last year the Room & Meals tax went from 8% to 9%, the difference was originally  
11 to be going to the municipality, but it is actually going only to the State. Concord has indicated that some communi-  
12 ties would be affected and others would not, Guy Scaife hopes that gets defeated. It would need to go to town vote  
13 as well.  
14

15 Vice Chairman Daniels explained there is currently a \$300,000 - \$360,000 million shortfall; the legislature has  
16 looked every way it can to downshift the cost to communities. Right now, Senate Bill SB420 went to the House.  
17 That was the budget; they added on another 20-30 taxes and fee increases, after the debate, the House passed it with  
18 less than 20 votes, then it was killed at the Senate. HB1128 was then taken up which tacked on gambling and went  
19 to the House. That passed and there are now two big Committees of Conference. Some agreements are being made  
20 between the two. People on those Committees of Conference are on both committees; that is where the budget is  
21 right now.  
22

23 b) **McLane/Goldman Dams Removal Feasibility Study Update.** Guy Scaife explained the dam removal  
24 study RFP was sent out; the deadline for a response was Friday, May 21. This is a project that will go well into next  
25 year. People from NOAH, American Rivers, and DES are all involved and will be doing an evaluation on the res-  
26 ponses. The selection is hoped to be made by the end of June 2010.  
27

28 (c) **Miscellaneous.** Guy Scaife indicated the parking situation in front of the Red Arrow will be done by the  
29 end of this week; signage around the oval regarding bicycles not being on the oval will be done by the end of next  
30 week. Selectman Carmen asked about the existing loading zone on Middle Street. Guy Scaife said that will be con-  
31 verted to a parking space and the crosswalks in the oval will be painted within the next week.  
32

33 **6. DISCUSSIONS:**

34 a) **Presentation of Potential New Ordinance – Second Hand Dealers and Pawnbrokers.** A draft ordin-  
35 ance relative to Second Hand Dealers and Pawnbrokers was presented to the Board for review by Selectman Bauer  
36 and Selectman Carmen. This is by the request of Chief Douglas. Selectman Putnam asked if the existing pawnshop  
37 will be grandfathered. This is a new ordinance being prepared and that is an existing pawn shop. Chairman Finan  
38 suggested that defeats the purpose of the ordinance. The Board can solve a concern of the police department with an  
39 ordinance; without causing too much of a problem. Selectman Carmen suggested this may not seem like an issue  
40 right now, but it could become an issue if moving stolen property. This will bring in other businesses. Selectman  
41 Bauer said Milford may have a problem with pawn shops because there is currently no ordinance so people could  
42 come here seeking unregulated pawn shops. Selectman Putnam asked if the original copy (of the ordinance) could  
43 also be presented without all the highlights. Vice Chairman Daniels asked what towns were researched. Selectman  
44 Carmen said they looked at Salem NH and felt these changes were a good start for Milford noting it is still a work in  
45 progress. Vice Chairman Daniels asked how the \$100 license fee was identified and how it is justified. Selectman  
46 Carmen said there are different fees in different towns that range from \$50 to \$1,000; most were \$100. Vice Chair-  
47 man Daniels said a fee is charged to cover the cost of the municipal employee to do the requirements, but if \$1,000  
48 is charged that seems excessive, can Milford justify the \$100 license fee? Selectman Putnam indicated there is en-  
49 forcement involved in some towns to check these shops. That \$100 might not be enough. Selectman Putnam sug-  
50 gested Chief Douglas should identify how much time an employee is required to do the checks. Vice Chairman Da-  
51 niels indicated if he does that, we should start charging every business for checking their doors; he is not sure the  
52 town wants to do that.  
53

54 Right now, Milford has no ordinance for pawnbrokers, Selectman Bauer said the owner is following the law but  
55 Milford does not have an ordinance; this ordinance will provide guidance to the police. Janet Langdell thanked  
56 Dawn Griska for sending her a copy of this draft ordinance to review. The concern is pawn brokers, but Ms. Lang-  
57 dell said this draft ordinance is written about second hand dealers as well, which opens up a huge door including  
58 consignment shops, antique dealers and impacts a lot of shops in town. Chairman Finan does not feel the town

1 should open it up for antique shops and consignment businesses. Janet Langdell owns an auction house in Wilton  
2 that holds on site auctions; does this mean an annual fee would be required for auctions in Milford? For some busi-  
3 nesses these rules could put them out of business. Chairman Finan asked what if there are stolen items at the auc-  
4 tion. Ms. Langdell suggested that common sense comes into play and there could be unintended consequences with  
5 this ordinance as well as implementation concerns. Selectman Bauer noted that certain businesses might be ex-  
6 empted. Chairman Finan would like to define a pawnbroker and write the ordinance to that. Vice Chairman Daniels  
7 also indicated there is a code of conduct for the pawnbroker to follow. Ms. Langdell suggested looking for a Na-  
8 tional Pawnbroker Committee in order to find a Code of Conduct regarding stolen goods. Selectman Putnam asked  
9 that this draft ordinance be sent to Board members as a "new ordinance" for review, not a marked up ordinance from  
10 another town.

