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**APPROVED**

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

July 27, 2009

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

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

**INSTRUCTIONS:** The meeting was called to order by Chairman Finan at 5:30 p.m. who welcomed those in attendance to the Board of Selectman meeting. Following introductions of Board members, Chairman Finan led the audience in the Pledge of Allegiance. Chairman Finan noted that those people in the audience who want to speak or add to the discussion should please go to a microphone in order to be heard on the PEG Access live broadcast.

**2. APPOINTMENTS:**

**5:30 p.m. – Reaffirmation of Signatures on MACC Base Contract.** Chairman Finan indicated that this is just a house-keeping issue, that the contract needs to have Board members sign the MACC Contract, after the contract is signed, Mark Schultz, MACC Base Director, will bring the contract to Wilton to have their Board of Selectman sign as well. The MACC Base contract was passed to all Board members for signature and then given to Mark Schultz.

**5:35 p.m. – Request for Denial of (6) and Approval of (2) Property Tax Abatement Applications & Denial of (1) Charitable Exemption Application.** Assessor Marti Noel explained these are the last of the abatement requests for this year and she was expecting people to come tonight, asking if anyone in the audience was in attendance for the abatements; there were none. Marti Noel has recommended six properties for denial and two for approval. Selectman Putnam moved to approve the 6 abatement denials as recommended. Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.

**ABATEMENT DENIALS:**

<u>Record #</u>	<u>Property Location</u>	<u>Map/Lot</u>
4908	0 Nashua St	32/23-3
5008	473 Nashua St	32/23
5108	0 James St	32/23-5
5208	475 Nashua St	32/23-2
5308	477 Nashua St	32/22
6608	528 NH Rte 13S	48/15

Selectman Putnam moved to approve the 2 abatement requests as recommended. Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.

**ABATEMENT APPROVALS:**

<u>Record #</u>	<u>Property Location</u>	<u>Map/Lot</u>	<u>Abatement</u>
1708	50 Elm St	25/120	\$ 613.14
6308	43 Ledgewood Dr	35/34	\$ 5,886.14

Assessor Marti Noel explained that the request for Charitable Exemption has been rescheduled for the next BOS meeting.

**6:00 p.m. - Falcon Ridge Signage – Request for License and Future Easement.** Sarah Marchant, Town Planner, requested a temporary revocable license for the Falcon Ridge subdivision, which requires 60-80 easement deeds and the open space deed was never taken out. The property owner continues to own the land, once the signage is done, the town owns the land. Town Counsel recommended using the temporary permit which will end up going before town vote. Chairman Finan asked if this is just to get the town through until the voters approve it. Sarah Marchant said that is correct and

## APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 7/27/2009

1 tonight's vote is just to grant the temporary license for signage. Selectman Putnam moved to approve the temporary sign-  
2 age as presented. Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.  
3

4 **6:30 p.m. - Departmental Update – Community Media.** Dave Kirsch, Community Media Director, explained he  
5 has three categories for department goals: infrastructure/expansion, volunteerism and web site. Currently, Dave  
6 Kirsch is working on setting up at the high school to do live broadcasts. This has been talked about for over a year.  
7 It is just now a matter of getting a rack in the control room. Broadcasts can then be done from the café, gym, li-  
8 brary, lecture hall (room 4) and press booth. This should be ready by the start of school this year. The new charac-  
9 ter reader has opened up a lot of opportunity. More volunteers have come during the past year; a couple of volun-  
10 teers have been working on coverage of events in front of the camera, for events such as the Memorial Day parade  
11 and the Keyes field activities on July 4. There was a Senior Prom held at LedgeWood that was covered. With the  
12 new live capabilities, Dave is hoping to get more volunteers. The Economic Development Committee (EDC) has  
13 talked about the web site and looking at the platforms available. Andrew Jeffrey was willing to explore different  
14 platforms, and the town ended up with the Drupal CMS platform and looking to make the website easier for users.  
15 Dave wants to get a new structure so it is easy for new residents to find what is needed. There are three channels  
16 available and Milford is currently using two.  
17

