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APPROVED

MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

June 14, 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., after which Vice Chairman Daniels moved to enter into non-public session, seconded by Selectman Carmen, all were in favor. Following the non-public session 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. – Non-Public Session (RSA 91-A:3, II(e) – Legal. Vice Chairman Daniels moved to enter into non-public session at 5:30 p.m., seconded by Selectman Carmen. 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 Selectman Carmen. All members were in favor. After discussion, Vice Chairman Daniels moved to come out of non-public session at 5:35 p.m., with Selectman Carmen seconding. All were in favor. Chairman Finan announced in public session that during the 5:30 p.m. non-public session the Board approved a BTLA settlement recommendation presented by Town Assessor Marti Noel.

5:35 p.m. – Request for Approval of (1) and Denial of (2) Elderly Exemption Applications, Denial of (2) Veteran Tax Credit Applications, Approval of (3) and Denial of (2) Charitable, Education, and Religious Exemption Applications, Approval of Special Appraisal – Residence in Industrial of Commercial Zone (1) Application, Approval of Current Land Use Change Tax & Issuance of Warrant (3), Approval of (2) and Denial of (4) Property Tax Abatement Applications and Denial of Discretionary Preservation Easement (1). Town Assessor Marti Noel presented the applications to the Board as follows:

Elderly Exemption

Marti Noel explained this applicant filed late due to a medical issue and meets the requirements. Ms. Noel recommended approval. Vice Chairman Daniels moved to approve the elderly exemption for file 619. Selectman Carmen seconded. All were in favor. Motion passed 5/0.

Ms. Noel indicated there were two elderly exemption applications recommended for denial, one was filed late and the applicant refused to supply additional information requested and therefore Ms. Noel cannot make a determination and the second applicant exceeds the asset limitation by owning property in another town. Vice Chairman Daniels moved to deny the two elderly exemptions as recommended by the Assessor (file 1970 and 2901). Selectman Carmen seconded. All were in favor. Motion passed 5/0.

Veteran’s Credit

Ms. Noel presented two applications for Veteran’s Credit which are recommended for denial. One applicant never owned the property; the property owner was requesting the credit on the veteran’s behalf. The second applicant was a veteran that was not in a qualifying conflict. Vice Chairman Daniels moved to deny the two Veteran’s Credits as recommended by the Town Assessor. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

Charitable, Education and Religious Exemption

Ms. Noel explained there are three exemptions recommended for approval and two exemptions recommended for denial. The three recommended for approval are long standing exemptions in Milford for charitable contributions to the community: Area Agency Properties Inc. (2 exemptions) and VFW Harley Sanford Post. Vice Chairman Daniels moved to approve the three exemptions as recommended by the Town Assessor. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

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1 Ms. Noel explained there are two exemptions which were recommended for denial in the commercial zone, howev-
2 er, one lot requires additional information in order for a decision to be made therefore Ms. Noel recommends that it
3 be tabled at this time. Vice Chairman Daniels moved to deny the exemption requested for Map/Lot 43/26. Select-
4 man Carmen seconded. All were in favor. Motion passed 5/0. No action was taken on map/lot 13-10-2 since addi-
5 tional information is being collected by the applicant and will be heard again next month.
6

Residence in Industrial of Commercial Zone

7
8 Ms. Noel indicated this applicant filed for the exemption on time, however the paperwork was put in the WWTF box
9 by mistake and has not been recovered; the applicant has resubmitted a new request and the Assessor recommends
10 approval. Vice Chairman Daniels moved to approve the application for special appraisal for residence in Industrial
11 or Commercial Zone as recommended by the Town Assessor. Selectman Bauer seconded. All were in favor. Mo-
12 tion passed 5/0.
13

Abatement Approvals and Denials

14
15 Ms. Noel indicted that she has recommended approval for one abatement request and denial for four abatement re-
16 quests. Vice Chairman Daniels moved to approve the one abatement and deny the four abatements requested as
17 recommended by the Town Assessor as listed. Selectman Carmen seconded. All were in favor. Motion passed 5/0.
18

Approvals

<u>Record #</u>	<u>Map/Lot</u>	<u>Abatement Amount</u>
8509,8609,8709,8809, 8909,9009,9109,9209, 9309,9409,9509,9609, 9709,9809,9909	(see record)	\$8661.79

Denials

<u>Record #</u>	<u>Map/Lot</u>
1809-2109	(see record)
1109	5/37
11009	47/52-1
(see record)	(see record)

Land Use Change Tax (LUCT)

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32 Ms. Noel explained there are three properties to come out of LUCT as indicated in the documentation for Map/Lot
33 56/55, 8/47 and 58/2. Vice Chairman Daniels moved to approve the recommendation of the Town Assessor. Se-
34 lectman Carmen seconded. All were in favor. Motion passed 5/0.
35
36