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

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

14 1) **MACC Base Update.** Selectman Carmen explained that MACC Base has indicated to Milford that  
15 the town portion of the surplus from 2009 is \$3,582.97 and has requested to keep this surplus to be used for band-  
16 width change and the hardware for this improvement. This was a goal 20 years ago and is finally becoming a reali-  
17 ty. Selectman Carmen indicated that MACC Base has looked for new towns to join, however they have found other  
18 towns are comfortable with the service they have. There is still potential but do we want to contact a town that re-  
19 quires certain equipment? Do we add towns that need special equipment? MACC Base has done a good job of  
20 looking for other business, but the reality is there is only so much out there. Selectman Carmen has the report from  
21 MACC Base and will get it distributed to the other Board members. Chairman Finan asked if there is a specific item  
22 that requires use of the surplus asking if instead this should be a line item in the next budget? Selectman Carmen  
23 responded in looking at the 2010 budget, it is anticipated the surplus will be used for hardware upgrades. MACC  
24 Base needs to get the hardware costs and licensing fees for the upgrade. The Federal Government has now de-  
25 manded this upgrade be done.

26  
27 Chairman Finan thinks Milford should keep the surplus and the upgrades should be put into the budget for next  
28 year. Guy Scaife indicated this surplus is the 2009 under run, if the surplus is left with MACC Base, it further in-  
29 creases Milford's deficit. This revenue is anticipated; the cost is town specific cost, he would want to see an ite-  
30 mized list of the equipment needed for MACC Base. Guy Scaife believes that because this surplus was anticipated,  
31 it should not be given back. Selectman Carmen agrees the exact expenditures need to be itemized. Vice Chairman  
32 Daniels does not want to disrupt the revenue flow. Chairman Finan thinks the hardware upgrade should be in a  
33 budget somewhere. Selectman Putnam indicated Selectman Carmen needs to pass this information on to the MACC  
34 Base Board of Governors. All members concurred.

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36 **8. APPROVAL OF FINAL MINUTES** – There were no public session minutes presented at this meeting.

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

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40 **10. NON-PUBLIC SESSION – RSA 91-A:3, II(a, b & e) Personnel, Personnel and Legal & Approval of Non-**  
41 **public Minutes (RSA 91-A:3, II (d & e) Land Acquisition and Legal – May 10, 2010.** Selectman Carmen  
42 moved to enter into non-public session at 8:05 p.m. to approve two sets of non-public minutes of May 10, 2010 and  
43 discuss a personnel and a land acquisition issue. Selectman Bauer seconded. All were in favor. Motion passed 5/0.  
44 The minutes of the meetings were un-sealed on a motion made by Selectman Putnam and seconded by Vice Chair-  
45 man Daniels. All members were in favor. Selectman Putnam moved to approve two sets of non-public minutes of  
46 May 10, 2010 (Land Acquisition) and May 10, 2010 (Legal). Selectman Bauer seconded. All were in favor. Se-  
47 lectman Putnam moved to re-seal the non-public minutes of May 10, 2010 (Land Acquisition) and May 10, 2010  
48 (Legal). Selectman Carmen seconded. All were in favor. After discussion, Selectman Putnam moved to come out  
49 of non-public session at 9:05 p.m. Selectman Carmen seconded. All were in favor. Motion passed 5/0.

50  
51 Chairman Finan announced that in non-public session, two sets of non-public minutes of May 10, 2010 were ap-  
52 proved. The Board then discussed an issue regarding land acquisition and an issue regarding personnel. No deci-  
53 sions were made, no votes were taken.

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55 **11. ADJOURNMENT:**

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57 There being no further business to come before this Meeting, Selectman Putnam moved to adjourn at 9:05 p.m. Se-  
58 lectman Carmen seconded. All were in favor. Motion passed 5/0.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 5/24/10

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Tim Finan, Chairman

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Gary L. Daniels, Vice Chairman

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Katherine Bauer, Member

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Nate Carmen, Member

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Mike Putnam, Member