18 Dave Kirsch is looking to get the Public channel up in 2010. The public channel will require additional resources,  
19 Milford is looking at a lean economy; this is something we would like to have but it is not a must have. Last year  
20 the special revolving fund was approved for Peg Access. This is so that the community can have a special fund for  
21 cable access. Peg Access has to identify it's funding and who would be the trustee. Jack Sheehy had identified that,  
22 but in the next Warrant Article, it will detail the funding. Currently Peg Access collects 3% but is able to collect up  
23 to 5% of the franchise fees. Milford is going to want to do that. That fund can be established and then raise it to  
24 5% and there would be no impact on the tax payers. That extra 2% in franchise fees would cover the costs of get-  
25 ting the Public channel ready. Selectman Putnam wants to be sure that the cable provider does not increase the  
26 charges to the customers. Dave Kirsch responded that any increase in fees will increase the rate for customers. The  
27 provider will not charge more than what people are willing to pay. There may be some short term increase; it de-  
28 pends on whether it is done before there is a rate increase. Milford does not know when that will be. Guy Scaife  
29 noted there is no way Dave can guarantee what they will or will not do; he cannot give a guarantee. Selectman Put-  
30 nam just wants to get as much information as he can. Dave Kirsch said he can probably tell what the increase will  
31 be on a monthly basis; a couple months ago he got how many customers there are and how much franchise fees are  
32 collected. The average cable subscriber will see an increase of \$1.50.  
33

34 Dave Kirsch noted that access television is not meant to be a revenue generator; it is to enhance democracy by  
35 bringing events and activities of government and schools home on television and by giving people a voice to ex-  
36 press their opinion and creativity. That is the value that will be gained from that \$1.50 per month. Vice Chairman  
37 Daniels asked what if info-mercials are run on public access. Dave Kirsch responded that commercials cannot be  
38 run on public television. People may interview local businesses asking what they do and what they sell and in that  
39 regard, you can see some benefit for local businesses, it is just really about what the community has to offer. If we  
40 highlight the value of business in the community, by talking with them, they get a chance to be seen but that would  
41 be determined by the producer. Vice Chairman Daniels said there has been talk about making public access self-  
42 supporting. Dave Kirsch understands that was talked about, but he has not heard of any public access channels that  
43 have been self-supporting. Vice Chairman Daniels asked when it is planned to role out the public channel. Dave  
44 responded that he is currently working on the policies and procedures that it would run by, we want to make sure  
45 there is a clear set of rules to operate by. When will we be ready to role out the public channel? There are a lot of  
46 variables involved. It is a slow process. You want to think of all different scenarios. Last time Milford got a  
47 channel, it took a long time. Dave is hesitant to project that date. Vice Chairman Daniels asked when the policies  
48 and procedures are done, will be approved by this Board? Guy Scaife said the policies and procedures have to get  
49 past the PEG Committee and this Board. The Board of Selectmen will get a portion of the public channel and the  
50 finances. This Board will make the final approval. The \$1.50 additional cost per month to the customers, is equiva-  
51 lent to \$60,000 - \$70,000 per year which would be plenty and would cover the needs to take care of infrastructure.  
52 As it takes off, personnel needs will be looked at.  
53

54 Chairman Finan asked about using the TV studio at the high school and if that could be worked out. Dave ex-  
55 plained the configuration at the high school is tailored for education. Things are spread out at the high school. Pub-  
56 lic access is short staffed; in school they have enough people to run the cameras, audio, graphics, director and pro-  
57 ducer so they can be spread out in the studio. In public access, you have a hostess and the person in the back-

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 7/27/2009

1 ground. The way the studio is set up, it cannot be used that way. There would be a lot of modifications required or  
2 extra infrastructure needed. Guy Scaife feels it would not fit their plans, there are security issues, and it is a training  
3 venue. Chairman Finan asked if there were public TV maybe they could expand their teaching. Dave Kirsch said  
4 Rosie Deloge has stated that the studio has to only be used by students, if a camera broke during a public access  
5 program and the next day was not available for teaching, that would be disastrous.

