

MEMORANDUM

DATE: July 14,2014

TO: Board of Selectmen

CC: Guy Scaife

FROM: Marti Noel, Assessor

RE: **Exemption and Credit Applications**

---

I am presenting 3 applications this evening with recommendation for Denial. Statutorily, the deadline for response to applications for exemptions or credits is July 1. A denial by the Board still provides the applicants with opportunity to file for Appeal.

Elderly Exemption: This applicant was asked on multiple occasions to provide additional information regarding income received for 2013. The applicant has not supplied the requested information and has not contacted the assessing office to request additional time.

Veteran's Credit: The information provided by the applicant indicated that the applicant was not qualified based on statutory requirements. The application was originally intended to come before the Board on May 12, but before that date, the applicant requested additional time to obtain additional documentation. The applicant has not provided any additional documentation and has not contacted the assessing office to request additional time.

Charitable Exemption: The applicant has been non-communicative when asked to provide additional documentation relative to qualification for property tax exemption.

Thank You

## Memorandum

**To:** Board of Selectman  
**From:** Marti Noel, Assessor  
**Date:** 7/14/2014  
**Re:** Elderly Exemption - For Denial (1)

### **72:33 Application for Exemption or Tax Credit.**

**I. No person shall be entitled to the exemptions or tax credits provided by RSA 72:28, 29-a, 30, 31, 32, 35, 36-a, 37, 37-a, 37-b, 38-b, 39-b, 62, 66, and 70 unless the person has filed with the selectmen or assessors, by April 15 preceding the setting of the tax rate, a permanent application therefor, signed under penalty of perjury, on a form approved and provided by the commissioner of revenue administration, showing that the applicant is the true and lawful owner of the property on which the exemption or tax credit is claimed and that the applicant was duly qualified upon April 1 of the year in which the exemption or tax credit is first claimed, or, in the case of financial qualifications, that the applicant is duly qualified at the time of application...”.**

### **72:34 Investigation of Application and Decision by Town Officials.**

**I. On receipt of an application provided for in RSA 72:33 or RSA 72:38-a, the selectmen or assessors shall examine it as to the right to the tax exemption, tax deferral or tax credit, the ownership of the property listed, and, if necessary, the encumbrances reported.**

**may request true copies of any documents as needed to verify eligibility. Unless otherwise provided for by law, all documents submitted with an application or as requested, as provided for in paragraphs I and II, and any copies shall be considered confidential, handled so as to protect the privacy of the individual, and not used for any purpose other than the specific statutory purposes for which the information was originally obtained. All documents and copies of such documents submitted by the applicant shall be returned to the applicant after a decision is made on the application.**

**II. For those exemptions having income or asset limitations, the assessing officials may request true copies of any documents as needed to verify eligibility. Unless otherwise provided for by law, all documents submitted with an application or as requested, as provided for in paragraphs I and II, and any copies shall be considered confidential, handled so as to protect the privacy of the individual, and not used for any purpose other than the specific statutory purposes for which the information was originally obtained. All documents and copies of such documents submitted by the applicant shall be returned to the applicant after a decision is made on the application.**

**III. The assessing officials shall grant the exemption, deferral, or tax credit if:**

- (a) They are satisfied that the applicant has not willfully made any false statement in the application for the purpose of obtaining the exemption, deferral, or tax credit; and**
- (b) The applicant cooperated with their requests under paragraph II, if it applies.**

The documentation needed to verify eligibility is as follows:

IRS Federal Form 1040  
 NH Interest & Dividends Tax Return  
 Annual 1099 Social Security Statement(s)  
 All Other 1099 Statements  
 Property Tax Inventories from other Towns/States/Communities

**72:40-b Publishing Prohibited.**

**The names of persons receiving an exemption under RSA 72:39-b (the Elderly Exemption) shall not be printed in any list for publication except as required under RSA 74:2.**

I have reviewed all elderly applications and I recommend that the Board of Selectman **Deny** the attached list of applicants for Elderly Exemption for the tax year 2014. The attached list identifies all applicants denied as a matter of public record and to expedite your decision making process. Due to the financial criteria governing the elderly exemptions and in adherence to RSA 72:40-b, only file numbers will be listed excluding the names and addresses of the applicants.

The following are new applicants for the 2014 tax year & require the PA-29 to be signed by the BOS

File #	Reason for Denial	Status	Date Received
1965	Did not supply additional documentation to verify total income after several requests	S	4/02/2014

T

SELECTMEN PRINTED NAME	SIGNATURE OF SELECTMEN	DATE
GARY DANIELS		7/14/2014
MARK FOUGERE		7/14/2014
KATHERINE BAUER		7/14/2014
MICHAEL PUTNAM		7/14/2014
KEVIN FEDERICO		7/14/2014

## Memorandum

**To:** Board of Selectman

**From:** Marti Noel, Assessor

**Date:** 7/14/2014

**Re:** Veterans Credit – **For Denial (1) Please sign PA-29 also**

The following list, as a matter of public record has applied for the Veterans Tax Credit for tax year 2014. I have reviewed these applications along with the supporting documentation and am recommending that the selectman **DENY** the following veterans application:

MAP-LOT	ADDRESS	PROEPRTY OWNER/VETERAN	REASON FOR DENIAL	DATE RECEIVED
30/2/C/3	6 Riversedge Dr	John Nevins	Does not meet Statutory Requirements	3/11/2014

SELECTMEN PRINTED NAME	SIGNATURE OF SELECTMEN	DATE
GARY DANIELS		7/14/2014
MARK FOUGERE		7/14/2014
KATHERINE BAUER		7/14/2014
MICHAEL PUTNAM		7/14/2014
KEVIN FEDERICO		7/14/2014