Discretionary Preservation Easement - RSA 79-D

37
38 Ms. Noel explained this easement does not come up often and is for a tax reduction for a structure that meets historic
39 requirements; Ms. Noel does not feel there is enough information to determine to what extent any reduction in tax
40 would be and because of the lack of communication with the property owner, she feels the town needs to deny it at
41 this time. Ms. Noel has not heard from the applicant and there is a time limit for the town to provide a decision.
42 The applicant can come back to the Board at a future time. Vice Chairman Daniels moved to deny this application
43 as recommended by the Town Assessor. Selectman Carmen seconded for discussion. Vice Chairman Daniels asked
44 how much information is missing. Ms. Noel indicated that in order to determine the amount of the exemption, the
45 owner needs to work with the town to come to terms as to how much will be allowed and what are the owner's plans
46 to maintain the barn in its historic state. The owner also must sign the agreement to accept responsibility to maintain
47 the barn and is made aware under what conditions it can be rescinded. Vice Chairman Daniels asked what more can
48 be provided to the town other than that they plan on doing this. Ms. Noel indicated they can provide plans for any
49 future work needing to be done and that it would be done to maintain the property's historic nature. Vice Chairman
50 Daniels asked if it would be possible for this to come back for the next Board meeting. Ms. Noel said she would
51 need paperwork back from the owner and it would need to be agreed on with the applicant and the Board, but it
52 would take some effort to get it back by the next Board meeting. Selectman Bauer asked how many times Ms. Noel
53 has tried to contact this applicant. Ms. Noel indicated the applicant did not leave a phone number but there have
54 been two letters sent and Ms. Noel stopped by the house once and got photos and also stopped by again but the own-
55 er was not home. Selectman Bauer asked if the owner knows what is needed. Ms. Noel believes he knows what is
56 needed. All were in favor of the denial. Motion passed 5/0.
57

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1 **6:00 p.m. – 31:95 (b & e) Public Hearing for Acceptance of Unanticipated Funds Over \$5,000 and Gifts Over**
2 **\$5,000.** Chairman Finan opened the public hearing at 5:58 p.m. Chairman Finan read the listing as follows:
3

4 The acceptance for expenditure of unanticipated funds under RSA 31:95-b for the following:
5

<u>Amount</u>	<u>Purpose</u>
\$ 659.11	Annual Milford Police Fishing Derby Proceeds from Fishing Derby Raffle Ticket Sales to be used towards future Fishing Derbies
\$5,000.00	Kaley Park Phase II Special Purpose Fund Donation from the Milford Rotary Club Foundation to the Milford Recreation Dept. This donation is to be matched through the 2010 Warrant Article #14 General Frank E. Kaley Park
\$7,000.00	Gear Drying System Special Purpose Fund Donation from the Kaley Foundation to the Milford Fire Department for the Purchase of a gear drying system
\$9,073.00	Police K-9 Unit Special Purpose Fund Fundraising efforts of \$4,536.50 include a golf tournament for the purpose of Benefiting and assisting the Milford Police K-9 Unit. The balance is matched by the National Association of Chiefs of Police K-9 Gift Program
\$7,031.20	Federal Grant – NH Highway Safety Project #315-10A-119 Funding for overtime Milford Route 101 West corridor enforcement patrols Conducted from May 24 – September 15, 2010. No local match is required.
\$8,550.00	Fireworks fundraising efforts by William Sprague, Milford resident, for fireworks And related activities for the Milford 4 th of July festivities.

27 Chairman Finan asked for input or questions from the Board. There were none. Chairman Finan asked for input or
28 questions from the public. There were none. The public hearing was closed at 6:00 p.m.
29

30 Selectman Carmen moved to approve. Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.
31

32 **6:05 p.m. – Interview of Erna Johnson as a Heritage Commission Candidate.** Erna Johnson was in attendance
33 for this interview to become a full member of the Heritage Commission. Chairman Finan asked Ms. Johnson about
34 her interest in this commission. Ms. Johnson indicated she has lived in Milford since 1971 and wants to help keep
35 the town as interesting as it is and wants to save the historic buildings and landscapes. She has been to a few
36 meetings and has a sense of what it is about. The big thing coming up is they will be part of coordinating the
37 National Heritage Area Freedom’s Way to collect data. She has been a librarian for a long time and also worked for
38 the Cabinet. Selectman Bauer said that Ms. Johnson is eminently qualified. Vice Chairman Daniels asked what Ms.
39 Johnson thinks the Heritage Commission could do to promote the natural resources in Milford for tourism. Ms.
40 Johnson said that is part of what the Heritage Commission does; it works in conjunction with the National Parks and
41 the Society for the Protection of NH Forests and eventually there will be signs indicating Heritage areas. That
42 information will bring people to Milford. Tourism is a way to highlight what is interesting about Milford.
43 Selectman Carmen moved to appoint Erna Johnson as a full member of the Heritage Commission until March 31,
44 2012. Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.
45