6  
7 **7:15 p.m. – Towing Company Concerns.** Theresa Lindley, resident, stated that on July 1, her friend was arrested  
8 for DWI and the car was impounded and towed by Payless Towing to West Street. At 7:30 a.m. the following  
9 morning, Theresa Lindley went to make arrangements to pick up the vehicles and was told to come back at 8:00  
10 a.m. when they were open. Theresa Lindley then went back at 10:00 a.m. and the person that was working gave her  
11 a bill for \$235 for the vehicle. Theresa Lindley felt she was being overcharged so she came here tonight. Harry  
12 Knightly, Payless Towing, said the owner should make the claim against him, noting that Theresa Lindley is not the  
13 owner and she is not the person that paid the bill. The concern came to the town, the charges were reviewed and the  
14 complaint was there were 3 financial charges for the vehicle. Mr. Knightly explained the charge for \$125 is his flat  
15 fee for towing, the \$40 was written in the wrong box, the van was dead on arrival and had to be pushed into the ga-  
16 rage; the police officer made it clear there were expensive tools in the vehicle. Guy Scaife spoke with Officer John-  
17 son who stated the vehicle owner made it clear that there were some tools inside the van but he did not state the ve-  
18 hicle needed to be stored inside. Mr. Knightly asked if it was suggested that it be locked up. The officer made that  
19 suggestion that it be locked up. Guy Scaife indicated there is a statement from the officer who disagrees with Mr.  
20 Knightly’s claim. Chairman Finan stated the \$125 is the tow charge, the tow company ordinance states that the tow  
21 business should be open to the public during certain hours for pick up of vehicles, this is an ordinance that is a con-  
22 tract between the Board and the public, according to the policy, there was an incorrect charge because it is against  
23 the clause. Selectman Putnam questioned the \$40 charge. Mr. Knightly responded that the van was dead and it had  
24 to be pushed inside, then it had to be pushed out again because it was out of gas. Selectman Putnam said if the car  
25 was dead, you are charging \$125; wouldn’t that include the labor to move the dead vehicle?  
26

27 Guy Scaife did some research and this has not happened in the past, other tow companies do secure vehicles, some  
28 inside buildings, the policy does not allow for miscellaneous and extra charges, there will be easy tows and hard  
29 tows, it goes with the territory but to allow someone to arbitrarily add charges is not correct. It violates the \$125  
30 which should have taken care of those charges. Every company is required to have secure facilities to store the ve-  
31 hicles. Mr. Knightly stated his lot is well lit and secure, and officers pass by every 8-12 minutes. Mr. Knightly  
32 feels what he did was what is required and feels he has the right to charge for the storage. Guy Scaife asked if Chief  
33 Douglas has experience with extra charges for additional lock up in the first 24 hours. Chief Douglas does not  
34 know of any extra charges for storage of a vehicle inside for any vehicle whatsoever. Chief Douglas pointed out to  
35 the woman who is filing the complaint, that the police did not impound the vehicle, the owner was arrested and the  
36 police called the next in line wrecker company, and the towing company is responsible for the safety of the vehicle  
37 and the security of the vehicle. The police officer merely suggested that there was valuable equipment in the vehi-  
38 cle. He did not tell him put it inside. Selectman Carmen said there is a charge to tow the vehicle, and if it is not  
39 running there would be another charge? By storing the vehicle inside, do you feel that your area is not secure? The  
40 officer suggested that there is expensive equipment but did not state that it should be put inside. Mr. Knightly has  
41 no reason to charge the \$70, it was because it was suggested, and he indicated he doesn’t need the \$70; it was more  
42 work for him to do that. Selectman Carmen said the ordinance is part of the next in line rotation, the Chief has  
43 never seen additional fees in the past. The storage fee does not seem like it meets the standard of the ordinance. If  
44 the Board feels it is not something that should be charged, Mr. Knightly should look at that. Mr. Knightly stated if  
45 he feels he is right, the suggestion was made to me but was not a direct order, the \$70 is a waste of time, if it is felt  
46 it should be given back, Mr. Knightly will give it back to the person that paid for it. Marcia Gibbons said she gave  
47 Mr. Knightly her Visa card to pay for the charges of \$235, noting it was nice for him to put the van inside, but the  
48 generator was gone from the car in the morning when they got it home. There was a generator in the car and it was  
49 gone the next morning when the van was picked up. Chairman Finan suggested they bring that issue to the police.  
50 Guy Scaife said that is being investigated.

