

**APPROVED**  
**MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING**  
July 12, 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 (arrived 6:00)

**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. – Departmental Update – Assessing.** Assessor Marti Noel presented an update for the Assessing Department including the statistics for the first half 2010. There were 58 applications for Elderly Exemptions approved thus far in 2010 and 20 new Veteran’s Credits approved. In the revaluation process, the Current Use properties are being looked at to evaluate if a re-classification is necessary. In the first half of 2010, approximately 42 acres have been removed from Current Use resulting in \$63,537 in Land Use Change Tax received. Chairman Finan asked if this is a requirement of the revaluation. Ms. Noel said it is not, but it is a good time to go through the process when visiting properties. Guy Scaife indicated that it is unclear if the Current Use properties were looked at during the 2006 revaluation. Ms. Noel continued that the focus for 2010 has been the 2011 revaluation, working to visit as many properties as possible with the plan to visit all properties by the time the revaluation takes place which is expected to be in the final tax bill in 2011. There is currently a Request for Proposal for the Measure and List of all Commercial and Industrial properties and the Full Statistical Review which will result in the revaluation of Milford for 2011, the RFP is due July 15 and bids will be evaluated July 16. This concluded the presentation, Ms. Noel asked for questions or comments from the Board.

Vice Chairman Daniels asked what the total value of the Elderly Exemptions is. Ms. Noel did not have that available but will provide that to him. Vice Chairman Daniels said he would like to know the total for that and for the Veteran’s Tax Credit.

**6:00 p.m. – Departmental Update - Library.** Library Director Michelle Sampson presented the Library statistics for the past six months; of particular interest was that the Wadleigh Library Whirlers Book Cart Drill Team came in first place in the 2009 Labor Day Parade as the most original. Circulation statistics were reviewed. Ms. Sampson noted that every time a person checks out something from the library, that becomes part of the circulation statistics; other than Portsmouth, Milford has the highest per capita circulation in New Hampshire. Since the last Library addition in 1986, circulation has increased from 75,000 to 250,000 per year. Library card issuance has also increased in the last two years. The participation in the Children’s Programs has increased thanks to the two Children’s Librarians. Vice Chairman Daniels asked if the wireless service extends outside of the Library. Ms. Sampson responded that in the parking lot, service is received and possibly also on Nashua Street. In March 2010, the Library got Envionware for time and print management, which has helped with unwanted print jobs as well as saving staff hours being spent monitoring computer usage.

Selectman Bauer asked how many hours have been added by the increase in part time hours at the March vote. Ms. Sampson said it is about 20 +/- additional staff hours per week. Foreign language product use has increased; the Library now uses BYKI (Before You Know It) software for over 80 languages. The Library Steering Committee has collected input from a survey on Library use. Selectman Bauer asked if there is a timeline from the Steering Committee. Ms. Sampson said there is a CIP meeting in August at which time some of that may be discussed. Selectman Bauer said there is a lot of interest in an expansion project for the Library. Tim Barr, Library Trustee, said the Trustees have a long way to go from this point; it is still in the beginning phase. Ms. Sampson added that it will be a while before this gets close to a town vote; the Trustees need to look into how to get a better flow at the Li-

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brary. The biggest Library need is space. The planning process of a Library expansion started about 15 years ago. Most municipal projects are on a 20 year life span. Art Bryan got this started in 1995. Usage currently outpaced population 5:1.

Ms. Sampson stated there are areas of the Library that are safety concerns, where things could be done that are not monitored. Currently they are looking into getting a video camera quote. The ground floor, after 5 p.m., has always made Ms. Sampson nervous, the door on that floor is now locked at 5:00 as is the elevator. Vice Chairman Daniels asked if there is still a loitering problem. Ms. Sampson said most of the loitering action has moved to the Keyes Field area, when kids are sitting out on Nashua Street, the staff tries to have them move on. Some of the plans that came in for the expansion include expanding the front area to include a patio where people can congregate. Chairman Finan asked if there were any questions from the Board. Selectman Bauer felt Ms. Sampson had a very thorough and informative report. Tim Barr thanked Chairman Finan for attending the Trustee meetings.