46 **6:15 p.m. – Introduction of Promoted Police Sergeant Craig Frye & New Patrolman Wayne Comtois.** Police
47 Chief Douglas was in attendance to introduce the recently promoted Sergeant Craig Frye who has been with the
48 Milford Police for many years and has served the community in many different capacities on the Police force.
49 Board members congratulated Sergeant Frye on his promotion.
50

51 Police Chief Douglas also introduced the new Patrol Officer Wayne Comtois who has served on the Mont Vernon
52 Police force and who lives in Milford. Board members welcomed Patrol Officer Comtois to Milford. Chief
53 Douglas continued on that the Police Department staffing is moving onward and they are currently going through
54 some background checks and applications for possible hire, there are approximately 40 candidates and they are in
55 the final phase of possibly hiring five new officers.
56

57 **6:30 p.m. – Economic Development Advisory Committee (EDAC) Presentation/Update.** Bill Parker,
58 Community Development Director, introduced Tom Sapienza, Chairman of EDAC, who began the presentation,

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1 followed by introductions of the three chairs of subcommittees for Web Development (Tracy Bardsley), Land Use
2 (Heather Leach) and Policies/Procedures (John McCormack). Mr. Sapienza indicated that EDAC has met with
3 various town departments and has continued to keep Guy Scaife informed of the progress. He thanked the
4 departments for spending time with the committee noting that everyone is cooperating to improve the town and what
5 it has to offer.
6

7 Tracy Bardsley spoke about the website, indicating a survey was done with staff and people attending the focus
8 group. Out of that survey, recommendations were identified – communication policy for information being put out
9 from a lot of different departments with no consistent approach; resources to maintain the website – Mike
10 McNerney is working with departments to assess needs and how they want to work with the website. They are
11 currently working on establishing a new platform (Drupal). Bill Parker has seen a preview of the draft website and
12 it looks good. Ms. Bardsley continued that the information process is being established for the website,
13 communications are not always timely and it is being discussed how to get the minutes up and in a consistent
14 manner. The website subcommittee will continue to work with Mike and provide any support he may need. The
15 website can be used to market Milford to the outside world; the next step is branding the town. Branding could be
16 used for the perception of the town to outsiders. There are a lot of different groups within Milford; they all portray
17 Milford in some way. We need to establish a way to recognize Milford through branding. Some form of logo or a
18 catchy logo could be development and used in the marketing strategy to bring new businesses to town. Chairman
19 Finan asked if money is needed for the branding. Ms. Bardsley indicated some of this can be started without
20 funding. Selectman Bauer asked how a new logo or slogan would be decided. Ms. Bardsley said there are a lot of
21 stakeholders that would be included in that decision: the website subcommittee, schools, residents, Rotary, Chamber
22 of Commerce - branding is creating an advertising package and looking at color, graphics, logo, etc. The more
23 people that find the Milford profile on the web, the more people partake and want to visit Milford. If all the town
24 organizations used the town logo (or branding) the better the impact and the more people would be reached. Pretty
25 soon in Southern NH people would recognize Milford's brand. Selectman Bauer asked if the town could continue to
26 use the familiar logo that currently exists but maybe expand it. Ms. Bardsley responded that they would just like to
27 make it broader. Selectman Bauer said a lot of people recognize that logo and she would hate to see it go away.
28 During this process, Mr. Sapienza said they reach out and get feedback from citizens in town. The subcommittee
29 does not work in a vacuum. Further, Mr. Sapienza indicated they do not know where this will go, this process will
30 go through a lot of revisions to have the basis for the type of statement the town wants to make, and it can be built
31 upon after finding that common theme.
32

33 Bill Parker explained what is unique about Milford is that people latch on to what we want to focus on. A lot of
34 other organizations have done this same thing and we need to go through that and get public input. Ms. Bardsley
35 said it is not a short process; there is a lot of research and input. Selectman Bauer asked if a new charge is needed
36 for this committee. Ms. Bardsley said that is correct. Chairman Finan thinks it is a great idea. Selectman Putnam
37 moved to make a new charge for the subcommittee. Vice Chairman Daniels seconded. All were in favor. Motion
38 passed 5/0.
39