51  
52 Selectman Putnam said this Board does control who is on the wrecker rotation list; he knows how that list works  
53 and he finds the extra fees excessive. Payless is new to the wrecker list, Selectman Putnam would not have a prob-  
54 lem with giving Payless a probation period to make sure this doesn’t happen again. Selectman Putnam thinks Pay-  
55 less is taking advantage of the people of the town. Selectman Carmen said the ordinance states that if there are three  
56 complaints you are off the list; this is number one. Vice Chairman Daniels said regardless of the way it was  
57 phrased, is a separate issue, even if it were put in storage, the ordinance states you cannot charge for it until it has

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 7/27/2009

1 been there for a certain length of time. This is two separate things. Payless is new to the towing rotation and it may  
2 be a learning curve, but nobody can tell you to do something that violates the ordinance. Chairman Finan asked  
3 what the Board wished to do. Mr. Knightly said he will reimburse the \$110 for storage and labor. Theresa Lindley  
4 would be happy with that. Selectman Putnam asked if there is any further Board action required. Chairman Finan  
5 said the ordinance covers the issue of having 3 complaints, therefore there is no further action required. Mr.  
6 Knightly asked that Mrs. Gibbons stop by tomorrow and he will have a check for her.  
7

8 **7:30 p.m. – Oval Area Parking Concerns & Second Public Hearing on Ordinance 2009-003 to Enact Modifi-**  
9 **cations to Milford Municipal Code Book 6.24.100 – Oval Area Parking Limits.** Chairman Finan opened the  
10 public hearing at 7:36 p.m. to review the revision to Ordinance 2009-003 for oval area parking limits. This proposal  
11 is for two and four hour parking on the oval restrictions. Chairman Finan stated with the budget restrictions, he has  
12 a hard time spending \$15,000 to enforce this. There are a few options that can be discussed such as do some restric-  
13 tions this year and some next year, or change the ordinance to just work in the area that is affected. Chief Douglas  
14 suggested that if the restriction is only done on the south side of the oval, it could be done without additional staff.  
15 Selectman Bauer stated that the \$15,000 for additional staff would be to enforce the parking restrictions; if we do  
16 not implement the entire ordinance, it could be done without additional staff. Guy Scaife said there has been debate  
17 about the hours; if we did restrict the entire oval, it would require additional work force to support what the chief  
18 already has. If we increase the area of restriction, we would bring on a 25 hour per week person to supplement the  
19 existing work force. The one additional person would be doing 7 days a week parking coverage. Chief Douglas  
20 suggested that if it went down to 1/5 of the overall area, the police might manage it with existing work force before  
21 committing to additional resources. Some of the existing staff would be able to handle the limited coverage of park-  
22 ing enforcement. The limited enforcement would be the south side of the oval starting near Union Street to the  
23 south side of the oval and South Street. There is a concentration early in the morning in that area. This limited ap-  
24 proach may resolve all or 90% of the problem without costing the tax payers.  
25

26 Selectman Carmen indicated it is not as simple as it seems. Getting parking behind the community house might  
27 happen but takes time. Selectman Putnam wants to be sure the problem does not get pushed to other areas of the  
28 oval. Selectman Putnam stated the problem is okay during the winter parking ban, why not just leave that in place  
29 year round? Chairman Finan asked if there was anyone from the public that has input. Kevin Stephens, Union  
30 Street Grill, indicated that would take the parking from one side to the other side, it would just move the problem.  
31 The overnight parking ban would be an inconvenience for people, but he appreciates the Board taking the time to  
32 look into this. If this does not go through, Mr. Stephens still appreciates it. Nothing has been done yet, Bales  
33 School could be a place to park to free up parking spaces for down town businesses. Between 5 a.m. to 2:00 p.m.  
34 Friday, Saturday and Sunday are the busiest days of the week. The oval is a little better right now because of sum-  
35 mer vacations, Mr. Stephens said he enjoys living in Milford; he pays his taxes on time, and contributes to the other  
36 businesses on the oval. If you go to your church or fundraisers, the Union Street Grill participates quite a bit in the  
37 community. If we are not contributing, the schools will need more money and other businesses are doing the same.  
38 There was no other public input. Chairman Finan closed the public hearing at 7:50 p.m.  
39