**6:30 p.m. – 31:95 (b & e) Public Hearing for Acceptance of Unanticipated Funds Over \$5,000 and Gifts Over \$5,000.** Chairman Finan opened the public hearing at 6:30 p.m. and read the listing of unanticipated funds and gifts over \$5,000 as follows:

<u>Amount</u>	<u>Purpose</u>
\$ 25.00	Kaley Park Phase II Special Purpose Fund Donation from the Frisbee toss fundraiser at the July 4 <sup>th</sup> Family Fun Day. This donation is to be matched through the 2010 Warrant Article #14 General Frank E. Kaley Park.
\$ 141.00	Kaley Park Phase II Special Purpose Fund Donation from the Milford Recreation Commission fundraiser at the July 4 <sup>th</sup> Family Fun Day. This donation is to be matched through the 2010 Warrant Article #14 General Frank E. Kaley Park.
\$6,972.50	Federal Grant – 2009 Emergency Management Performance Grant funding for the cost of installation of the generator upgrade at the Fire Station and outfitting the Fire Station to become a back-up Emergency Operations Center. This is a 50/50 grant with a match of \$6,972.50 from the 2010 Fire Department Budget.
\$ 400.00	Fireworks – additional monies from the fundraising efforts by William Sprague, Milford resident, for fireworks and related activities for the Milford 4 <sup>th</sup> of July festivities.
	Donation of two sets of horseshoe pits and installation at Keyes Park from Matt Schwab to the Milford Recreation Department and Commission. This has a donated value of approximately \$1,500.

The public hearing was closed at 6:37 p.m. There were no comments or input from the public.

Selectman Bauer commented that she heard a lot of positive comments on the 4<sup>th</sup> of July fireworks which lasted longer than in the past. Vice Chairman Daniels asked how the \$400 revenue for the fireworks gets posted, what fund does it go into? Guy Scaife was unsure but will check with Finance Director Jack Sheehy. Chairman Finan noted that was asked of Mr. Sheehy at the meeting when the fireworks were discussed. Selectman Carmen moved to accept the unanticipated funds and gifts over \$5,000. Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.

**6:35 p.m. – Interview of David Roedel as a Tax Increment Finance District Advisory Board Candidate.** Dave Roedel was present for this interview and indicated he was asked to be on Tax Increment Advisory Board when it originally began. With his travel schedule, he has been tardy or absent for some meetings. Chairman Finan asked about the TIFD development and future potential. Mr. Roedel said it has been a challenge based on the economy, it has long term potential, but it is difficult to judge right now. Mr. Roedel hopes it gets some interest in the next few years. Things are starting to look brighter. Vice Chairman Daniels moved to appoint David Roedel as a full member of the Tax Increment Advisory Board until March 31, 2013. Selectman Carmen seconded. All were in favor. Motion passed 5/0.

**6:45 p.m. – Request to Vend on Town-Owned Property – Shepard Park.** Chairman Finan explained this came up at the last Board of Selectman meeting, when a request was presented by Andrew Grimes for him to park his hot

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1 dog cart in front of Shepard's Park Monday through Saturday until late fall to sell hot dogs, chips and drinks. The  
2 request was denied by the Board due to safety concerns and tonight, Mr. Grimes wished to speak directly to the  
3 Board about the request. Mr. Grimes presented a Shepard Park calendar from the Recreation Department from July  
4 to October. Chairman Finan noted there was nothing on the calendar. Mr. Grimes addressed the issue of safety,  
5 stating people would be walking across the grass, not across the street to get a hot dog. Chairman Finan stated the  
6 business would be run on town property. Mr. Grimes responded that he had permits from the Board of Selectman  
7 four years ago to do this. Selectman Bauer does not agree with that decision made by a previous Board because she  
8 feels it is subsidizing a commercial business. Chairman Finan noted that the Board must be careful of setting a  
9 precedent. Mr. Grimes asked if the ice cream truck runs on the oval? He said he is just asking to be on one street.  
10 Chairman Finan responded that the ice cream truck does not run through the oval.