40 Heather Leach, spoke about Land Use and has been working with the Planning Board. The initial report looked at
41 Route 13 and North River Road. They've been working this lot-by-lot inventorying what is in town, the zoning,
42 vacant land, roads, power, etc. and they just completed the inventory of the town and will present that to the
43 Planning Board June 29. Selectman Bauer asked if members have viewed the properties. Ms. Leach indicated that
44 they have. The subcommittee drove and identified with the properties, noting the topography and other elements.
45 Ms. Leach explained that the process took a while. The subcommittee would like to focus on the gateways to town;
46 the Superfund site at the Wilton end is another focus point for the short term. Selectman Bauer asked if there is
47 signage at each gateway. Bill Parker responded that the only real signage is the granite marker when entering
48 Milford on Route 101A from Nashua. What is nice about Milford, noted Vice Chairman Daniels, is that it is not all
49 scrunched together and we do not want it to end up looking like Nashua. Bill Parker said the Planning Board is
50 looking at new designs that do not sprawl.
51

52 John McCormack, spoke about the need for policies and procedures for businesses and developments. He would
53 like it to be user friendly and interactive. He has met with departments and received a positive reception. Most
54 departments are pro-active and he was pleased with the outcome. There has been excellent communication and
55 good interaction. Business has been tough recently, time is money is simple but it resonates with people.
56 Customers should understand the forms being used and the procedures. Sarah Marchant has worked with DPW on
57 the bluebook of construction processes which is a big undertaking. Communication is good, but can be better.
58 There were no real concerns but he does not want to lose momentum and wants to continue to improve all aspects of

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1 customer service. This will be continually reviewed. There will be follow up again in the third and fourth quarter of
2 this year with the objectives being: sharing across departments to keep them aware, utilizing the MUNIS database
3 expansion, continuing DPW which is in the early stages. Selectman Bauer asked if Bill Parker feels the permit
4 process is streamlined. Mr. Parker responded that streamlining is ongoing and every day there are different
5 situations that come up where improvement can be realized. Mr. Parker is very positive noting that Shirley Wilson
6 is very good at keeping track of where things are. Other departments are trying to improve their processes as well.
7 Vice Chairman Daniels asked if the EDAC subcommittees are working independently of each other.

8
9 Mr. McCormack answered there are joint sessions and opportunities for overlap. The subcommittees share
10 information between them. The website is important for all of the subcommittees. When three subcommittees get
11 together, Vice Chairman Daniels suggested each has their own priority, so how are priorities determined. Mr.
12 Sapienza indicated every three months all three subcommittees get together. Some of the groups cross fertilize at
13 that point, but no one group has dominated. Selectman Bauer sees that the subcommittees work together and none
14 feels more important than the other. Vice Chairman Daniels asked if a subcommittee tries to focus on different
15 communications, how you deal with which is more important. Mr. McCormack responded when we get together it
16 can be determined that things are easily connected to the other subcommittees. Chairman Finan asked Guy Scaife
17 about their direction. Guy Scaife responded it has been a positive experience, the staff has learned a lot, the policies
18 and procedures was early and there were things that were forgotten, the subcommittee learned that there are things
19 being done right, as well as things that could be improved. There was positive criticism and some improvements.
20 Guy Scaife noted that branding is a good idea and you never know what you will get. One area he has had the least
21 involvement in is the zoning and planning and how complex that area is. Mr. Sapienza said it is easy to focus on the
22 things that are wrong in the public and government but there are a lot of good things going on in the town too, we
23 tried to focus on things that need to be improved.

24
25 **7:15 p.m. – Capital Improvements Plan Discussion.** Paul Dargie, Chair of the CIP Citizen Advisory Committee,
26 indicated this committee has met a couple times so far. The committee has a preliminary listing of proposed plans
27 and will meet with department heads for details over the next couple months. The committee will meet every two
28 weeks through the summer and then have a presentation. There are about nine proposed capital improvement plans
29 scheduled for 2011, but that is probably too many. The committee will take information from department heads and
30 prioritize them and then a road map for capital expenditures going forward will be developed to get a framework.
31 Mr. Dargie indicated other than that, the committee does not have anything further; the committee is just at the
32 beginning so there are no suggestions at this time. Chairman Finan asked where the selectman's input should come
33 into the CIP process. Mr. Dargie responded this committee will help the BOS make good decisions, if the BOS
34 thinks a project is number one, he would rather learn that sooner than later. August 18, the priorities will be done,
35 so it would be helpful to have information from the BOS to use in their sequencing of projects. The BOS decides
36 what goes on the ballot next year and the CIP tries to help the BOS.