40 Vice Chairman Daniels agrees with Selectman Putnam that we should not pick apart the oval in sections. Recogniz-  
41 ing that the police do their best, we should go forward with the plan and enforce to the best of our ability and if it  
42 requires more staff, deal with it at a later time. Milford has a mobile police department, they can take a look at these  
43 cars and if they notice they're there too long, take care of it. This proposal covers every suggestion that was  
44 brought before the Board. No one has brought forward any explanation of how it will hurt their business. Vice  
45 Chairman Daniels' suggestion is to go forward and see how it works. Selectman Carmen did not have a problem  
46 when the ordinance was presented, but thinks we need to get the details worked out for how to enforce it. There are  
47 a lot of questions on enforcement; it may be something that needs to be taken in steps or just do a piece of it and it  
48 can always be changed. There may be another parking lot that may solve some of the problem. Selectman Bauer  
49 would like to hear from CLD on the enforcement of this ordinance, not having extra help does not make sense to her  
50 but how does CLD feel about it? Chief Douglas suggested downsizing the 2-hour parking, this would include in  
51 front of Bales School, Union Street to Elm Street, and the south side of the oval up to High Street. Chief Douglas  
52 worked downtown when he first came to Milford and 15 minutes is what it takes to walk the area and the tires can  
53 be marked. When another officer walks the area, they would check the tire marks. If there are two tickets issued  
54 and they are contested, it will take a three hour minimum for two officers in court. This could be done, but it could  
55 be done between 5:00-7:00 a.m. and maybe not the rest of the day. If the ordinance is in effect, how do we police it  
56 so it is consistent and business owners do not get upset. Chief Douglas cannot guarantee it will be done consis-

**APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 7/27/2009**

1 tently. The modified plan could be done but not the way it should be. Selectman Bauer is satisfied; she is not in  
2 favor of the modified plan.

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4 Selectman Bauer would support the ordinance as written if someone can be funded to enforce part time. Selectman  
5 Bauer would rather go with the ordinance as written, not modified. Selectman Carmen suggested the Board has  
6 spent enough time recently talking about the budget, when we look at the work put in to save money, to add  
7 \$15,000 it does not seem like a lot, but it is timing. Selectman Carmen has no issue with the 2 and 4 hour parking.  
8 Chairman Finan agrees that if we do it, it must be funded, it cannot be done without funding it. Vice Chairman  
9 Daniels believes the ordinance is going to be enough for some people to know that they cannot do what they have  
10 been doing. Inconsistency has its benefits because it will keep people on their toes. The officers should be pulled  
11 out of downtown parking issues if something else comes up, they should go out on calls. The problem may fix it-  
12 self, but it is worth trying to get the problem fixed. Selectman Bauer feels that is asking a lot of the police; she also  
13 feels that people know what to expect for enforcement, either it is enforced or it isn't. She does not want to go with  
14 a partial parking solution. Chairman Finan stated enforcement is an issue, if we go forward, whether it means  
15 \$15,000 or not, we do not know. Chairman Finan feels it is a lot to be enforced. If we do not have downtown park-  
16 ing, and we go on the honor system, Selectman Bauer said it will not work. Selectman Putnam agrees with Vice  
17 Chairman Daniels and Chairman Finan to enact the ordinance a let the police enforce it and see where it goes from  
18 there. Vice Chairman Daniels stated that Chief Douglas said after a short time the tickets went away the last time  
19 there was an ordinance in effect. We have allowed it to exist because it was not enforced. Chief Douglas indicated  
20 it would be 25 hours a week for someone to be dedicated to downtown parking enforcement. It is a 7 day a week  
21 job and he would have to spread out the hours over the week.

22  
23 Guy Scaife stated Chief Douglas' workload has increased a lot with drug related activities and Keyes Field issues.  
24 When you open it up for 150 unrestricted spaces, it is a lot of signs to buy, the staff feels like it would be in their  
25 best interest to have an ordinance and if the problem moves, deal with the problem; the ordinance can be expanded.  
26 Guy Scaife indicated Chief Douglas has had 25 hours a week in mind, but the problem is no more than 12 cars con-  
27 centrated in one area on the oval. If those 12 cars spread out over the oval area, there would not be a problem. We  
28 are moving forward on the parking lot at the police station and he hopes a gravel lot will be in place by the Pumpkin  
29 Festival. The problem is enforcement of 150 spaces is quite a burden on the Police Department. Selectman Bauer  
30 noted she counted 204 spaces downtown. If we only do partial enforcement, who will park by the Police Station if  
31 they have all the other spots? Selectman Bauer thinks putting any money into a parking area at the Police Station is  
32 a waste, if we are not going to restrict the parking in the entire oval. Chairman Finan suggested we can investigate  
33 prior to the next Board meeting when there will be the third reading which will have a final vote.