11  
12 Unfortunately, Selectman Putnam said this would set a precedent so everyone else will want to do this. This might  
13 start something for business owners who want to sell their stuff on town property. This Board cannot set that  
14 precedent. Vice Chairman Daniels said this was done before in 2006. Selectman Bauer suggested it could still set a  
15 precedent. Vice Chairman Daniels was on that Board and heard no complaints. Selectman Carmen asked if there is  
16 any other area where Mr. Grimes can park the hot dog cart. Mr. Grimes responded that he looked at parking it at the  
17 County Store parking lot, but it was not allowed because there is another business that sells hot dogs. Chairman  
18 Finan noted there is a small convenience store right across from Shepard's Park that sells some of the products that  
19 will be at this hot dog cart. Selectman Bauer said that the Board does not want to allow a retail operation on town  
20 land; it is subsidizing a commercial operation. This Board, with the exception of Vice Chairman Daniels, does not  
21 agree that it should be allowed. Vice Chairman Daniels asked if the hawkers & vendors license is a permit to do  
22 business on town property. Chairman Finan said it is not, after they get a hawkers & peddlers permit, they must go  
23 to the town to get permission to vend on town property. Vice Chairman Daniels read from the ordinance that states  
24 the permit allows vending to occur on town property. If the hawkers & peddlers license is issued, they have the  
25 right to vend on town property. He sees no exemptions in the ordinance or time limits in the ordinance.

26  
27 Guy Scaife indicated that Board permission to be on town property is required and that is a prerequisite to getting  
28 the license. If the applicant cannot get Board permission, the applicant would not go through the process of getting  
29 the license. If someone is given a license for vending, Vice Chairman Daniels stated it appears they have license to  
30 be on town property. Selectman Carmen stated the primary issue for the Board denial was safety. Selectman Car-  
31 men also asked if this will set a precedent if approved. Chairman Finan thinks it is an interpretation issue of the  
32 ordinance. Guy Scaife stated that Mr. Grimes does not have a hawkers & peddlers license and it will not be granted  
33 until and unless the Board of Selectman grants permission for him to vend on town property. Mr. Grimes said there  
34 are crosswalks in that area that are very narrow, and there have not been any issues at this location with people  
35 crossing to the convenience store. Having a truck parked to sell hot dogs on a busy street is not appropriate and Se-  
36 lectman Bauer is against it. Selectman Putnam asked where Mr. Grimes would set up the truck. Mr. Grimes re-  
37 sponded the truck would be parked under the large tree on the asphalt. Selectman Carmen asked if the ice cream  
38 truck wants to park at Shepard Park, would they need to request Board permission? Guy Scaife said they would.  
39 Vice Chairman Daniels has called the Secretary of State office and they agree on his interpretation of the ordinance  
40 as it's written. Selectman Putnam asked if this is a typical hot dog cart. Mr. Grimes said it is, but he puts it in the  
41 back of his truck which will be parked in a parallel parking space on Nashua Street. Selectman Putnam asked if he  
42 will vend out of the back of the truck or on the side, because he sees a traffic issue. Selectman Putnam does not  
43 want people to park illegally to stop to get a hot dog. Vice Chairman Daniels indicated the Board did not have com-  
44 plaints four years ago. Mr. Grimes said he would sell out of the side of the truck.

45  
46 Selectman Putnam moved to reconsider this request. Selectman Carmen seconded. All were in favor. Motion  
47 passed 5/0. Vice Chairman Daniels moved to approve the request after reconsideration. Selectman Putnam  
48 seconded. Selectman Carmen, Selectman Putnam and Vice Chairman Daniels were in favor, with Selectman Bauer  
49 and Chairman Finan opposed. Motion passed 3/2.