37
38 Vice Chairman Daniels asked how much the committee actually looks at to determine the priority. Mr. Dargie
39 responded that this committee looks only at requests over \$75,000, so a vehicle (for example) would not be
40 considered by the CIP committee, but a fire truck would. Each request has a document that details the request and
41 field trips are sometimes done and things are discussed with the Town Administrator. Vice Chairman Daniels
42 would like to see the justification of any request. Mr. Dargie said there is a series of documents provided to the CIP
43 from the State regarding fire trucks specifically and recommendations as far as usage are made. By putting off a
44 truck purchase, the cost to maintain existing trucks would increase. Vice Chairman Daniels wants to know how
45 much work the BOS will need to do without duplication of the CIP committee. Mr. Dargie said looking at it in great
46 detail must be done prior to it going on the ballot. Vice Chairman Daniels said the town is looking at possibly
47 putting a fire truck on the ballot for each of the next three years. Do we need to look at the records or will that
48 already be done? Mr. Dargie indicated when the groups come in; the committee will ask for those details and ask
49 for them to prioritize within the department, which will assist with the CIP prioritization.

50
51 Mr. Dargie indicated the Rail Trail improvements might not be recommended at all, something like that might just
52 be pushed out and a different start date recommended. Selectman Bauer said the questions will all be asked of the
53 requesting departments and the answers will be provided to the public. Selectman Bauer asked if there will be an
54 indication of what is on the list prior to the August meeting. Mr. Dargie said the departments provide the
55 information for each request, but no prioritizing has been done yet. Selectman Bauer asked if a list could be
56 provided to the BOS prior to the August 18 meeting so the Board knows to get input. Selectman Bauer also noted
57 that this group is made up of a good, pro-active group of people.
58

1 **3. PUBLIC COMMENTS (regarding items that are not on the agenda).** Selectman Putnam indicated several
2 residents have contacted him regarding the condition of town roads and the paving of secondary roads versus the
3 roads that see thousands of cars every day. Selectman Putnam asked if Guy Scaife could get a schedule of those
4 projects and find out the priority of the paving in town. Guy Scaife said there is a multi-year paving plan and even-
5 tually every road will come up for re-paving. There was a shim coat put on four secondary roads which were in
6 need of it. If the town waits until any road is really in need of paving, it can get into really bad shape. If a resident
7 has an issue with the roads, they should bring that issue forward to the town, but with the other projects going on
8 such as the Fletcher work to be done and the South Street project, there are roads that are awaiting other projects to
9 be complete. Selectman Putnam indicated that roads of concern are South Street, Elm and Nashua Streets. Guy
10 Scaife asked for the e-mail that Selectman Putnam received to be forwarded to him. Guy Scaife indicated that Cot-
11 tage Street is another road that will be affected during the Fletcher project, the oval is part of the grant project that
12 will be done, and so paving there prior to the grant work would not make sense since it will be torn up again. Se-
13 lectman Bauer agrees with Selectman Putnam's concern and said that the public needs to be reminded why we are
14 waiting on certain roads; the Fletcher EPA project could be a long time to let Elm Street go because of that project.
15 Guy Scaife said he can have Bill Ruoff address specific roads if he knows what the concern is. Guy Scaife also add-
16 ed that the Fletcher project is anticipated to begin in 2011.
17

18 **4. DECISIONS**

19 a) **CONSENT CALENDAR.** Chairman Finan asked if there were any items to be removed from the Consent
20 Calendar. He explained that if they are taken off the Consent Calendar, they will be discussed fully; otherwise they
21 will be accepted together without discussion. Vice Chairman Daniels moved and Selectman Carmen seconded to
22 approve the Consent Calendar items as follows, with all members in favor.
23

24 (1) **Request to Renew a License to Operate a Junk Yard.** The Commercial Code Enforcement/Health
25 Officer Bill McKinney requested Board permission to approve the Junk Yard Renewal for the Laplante
26 Junk Yard at 387 North River Road until June 30, 2011 provided the junkyard comply with the removal
27 schedule for tires as established in 2010. This request was approved.
28

29 (2) **Request for use of Oval for Summer Lunchtime Concert Series and Support of Public Works
30 Personnel.** DO-IT Executive Director Tracy Bardsley requested Board permission to hold the summer
31 lunchtime concerts on the Oval on Thursdays, 12 p.m. - 1:00 p.m. during the month of July 2010.
32 Additionally, the request will allow businesses in the oval to provide sidewalk sales as detailed in the
33 request from Ms. Bardsley and DPW assistance for setup and clean up of the activity. This request was
34 approved.
35

36 (3) **Request for use of Personnel and Ambulance for an Independent Film Production.** Ambulance Direc-
37 tor Eric Schelberg requested Board permission to allow the use of an ambulance and ambulance personnel
38 in the production of a murder mystery movie production by Pip Productions of Madbury NH, on July 31,
39 2010 on Middle Street. This request was approved.
40