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

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37 **4. DECISIONS:**

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

- 44  
45 (1) **Request for Road Acceptance – Final Portion of Mountain View Court.** Town Planner, Sarah Mar-  
46 chant, requested and received board approval for the road acceptance of the final portion of Mountain  
47 View Court as follows:

48 From Sta. 0+25.00 at intersection with Federal Hill Road easterly to Sta. 5+6.26, a distance of  
49 481.26 feet measured along the center line, 50 feet wide, as per as built plan entitled "Map 56 Lot  
50 45, Roadway As built Plan, Federal Pointe Subdivision, Mountain View Court and Stone Court,  
51 Milford, New Hampshire" dated September 2, 2008, revised October 28, 2008, Sheets 1 and 2 of  
52 15, and as per "Subdivision Plan, Prepared for Federal Pointe Subdivision, Map 56 Lots 34-6, 34-  
53 7, 34-8 and 35, Milford, New Hampshire" dated September 28 2000, final revision October 10,  
54 2001 and recorded in the Hillsborough County Registry of Deeds as Plan #31405, Sheets 3 and 4  
55 of 11 recorded.

56 Note: The remaining portion of Mountain View Court to the turn around and including the turn  
57 around was accepted by the Board of Selectmen on November 24 2008.

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- (2) **Request to Authorize Application for Reimbursement of Lost Taxes on Federal & State Forest Lands (M-53/L-22 & 24).** A request was made by Marti Noel, Town Assessor, for the town of Milford to file a Reimbursement of Lost Taxes for Land owned by NH DRED for Map 53, Lot 22 and Lot 24. This request was granted.
  - (3) **Request for Permission to Vend at Keyes Field during the 1<sup>st</sup> Annual Horseshoe Tournament.** A request was made by Nicole Banks, Recreation Director, to allow vending to take place at the 1<sup>st</sup> Annual Horseshoe Tournament to be held September 12, 2009. This request was granted.
  - (4) **Request for Partial Release of Securities (Map 58, Lot 3).** A request was made by Bill Parker, community Development Director, to release the partial release of security for Burbee Sand and Gravel in the amount of \$97,500, thereby reducing the remaining security to a balance of \$63,750. This request was granted.
  - (5) **Request for Acceptance of Donation to Land Fund.** A request was made by Rita Carroll, Conservation Coordinator, that a donation check in the amount of \$2110.72 be accepted by the Conservation Commission, which was donated by John and Mary Jo Ulricson, and to be deposited in the Land Fund. This donation is the result of a timber harvest on land owned by the Ulricson's. This request was granted.

21 **b) OTHER DECISIONS**

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(1) **Request to Send Payment to NH Retirement System Under Protest.** Town Administrator Guy Scaife explained that the State has lowered their contribution to the retirement plan for teachers, fire and police staff, which equates to \$10,000 for this year and then next year it will be \$20,000. This request is to authorize the Finance Director to make the Town's payment and the increase of \$10,000 and that it is being paid under protest. This is prior to a lawsuit as an unfunded mandate. Selectman Putnam moved that the Town make the payment under protest. Vice Chairman Daniels seconded for discussion. Vice Chairman Daniels indicated that the language in the letter was recommended by LGC. There was no further discussion. All were in favor. Motion passed 5/0.

31 **5. TOWN ADMINISTRATOR REPORT:**

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a) **Financial Update.** Town Administrator Guy Scaife asked if there were any questions on his e-mail with the budget projections for 2009 that was itemized by reductions. The large items were listed on the spreadsheet. Chairman Finan said it was good information. Selectman Putnam also felt it was helpful. Selectman Bauer had no questions. Guy Scaife indicated that everyone will continue to work on this and a letter was sent to non-union employees about whether they would like to participate in the new sick time plan and we could work with them. A good response has been received so far. Guy Scaife appreciates the spirit of cooperation and this will translate in further reductions in expenses for this calendar year. In the 2010 budget, the numbers are not totally finalized, there was a major IT failure which lost the N: drive and the primary and secondary servers failed. Vision was out Friday and Monday. Guy Scaife indicated the budget numbers are solid, Mr. Scaife just does not yet have a printout. In the 2010 budget, \$265,000 in savings has been identified under the 2009 numbers. That includes a zero percentage increase in wages. We are only mid-year and there has been no Board of Selectman input yet. For last year's budget, we understood and the employees understood that we might be going into a year where salaries come to a halt. We will re-evaluate as the year goes on. Keep in mind that with zero increase, there are still other increases in salaries. In last year's budget, the salary increase went into effect April 1. At a minimum, we have one quarter's worth that gets added into 2010. There are numerous step increases that will go into effect, but it is programmed in with a zero increase. We are two years away from a mandatory property evaluation and will be looking to a statistical update which is slightly less expensive than the other way. That will require money to be put aside for Vision. In 2010 we have \$75,000 for Vision. In 2011 there will be another \$75,000 to \$100,000 to finish it off.