50  
51 Guy Scaife asked Mr. Grimes exactly how he will park the truck. Mr. Grimes explained he will park in the last par-  
52 allel parking space so that people can park in the head in parking.

53  
54 **7:00 p.m. – Public Hearing on Ordinance 2010-003 to Enact Modifications to Milford Municipal Code Book**  
55 **3.20.070(C) Taxicabs.** Chairman Finan opened the public hearing at 7:09 p.m. noting this is the first public hearing  
56 for Milford Municipal Code Book 3.20.070(C) Taxicabs. Selectman Bauer noted that the random drug testing  
57 clause was never in the ordinance, it was just being discussed. Chairman Finan said that is correct. There were no  
58 members of the public present and no public comments were made. The public hearing was closed at 7:10 p.m.

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Vice Chairman Daniels noted that the numbering in the ordinance must be changed accordingly. Chairman Finan said the next public hearing will be in two weeks and the third hearing is the actual vote to accept the ordinance as amended. July 26 will be the second public hearing and then two weeks later, August 9, will be the Board vote on the ordinance.

3. PUBLIC COMMENTS (regarding items that are not on the agenda). Selectman Bauer asked about the donation of the Zahn property and if it needs a public hearing. Guy Scaife said it will require a public hearing and it is currently with the Conservation Commission; this will come back to the Board for discussion when Conservation completes its review.

4. DECISIONS

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

(1) Request to Approve Issuance of Timber Yield Tax Levy & Warrant. Tax Collector Kathy Doherty requested approval of a Timber Tax Levy & Warrant in the amount of \$163.50 from Mark & Kathleen Hoffhein on North River Road. This request was approved.

b) OTHER DECISIONS

(1) Board Positions on LGC's 2011 - 2012 Legislative Policy Recommendations & Floor Proposal and LGC Delegate Selection. Chairman Finan explained the Board of Selectman should take a Town position on each of these items that will go before the Legislature. There are a lot of amendments proposed so he would like to get through this packet tonight, but if that's not possible, some may carry to the July 26 Board meeting when it must be completed. Chairman Finan would like to go through each one and vote on it. Selectman Bauer said there are a lot of them that she needs an explanation on such as number 2, Eliminate Mill Rate for Motor Vehicle Permit Fees. Chairman Finan had a question on that as well. Chairman Finan suggested in order to save time, the Board should have a standing motion to support LGC's position and then each item can be taken up separately to indicate whether or not the Board supports the LGC recommendation. Selectman Putnam moved to review the recommendations which will be taken up individually for vote. Selectman Carmen seconded. All were in favor.

Positions on Recommended Action Policies:

- 1. New Hampshire Retirement System -
  - ... support legis. to strengthen the health and solvency of NHRS - 5/0 in support
  - ... support legis. to ensure the long term financial sustainability . . . - 5/0 in support
  - ... oppose legislature which expand benefits that would result in increases . . . - 5/0 in support
  - ... oppose any increase in the municipal 65 percent share of employer costs . . . - 5/0 in support
  - ... support legis. requiring NHRS rate increases are shared equally . . . 5/0 in support
  - ... support legis. creating alternative retirement plan design options. 5/0 in support
  - ... support continuing to work w/legislators and NHRS Board members . . . 5/0 in support
- 2. Eliminate Minimum Mill Rate for Motor Vehicle Permit Fee - 0/5 opposed
- 3. Evergreen Clause - 5/0 in support
- 4. Pollution Control Exemption - 5/0 in support
- 5. Increase in Road Toll (Gas Tax) - 1 / 4 opposed Chairman Finan in favor, all others opposed.
- 6. Right to Know Costs and Specificity Required - 5/0 in support
- 7. Land Use Compliance by Government Entities - 5/0 in support
- 8. Public Notice Requirements - 5/0 in support
- 9. Highway Fund -
  - ... limit or eliminate the diversion of highway funds for non-highway purposes. . - 5/0 in support
  - ... working with DOT on alternative funding sources that will assure the . . . - 4/1 in support
- 10. Charitable Definition and Mandated Property Tax Exemptions - 4/1 in support with  
Vice Chairman Daniels opposed
- 11. Municipal Use of Structures in the Right of way - 5/0 in support
- 12. Downshifting of State Costs - 5/0 in support
- 13. Binding Arbitration - 5/0 in support
- 14. Telecom Company Property Tax Exemption - 5/0 in support
- 15. State Revenue Structure and State Education Funding