41 (4) **Request to Approve Issuance of Gravel Tax Levy & Warrant.** Tax Collector Kathy Doherty requested
42 approval of a Gravel Tax Levy & Warrant in the amount of \$1,048.98 from Francis J. Lorden Trustee on N.
43 Mason Road. This request was approved.
44

45 (5) **Request for Acceptance of Property Tax Warrant - First Half 2010.** Tax Collector Kathy Doherty
46 requested approval of the Property Tax Warrant in the amount of \$15,138,159.91 for the first half 2010 to
47 be billed and collected. This request was approved.
48

49 (6) **Request for Road Closure During a Block Party - Wallingford Drive.** The residents in the
50 neighborhood of Wallingford Road have requested Board permission to hold a block party and have
51 appropriate road closures on July 4, 2010 as approved by Fire & Police. This request was approved.
52

53 b) **OTHER DECISIONS**

54 (1) **Attendance at Hillsborough County Budget Meetings.** Vice Chairman Daniels indicated that he will
55 attend the June 24, 2010 Hillsborough County Convention, but does not know his availability on June 22 for the
56 public hearing. Vice Chairman Daniels noted that the hearing is not usually well attended, which is unfortunate
57 since this is a portion of our property taxes and is the last chance people might have to vote in an honest budget be-
58 fore it goes to Concord. If another selectman might be able to attend, please contact Vice Chairman Daniels.

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(2) Request for Taxicab Operator Permit Extension & Taxicabs Ordinance Discussion. Selectman Carmen indicated tonight would have been the second reading of the taxicab ordinance, but there were issues with the first reading, so the process is beginning again. There are two municipalities that do drug testing in NH; those two communities have extensive portions of the ordinance that address drug testing and reading the results. Selectman Carmen has gone through the ordinance and feels the ordinance does not make sense; he feels the town needs to revamp the ordinance in those two areas (drug testing and moving violations) and start the readings again with those changes. This Board should confer with the Knightly's and have their expertise in other communities to get an ordinance that works. Selectman Putnam suggested the only issue is the drug testing, if the insurance company does not require drug testing, how can the town? Selectman Carmen does not disagree; he agrees that the drug testing should come out of this ordinance. Chairman Finan suggested that the prosecutor previously put a lot of work into this ordinance and the language should not be just thrown out. Selectman Putnam does not want it to come back around like it did before. Selectman Carmen just wants to simplify this process. If the prosecutor needs to provide input he can, Selectman Carmen just wants it to be simpler. Selectman Putnam suggested just removing the drug testing. Chairman Finan said the subcommittee needs to come up with recommendations of changes to be made. Michele Knightly indicated that the drug testing is not in the current ordinance; the health card is in the ordinance which is what she first questioned. Selectman Putnam moved to extend the taxicab licenses until September 15, 2010. Vice Chairman Daniels seconded for discussion. Michele Knightly suggested to Selectman Carmen to grant the licenses until April 2011 to allow time to rework the two paragraphs in question. All were in favor of the motion. Motion passed 5/0.

5. TOWN ADMINISTRATOR REPORT

a) Legislative Update. Guy Scaife explained that he received good news regarding the State budget; there was a special session last week to deal with the State deficit; it was proposed to remove the Room & Meals tax increase and 5% of the retirement benefit, however both were removed from the proposal. The bill that passed and was signed did not include those; the town has the reduction this year but not an additional reduction.

b) Single Stream Processing Facility Update. Guy Scaife indicated that single stream facility construction had a delay because there were not enough towns for the necessary tonnage. Concord has agreed to join which put them over the minimum desired capacity. There is still potential to get Manchester to join, if that happens that will improve the price. The market has recovered and is currently at \$35/ton which is significant from where it had been. Guy Scaife is meeting with Jim Preshere and Bill Ruoff later this week about where this stands. Vice Chairman Daniels asked if Concord had signed up, why Milford didn't know. Guy Scaife is not sure when Concord joined and is unsure when the Board votes on construction; Jim will touch base with communities who have committed to join the co-op.

(c) Miscellaneous. Guy Scaife indicated that he, Ruth and Chief Douglas will begin negotiations with AFSME which will continue through the summer and into the fall. Guy Scaife explained there was an article in the Nashua Telegraph regarding the Knights of Columbus not being able to bring the circus to Milford; it was critical of both sides. The circus just did not come together with the proper forms and requirements; the town takes that criticism very seriously and has met with the Knights of Columbus and is looking at things that could have been done better or differently and be made more user friendly. The Hawkers & Peddlers ordinance is one area of confusion and seems to be a problem in lots of communities. Milford is looking to streamline the policy. Really large events are quite infrequent in Milford and the town needs a central clearing house to coordinate. The code book is in process of being put on the website and is another area currently in process. There are about 80 ordinances to be reviewed by various departments which have been indexed and updated with the most current version. Those ordinances, once reviewed, will come before this Board for final approval. Some of the ordinances are actually a policy or procedure, not an ordinance. Chairman Finan asked if this circus issue was because of the process in town hall. Guy Scaife said this is a multi-department communication issue with the customer; when it is a multi-layered event such as this, there are multiple people involved and the ordinance was not clear; it is more complicated than you would think. Guy Scaife appreciates the Knights of Columbus working with the town on this.