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Next year there is also the State and Federal elections, so there is the Town Meeting plus two big votes and so voter registration plus police detail to cover those elections. The Library is looking for 30 part time hours for about \$20,000 for the year; ambulance will go up about \$10,000 but revenues are up by at least that much. They need \$4,500 for pagers and there is a grant that could fund the last ¾ of that. There will

1 need to be about \$2,800 for vehicle maintenance for one ambulance. Eric Schelberg is trying to stretch the  
2 vehicles out a couple years, but body work needs to be done. There is a \$15,300 additional crossing guard  
3 expense directly related to kindergarten, which the school will pick up, and will be handled as revenue.  
4 The Police Department is looking at purchasing ammunition this year, some things are one time expenses  
5 that have to increase. The benefits budget is going up slightly, even though most sick time pay is reduced.  
6 A lot of effort has been put into this preliminary budget. It has been challenging without the N: drive.  
7 Things like fuel costs are being kept flat and in some cases are under run. Selectman Bauer asked how the  
8 reduced State contribution will affect the budget. Guy Scaife explained the revenue sharing reduction is  
9 \$229,000. In the retirement system, the State was historically paying 35% of the contribution in group 2,  
10 that will be reduced to 30% this year and next year we get a full year and it goes down to 25%. The total in  
11 lost revenue from the State is \$239,000. Chairman Finan asked if the additional parking is taken into con-  
12 sideration. Mr. Scaife said it is not, there is \$332,000 in debt reduction that was taken into account. This  
13 is one of the largest years in a long time. A couple years ago the town bought some things with cash which  
14 has helped offset the debt.  
15

16 Selectman Putnam asked about fund balance. Guy Scaife responded that fund balance is on the low side,  
17 last fall the Board planned to use \$200,000 against the tax rate (2009) and that will take it to the 5.0%  
18 mark. Selectman Putnam asked if there is a plan to use any of that this year. Mr. Scaife responded not for  
19 the projected 2010 tax year. The 2009 tax rate is not set yet and will be set early November or late Octo-  
20 ber. Guy Scaife said he will e-mail the budget to members once the computer is all up and running.  
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22 **6. DISCUSSIONS:**

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24 **7. SELECTMEN'S REPORTS/DISCUSSIONS:**

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26 a) **FROM SPECIAL BOARDS, COMMISSIONS & SPECIAL COMMITTEES.** Selectman Bauer ex-  
27 plained that CFC is doing site visits, one is being done tonight and one will be done in the future with the members  
28 of the engineering firm. They are coming August 31 before the Board of Selectmen for a preliminary update. Vice  
29 Chairman Daniels indicated that the town perambulation will be coordinated with NRPC to get the communities  
30 together to check on markers, etc. Vice Chairman Daniels will follow through to get that going.  
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32 b) **OTHER ITEMS (that are not on the agenda).**  
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34 **8. APPROVAL OF FINAL MINUTES.**

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36 Vice Chairman Daniels moved to approve the minutes of July 6, 2009 as presented. Selectman Bauer seconded.  
37 All were in favor. Motion passed 4/0.  
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39 **9. INFORMATION ITEMS REQUIRING NO DECISIONS**

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41 **10. NON-PUBLIC SESSION: Non-Public Session (RSA 91-A:3, II(a & c)) - Personnel & Reputation (3).**

42 Selectman Putnam moved to enter into non-public session at 6:42 p.m. Selectman Bauer seconded. All mem-  
43 bers were polled and assented to enter into non-public session. After discussion Selectman Putnam moved to  
44 come out of non-public session at 7:03 p.m.. Vice Chairman Daniels seconded. All members were in favor.  
45 Chairman Finan announced that in non-public session the Board discussed personnel, legal and reputation is-  
46 sues.  
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48 **11. ADJOURNMENT:**

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50 There being no further business to come before this Meeting, Selectman Putnam moved to adjourn at 8:20 p.m.  
51 Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.  
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Tim Finan, Chairman

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Mike Putnam, Member

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 7/27/2009

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Gary Daniels, Vice Chairman

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Katherine Bauer, Member

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Nate Carmen, Member