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- 1 . . . a) b) c) d) e) - 4/1 in support with Vice Chairman Daniels opposed
- 2 . . . legislation prohibiting retroactive changes to the distribution . . . 5/0 in support
- 3 . . . OPPOSE reductions in state revenue to political subdivisions . . . 4/1 in support with
- 4 Vice Chairman Daniels opposed
- 5 16. Utility Appraisal Method – 5/0 in support
- 6 17. Minimum Vote Required for Bond Issues – 4/1 in support with Vice Chairman Daniels opposed
- 7 18. Mandated Employee Benefits – 5/0 in support
- 8 19. Underground Utilities – 5/0 in support

9  
10 The rest of the Board positions for Municipal Administration and Finance, Recommended Priority Policies, Rec-  
11 ommended Standing Policies, Planning and Environmental Quality and Recommended Priority Policies will be tak-  
12 en up at the July 26 Board of Selectman meeting.

13  
14 **5. TOWN ADMINISTRATOR REPORT**

15 **a) Solid Waste Co-op Membership Opportunity.** Guy Scaife held off on this discussion this evening but  
16 invited Jim Presher to be at the next Board meeting, so we can better understand the benefits and liabilities of the co-  
17 op. The FERC agreement expires 2018 where there will be a rate reduction for the sale of solid waste.

18  
19 **b) Milford District Court Funding.** Since the last Board meeting, a special Board meeting was held to look  
20 at the proposed funding. Milford looked at funding and would consider funding a higher percentage. The Amherst  
21 Board of Selectmen took it up earlier this evening, but did not change their vote and felt it was a unfair for the State  
22 to put this on the municipalities, the Amherst Board voted 5/0 to reaffirm their previous decision to not provide any  
23 funding to the court. Guy Scaife said he is confident that the cost for the two towns exceeds what we would save.  
24 We cannot quantify the public component of this. Peter Leishman, NH Legislator, attended the Amherst BOS meet-  
25 ing and they are sympathetic, George Infanti indicated the impact on smaller towns is big, but the other Board mem-  
26 bers feel there is little to no impact to their community by going to Merrimack instead of Milford and they want  
27 to send a message to the State by not supporting the district court in Milford. By closing the court in Milford, there  
28 will be a huge impact on the community and surrounding towns. Concord will not hear the message being sent by  
29 Amherst; they will just see that Amherst does not want to fund the Milford Court. Mr. Leishman continued that the  
30 decision was made in Amherst not to support any funding. Mr. Leishman mentioned to Amherst that the eight  
31 courts scheduled to be closed, including Plaistow, sent a message to the State that they would fund the court to re-  
32 main in a town building. If the Milford court closes here, it will never come back and will have a severe impact to  
33 surrounding towns, including Amherst. The State police registry building will be going up for sale and might be  
34 usable for a court.

35  
36 Selectman Carmen moved for Milford to fund the portion (\$28,400) that Amherst needed to fund to provide the op-  
37 portunity to keep the court in Milford for a six month period which is all that can be committed for now. Guy Scaife  
38 called the landlord who has not called him back. Selectman Putnam seconded for discussion. *Discussion:* Vice  
39 Chairman Daniels asked what will be accomplished. Selectman Carmen said in six months Amherst may under-  
40 stand the convenience of the court in Milford. Milford has a lot to lose economically, but who is going to cover for  
41 the small towns that have one officer on duty who must be in court? Milford will be providing back up for those  
42 towns that only have one officer. In six months there might be some things that change. If Milford says no, we will  
43 not have any of those opportunities. If the court goes, it will not come back. Vice Chairman Daniels asked if this is  
44 just buying time, but even if a bill were to be overturned, to move the court to the police barracks is still a year away  
45 before any finalization is complete. Selectman Carmen responded it could be six months and it could be a year. The  
46 only option the landlord has is to keep this tenant. In six months there will be more information available and may-  
47 be Milford brings in more municipalities and bring it the residents of Milford to see what they want.