The crosswalks are being worked on and will be done within the next two weeks; currently they are about 50% complete. The town needs warm nights in order for the paint to dry. If the weather works with us, it will be done this week, if not it will be next week. Selectman Bauer said she appreciates that the parking space in front of the Red Arrow has been modified and has new signage.

6. DISCUSSIONS:

1 a) **Milford District Court Funding.** Regarding the District Court moving to Merrimack, the bill was
2 amended to include four courts getting municipal funding for the rental expense for their 2011 fiscal year so the
3 courts could stay in place; this includes Milford. Official documentation was received asking for each of those
4 towns that are served by Milford District Court to contribute to that fund and all have agreed to take it under review.
5 Most of those towns meet this week and when a decision will be made is unknown. This is the lesser of two evils.
6 It will be less costly to do this than to travel to Merrimack for court. The cost is about \$100,000 per year; Milford's
7 portion would be about \$30,000. Today that is not in the budget. Milford is on a calendar year not fiscal, so half of
8 the cost would be in 2010 and half in 2011. Amherst is the only town on a fiscal year which begins July 1. This
9 Board needs to make a decision which way Milford is going. There is no in between, it is either yes or no, there is
10 no time to negotiate. Senator Bragdon has talked with Mr. Scaife; there is talk about possibly retrofitting the former
11 State Police Troop B barracks for a courthouse. An analysis would need to be done. That will be explored but it
12 will not get resolved in the next couple weeks; Milford needs to decide if it will help fund a portion of the cost.
13 Most of the time the officers are on overtime for court and the wear and tear on the vehicles is another consideration.
14 Three officers are common for one case. Mason and Lyndeborough are very dependent on night court since many
15 of their officers have another day job.

16
17 If one or two towns do not want to do this, Selectman Carmen asked if the cost will need to be re-split. Guy Scaife
18 said it may need to be discussed with the towns again if that is the case. It is in Milford's best interest financially to
19 keep the court here. Selectman Bauer asked if this would be for a year or two, or more? Guy Scaife said right now
20 it is for one year, but further than that is unknown. Selectman Bauer asked if there is a deadline. Guy Scaife said
21 the current lease runs out at the end of June but there is not a deadline. Guy Scaife indicated the dilemma is that the
22 court system needs to let people know where their court date will be held; people need to be notified. That is a big
23 driver for this decision, not the physical move. Selectman Bauer asked what happens if towns do not provide a deci-
24 sion by the end of June. Guy Scaife hopes that decision will be made by the end of this week with the exception of
25 one town. Vice Chairman Daniels asked if one town does not want to stay here and contribute, will they go to Mil-
26 ford or Merrimack? Guy Scaife did not know that answer. Chairman Finan said it is really \$18,000 for 2010 and
27 \$18,000 for 2011 for Milford. Vice Chairman Daniels moved to approve whatever is necessary be done to stay in
28 the building in Milford. Selectman Putnam seconded for discussion. Vice Chairman Daniels asked if this Board can
29 tie the hands of the next BOS that comes in March 2011. Chairman Finan indicated it will still be the same Board.
30 Guy Scaife noted this is an operating expense from the Police Department, we will pay it one way or the other, it is
31 not a Warrant Article, and it is part of the budget. Selectman Putnam also noted the new Board could undo any de-
32 cisions made by this Board.

33
34 Vice Chairman Daniels amended the motion to approve paying half of the cost (\$18,000) in the 2010 budget and
35 half of the cost (\$18,000) in the 2011 budget for the rent of the Milford District Court. Selectman Putnam seconded
36 the amendment. All were in favor. Motion passed 5/0.

37
38 b) **Potential New Ordinance – Second Hand Dealers and Pawnbrokers.** A draft ordinance relative to
39 Second Hand Dealers and Pawnbrokers was reviewed at the last Board meeting; Selectman Bauer explained the his-
40 tory of this new ordinance and that she and Selectman Carmen agreed to work on it. There were some comments
41 from Chief Douglas regarding an annual renewal and clarification of second hand dealers or antique dealers. Se-
42 lectman Putnam asked how the town will delineate pawnshops from second hand dealers; he would like to know if
43 the existing shop is a pawn shop, since the sign has been changed. Selectman Putnam does not want to spend a lot
44 of time on this if it does not matter. Chairman Finan indicated it needs to be done but it should be done right. Se-
45 lectman Putnam suggested finding out if it is a pawn shop at all. Selectman Carmen indicated he needs to talk to
46 Chief Douglas to narrow this down to what the shop does. Selectman Putnam agrees that we need to go to the Chief
47 and he would like to have the Chief's comments forwarded to other members of the Board. Selectman Carmen
48 noted if this is to prevent evidence from being destroyed, do we narrow the ordinance down to exactly what is
49 needed? Selectman Bauer said if it is a pawnbroker's ordinance, can someone have gold melted? Chairman Finan
50 indicated anything is possible. Selectman Putnam suggested Selectman Carmen needs to find out if a license is
51 needed to melt down gold. Selectman Bauer asked if the Board wants to do away with a pawnshop ordinance or still
52 have one. Chairman Finan said this might be unsolvable; we need to find out first if a license to melt gold is needed.
53 Selectman Putnam asked who will review the records at the shop. How much police time will be needed to stand
54 behind this ordinance? Those questions need to be addressed.

55
56 **7. SELECTMEN'S REPORTS / DISCUSSIONS**

57 a) **FROM SPECIAL BOARDS, COMMISSIONS & SPECIAL COMMITTEES.** Selectman Bauer indi-
58 cated that Gil Archambault came to the last Board meeting regarding the flag on the oval and has succeeded in get-

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 6/14/10

1 ting a new flag for the town from the VFW. Thank you Mr. Archambault and the VFW. Chairman Finan asked if
2 the town can send a thank you to the VFW. Guy Scaife said he will have Dawn take care of that. Selectman Bauer
3 also indicated the flowers and plantings around the oval were done by the Garden Club and look wonderful, thank
4 you to the Garden Club. On Friday June 4 the Taste of Milford was held with merchants and restaurants around the
5 oval; the portions were very generous and a lot of money was made; it is hoped it will be held again next year.
6

7 Selectman Carmen indicated a POW/MIA flag has also been donated to the town and can be flown in accordance
8 with the Federal government on certain days. Selectman Putnam thinks it should just be flown all the time. Select-
9 man Putnam moved to fly the POW/MIA flag all the time with the US flag. Selectman Bauer seconded. All were in
10 favor. Motion passed 5/0.

11
12 Selectman Putnam indicated he spoke with an Amherst Board of Selectman member who asked when another joint
13 meeting could be held with Amherst and Milford Board of Selectman, which was enjoyed. All members concurred
14 to have another joint meeting. Chairman Finan to contact George Infanti, Chairman, to coordinate.
15

16 **8. APPROVAL OF FINAL MINUTES – May 10, 17 & 24, 2010.** Selectman Putnam moved to approve the
17 minutes of May 10, 17 and 24, 2010. Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.
18

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

20
21 **10. NON-PUBLIC SESSION – RSA 91-A:3, II(e) Legal & Approval of Non-public Minutes (RSA 91-A:3, II**
22 **(a, c & d) Personnel, Reputation & Land Acquisition – May 24, 2010.** Selectman Carmen moved to enter into
23 non-public session at 8:30 p.m. to approve one set of non-public minutes of May 24, 2010 and discuss a legal issue.
24 Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.
25

26 The minutes of the meetings were un-sealed on a motion made by Vice Chairman Daniels and seconded by Select-
27 man Carmen. All members were in favor. Motion passed 5/0.
28

29 Selectman Carmen moved to approve the set of non-public minutes of May 24, 2010 (Personnel, Reputation and
30 Land Acquisition) as amended. Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.
31

32 Selectman Putnam moved to re-seal the non-public minutes of May 24, 2010 (Personnel, Reputation and Land Ac-
33 quisition). Selectman Carmen seconded. All were in favor. Motion passed 5/0.
34

35 After discussion, Selectman Putnam moved to come out of non-public session at 8:40 p.m. Selectman Carmen
36 seconded. All were in favor. Motion passed 5/0.
37

38 Chairman Finan announced that in non-public session, one set of non-public minutes of May 24, 2010 were ap-
39 proved. The Board then had a discussion regarding a legal issue. No decisions were made, no votes were taken.
40 Selectman Putnam moved to seal the minutes of this non-public session. Selectman Carmen seconded. All were in
41 favor. Motion passed 5/0.
42

43 **11. ADJOURNMENT:**

44
45 There being no further business to come before this Meeting, Selectman Putnam moved to adjourn at 8:45 p.m. Se-
46 lectman Carmen seconded. All were in favor. Motion passed 5/0.
47
48

49 _____
50 Tim Finan, Chairman

Gary L. Daniels, Vice Chairman

51 _____
52 Katherine Bauer, Member

Nate Carmen, Member

53 _____
54 Mike Putnam, Member

57