48  
49 Chairman Finan asked if the District Court has to be in the Milford District. Peter Leishman responded that it does,  
50 there is language that the Milford Court would combine with Merrimack, but it would have to be changed by the  
51 legislature to move it to Merrimack. Chairman Finan asked if Milford has a legal leg to stand on. Mr. Leishman  
52 said all the other towns stepped forward to say they would fund it; this might be included in the budget, not a bill.  
53 Mr. Leishman supports the six month extension which gives the town more time. Amherst does not see it as having  
54 a big impact on Amherst; but it will have a huge community impact. The Milford District Court generates a half  
55 million dollars in revenue. Mr. Leishman lives in Peterborough but he knows this is a bad decision. To retrofit the  
56 building (existing Court building) back to a commercial building will cost more than \$100,000 because the lease  
57 requires the State to retrofit it back to commercial space and that is not budgeted and will be more than it costs to  
58 keep the court in Milford. The State is just looking at saving money. Selectman Putnam asked who made the deci-

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1 sion to close Milford court. Mr. Leishman said it was the Committee of Conference, which he was not on and nei-  
2 ther was Vice Chairman Daniels. Selectman Putnam asked if there is any recourse. Mr. Leishman feels it is a stupid  
3 decision that was made. The only recourse will be the next budget cycle.  
4

5 Guy Scaife explained that this would be a \$28,400 impact between now and December 2010, the following six  
6 months would not have a discount so it will jump higher. If this is done, we have to plan on about \$62,000 for a 1-  
7 year extension to cover the Amherst portion. Mr. Leishman indicated the municipal impact was considered, there  
8 are a lot of representatives in this community and they should get together. Selectman Carmen indicated it may only  
9 seem like we are voting on the Amherst portion, but we are looking at more than that. Mason and Mont Vernon  
10 have a lot more to lose than Milford. Some of the towns might be willing to put in money based on value instead of  
11 case load because they want to keep the court in Milford. Chairman Finan asked where that money will come from.  
12 Guy Scaife said he hopes to have some under runs in some areas; currently Milford is overrun in Welfare but has  
13 been scaling back, it is dependent on how spending goes, but looking at between \$15,000 – 18,000 and with Am-  
14 herst’s share, looking at doubling that. It will cost about \$28,400 in 2010 and \$33,400 in 2011, whether other towns  
15 contribute more is a possibility.  
16

17 Guy Scaife noted the timing on this was July 1, but he just got a letter today that it is moving forward, he understood  
18 that a decision had to be made this week. Milford has to have a cutoff date. Chairman Finan asked about using  
19 Fund Balance. Guy Scaife said that is a possibility, but we must consider that motor vehicles are also down 6%.  
20 The Welfare overrun has to be absorbed, there are no other budgets running over. We will have to hit Fund Balance.  
21 If the total cannot be justified, Selectman Carmen said that \$33,000 will be an increase in the police budget so Mil-  
22 ford has to make the commitment to find the money – to find a way. Selectman Bauer said it is a tough decision  
23 because the budget is tight, and then to raise an additional \$28,000 this year; however Milford should try to buy  
24 time. Selectman Carmen amended the motion to make a commitment to fund the Milford Court for one year  
25 \$28,450 (2010) and \$33,000 (2011). Selectman Putnam seconded. All were in favor. Motion passed 5/0.  
26

27 (c) **Miscellaneous.** Guy Scaife explained that he received notification of some increases in services over the  
28 last two weeks. There is a 5% postal increase coming, the new electricity rates are up 5.12%, street lights will in-  
29 crease 10.72%. The street light increase is equivalent to a \$6,200 increase, so the Board may want to think about  
30 looking at street lights that could be eliminated. The town went to low energy lighting, so we already get that im-  
31 proved rate. Memberships in regional planning have all gone up about 4-5%. Vice Chairman Daniels asked how  
32 much each street light costs. Guy Scaife could look into that. The dam has been lowered about six inches to help  
33 the foundation work on the buildings on the west side of the oval. Guy Scaife received an e-mail from Sarah Mar-  
34 chant about possibly creating an ordinance for municipal water (Water Commissioners) and for well water (Board of  
35 Selectmen). If the Board thinks there could be a need, we may want to consider this. Chairman Finan asked if there  
36 has been a problem. Selectman Putnam said there have been droughts, but he would have difficulty regulating pri-  
37 vate wells. It would be difficult to enforce. There is currently an ordinance in the emergency plan guide for public  
38 water systems (page 14) and there is something in place to take care of municipal water, but he would not want to  
39 regulate private wells.  
40

41 Chairman Finan recently read that the Badger Hill subdivision has a water restriction. Selectman Putnam said that  
42 subdivision is on Pennichuck Water and they can regulate them and have restricted water use (watering lawns,  
43 washing cars). The town itself uses about 3,000 gallons of water per day to water lawns for town parks, etc. Se-  
44 lectman Putnam said the rainfall total compared to last year is lower. Curtis Well is 3.48 inches lower than last year  
45 at this time, but Milford has also used 46 million less gallons than last year. That well house is not bringing the  
46 pumps up to 400 rpm. There is a Water Commissioner meeting tomorrow night, Selectman Putnam would not be in  
47 favor of regulating any private wells; municipal water is in the hands of the Water Commissioners. If the Board of  
48 Selectman wants to do anything to help, the Town could cut the irrigation of town properties. Selectman Bauer is  
49 glad this was clarified by Selectman Putnam.  
50

51 **6. DISCUSSIONS:**

52 a) **Potential New Ordinance - Pawnbrokers.** Selectman Putnam moved to adopt Vice Chairman Daniels’  
53 version of the Pawnbrokers ordinance. Selectman Bauer seconded for discussion. *Discussion:* Vice Chairman Da-  
54 niels indicated he based this ordinance on the draft from Selectman Bauer and Selectman Carmen which was based  
55 on the Nashua ordinance. Milford has a lower population than Nashua, so it needed to be tailored. The license fee  
56 has not been determined; it was thought perhaps \$100 fee would be appropriate, the penalty has also not been de-  
57 termined. Selectman Carmen stated this ordinance began as a result of one complaint; to deal with that complaint,  
58 information was collected and second hand dealers came into the picture, and what if an item got melted down.

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1 There were too many issues being addressed in the original draft ordinance, but just having a Pawnbroker's ordin-  
2 ance would be a start; it needs a couple of tweaks and the fee and fine need to be addressed. The number of days to  
3 hold the item is 14, which Selectman Carmen likes as long as Chief Douglas agrees. If the Police have an issue they  
4 can go to the shop and look at the records of whatever is taken in. If this ordinance is put into place, it will be more  
5 restrictive but it will work, it can be changed in the future. Vice Chairman Daniels indicated the transaction records  
6 (photos) can be shared with other Police Departments. The pictures can be posted to help other departments, not just  
7 Milford. Selectman Carmen said it seemed like more time will need to be spent on the follow up. The Police Chief  
8 could provide input on the process. Selectman Carmen feels if there is not a significant penalty, it is not going to do  
9 anything. Selectman Putnam stated there will be other punishments but when would it become a criminal issue with  
10 the courts. Chairman Finan said the Police Chief can revoke the license of the pawnbroker. Selectman Bauer and  
11 Selectman Carmen feel a \$100 fee for the license is fine, but the penalties were discussed and they felt between \$25  
12 - \$100 might be appropriate. Vice Chairman Daniels suggested there could be fine tuning prior to the first public  
13 hearing of this ordinance. Chairman Finan asked who can bring this to Dawn Griska to explain the changes. Vice  
14 Chairman Daniels said he will bring it to Dawn.

15  
16 Selectman Putnam asked if the public can comment on this draft ordinance. Chairman Finan asked if any of the  
17 public wished to comment. Sandra Martel is a proponent for this ordinance noting it should punish the action, not  
18 the item. By having these procedures, it may help to recover stolen goods and if there is a high fine, people may be  
19 more respectable and follow the procedure. Guy Scaife suggested putting in a \$500 fine for the penalty and keep the  
20 \$100 license fee. Vice Chairman Daniels asked what those fees cover. Chairman Finan indicated it would cover  
21 administrative costs. Selectman Putnam added that the \$100 fee would not cover the administrative costs of photo-  
22 graphing the pieces. Selectman Bauer would like to run this draft by the Police Chief. Chairman Finan suggested  
23 inviting him to the first hearing. Vice Chairman Daniels will send the ordinance to Chief Douglas before that hear-  
24 ing. Selectman Bauer indicated first there was one incident and since then there have been two more incidents; one  
25 neighborhood was hit hard. There is even more reason why this should go forward. There is currently no ordinance  
26 in Milford, so people come here. Mark Fougere hopes this will control the problem, this is a start. The second hand  
27 dealer is very broad; he asked if it will go to the town attorney for review. Chairman Finan responded that it proba-  
28 bly will not. Selectman Bauer said it was decided to take second hand dealer out because it is a very broad applica-  
29 tion; some towns include that but it was removed from Milford's.

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

32 **a) FROM SPECIAL BOARDS, COMMISSIONS & SPECIAL COMMITTEES.** Selectman Bauer indi-  
33 cated that Marti Noel came to the Conservation Commission meeting to explain Land Use Tax laws and how it af-  
34 fects Milford; noting that it was very informative.

35 Chairman Finan asked about signs on the oval, there have been a lot of legitimate requests for town functions  
36 and Dawn Griska is looking into it and was given a directive that there be no more than 5 signs at any one time  
37 (sandwich board signs count as two signs – front and back).

38 **b) OTHER ITEMS**

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40 **8. APPROVAL OF FINAL MINUTES – June 14, June 28, and July 1, 2010.** Selectman Bauer requested a  
41 change to the minutes of June 28, 2010. Selectman Putnam moved to approve the minutes of June 14, 28 and July 1,  
42 2010 as amended. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

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

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46 **10. NON-PUBLIC SESSION – Non-Public Session (RSA 91-A:3, II(a&e)) – Personnel and Legal & Approval of**  
47 **Non-Public Minutes (RSA 91-A:3II(e) – Legal – June 14, 2010.** Selectman Putnam moved to enter into non-public  
48 session for a personnel and legal discussion. Vice Chairman Daniels seconded. All members were polled indivi-  
49 dually and consented to enter non-public session at 9:05 p.m. Selectman Putnam moved to unseal the non-public  
50 minutes of June 14, 2010. Selectman Bauer seconded. All were in favor. The non-public session minutes of June  
51 14, 2010 were approved on motion made by Selectman Carmen. Selectman Putnam seconded. All were in favor.  
52 The non-public session minutes of June 14, 2010 were resealed on motion made by Selectman Putnam and seconded  
53 by Vice Chairman Daniels. The Board came out of non-public session at 9:39. Chairman Finan announced that in  
54 non-public session the Board discussed a personnel matter. No votes were taken, no decisions were made.

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56 **11. ADJOURNMENT:**

**APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 7/12/10**

1 There being no further business to come before this Meeting, Selectman Putnam moved to adjourn at 9:40 p.m. Se-  
2 lectman Bauer seconded. All were in favor. Motion passed 5/0.  
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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