## Memorandum

**To:** Board of Selectman

**From:** Marti Noel, Assessor

**Date:** 7/14/2014

**Re:** Exempt Properties For Denial (1)

---

**72:23 Real Estate and Personal Property Tax Exemption.** – The following real estate and personal property shall, unless otherwise provided by statute, be exempt from taxation:

I. (a) Lands and the buildings and structures thereon and therein and the personal property owned by the state of New Hampshire or by a New Hampshire city, town, school district, or village district unless said real or personal property is used or occupied by other than the state or a city, town, school district, or village district under a lease or other agreement the terms of which provide for the payment of properly assessed real and personal property taxes by the party using or occupying said property. The exemption provided herein shall apply to any and all taxes against lands and the buildings and structures thereon and therein and the personal property owned by the state, cities, towns, school districts, and village districts, which have or may have accrued since March 31, 1975, and to any and all future taxes which, but for the exemption provided herein, would accrue against lands and buildings and structures thereon and therein and the personal property owned by the state, cities, towns, school districts, and village districts.

(b) All leases and other agreements, the terms of which provide for the use or occupation by others of real or personal property owned by the state or a city, town, school district, or village district, entered into after July 1, 1979, shall provide for the payment of properly assessed real and personal property taxes by the party using or occupying said property no later than the due date. This subparagraph shall not apply to leases of state-owned railroad properties which are subject to railroad taxes under the provisions of RSA 82 or which provide revenue to the state, a portion of which is distributed to cities and towns pursuant to RSA 228:69, I(a). All such leases and agreements shall include a provision that “failure of the lessee to pay the duly assessed personal and real estate taxes when due shall be cause to terminate said lease or agreement by the lessor.” All such leases and agreements entered into on or after January 1, 1994, shall clearly state the lessee’s obligations regarding the payment of both current and potential real and personal property taxes, and shall also state whether the lessee has an obligation to pay real and personal property taxes on structures or improvements added by the lessee.

(c) If the lessee using or occupying the property fails to pay the duly assessed personal and real estate taxes on the due date, the tax collector of the taxing district involved shall notify the lessor that the same remains unpaid. Upon receipt of said

notification from the tax collector, the lessor shall terminate said lease or agreement and pay over to the tax collector from amounts received from said lease such sums as are necessary to satisfy the tax due.

(d) The exemptions provided in subparagraph (a) shall apply to the lands and the buildings and structures thereon and therein and personal property owned by the university system of New Hampshire. The requirements of subparagraph (b) shall apply to all leases and other agreements entered into or renewed on or after April 1, 2006, the terms of which provide for the use or occupation by others of real or personal property owned by the university system of New Hampshire. The remedies set forth in subparagraph (c) shall be available to enforce the payment of real and personal property taxes assessed against the lessees of property owned by the university system of New Hampshire pursuant to this subparagraph.

II. Lands and buildings and personal property owned and used by any county for governmental purposes, including hospitals, court houses, registry buildings, and county correctional facilities except that county farms and their lands, buildings and taxable personal property shall be taxed.

III. Houses of public worship, parish houses, church parsonages occupied by their pastors, convents, monasteries, buildings and the lands appertaining to them owned, used and occupied directly for religious training or for other religious purposes by any regularly recognized and constituted denomination, creed or sect, organized, incorporated or legally doing business in this state and the personal property used by them for the purposes for which they are established.

IV. The buildings and structures of schools, seminaries of learning, colleges, academies and universities organized, incorporated or legally doing business in this state and owned, used and occupied by them directly for the purposes for which they are established, including but not limited to the dormitories, dining rooms, kitchens, auditoriums, classrooms, infirmaries, administrative and utility rooms and buildings connected therewith, athletic fields and facilities and gymnasiums, boat houses and wharves belonging to them and used in connection therewith, and the land thereto appertaining but not including lands and buildings not used and occupied directly for the purposes for which they are organized or incorporated, and the personal property used by them directly for the purposes for which they are established, provided none of the income or profits are divided among the members or stockholders or used or appropriated for any other purpose than the purpose for which they are organized or established; provided further that if the value of the dormitories, dining rooms and kitchens shall exceed \$150,000, the value thereof in excess of said sum shall be taxable. A town at an annual town meeting or the governing body of a city may vote to increase the amount of the exemption upon dormitories, dining rooms and kitchens.

V. The buildings, lands and personal property of charitable organizations and societies organized, incorporated, or legally doing business in this state, owned, used and occupied by them directly for the purposes for which they are established, provided that none of the income or profits thereof is used for any other purpose than the purpose for which they are established.

V-a. The real estate and personal property owned by any organization described in paragraphs I, II, III, IV or V of this section and occupied and used by another organization described in said paragraphs, but only to the extent that such real estate and

personal property would be exempt from taxation under said paragraphs if such property were owned by the organization occupying and using the property, as long as any rental fee and repairs, charged by the owner, are not in clear excess of fair rental value.

VI. Every charitable organization or society, except those religious and educational organizations and societies whose real estate is exempt under the provisions of paragraphs III and IV, shall annually before June 1 file with the municipality in which the property is located upon a form prescribed and provided by the board of tax and land appeals a statement of its financial condition for the preceding fiscal year and such other information as may be necessary to establish its status and eligibility for tax exemption.

VII. For the purposes of this section, the term “charitable” shall have the meaning set forth in RSA 72:23-1.

I have reviewed the following Exempt/Charitable applications and I recommend you **Deny** the following applicant for the 2014 tax year. The property representative has failed to respond to requests for additional information.

	Address	Name
48-2	14 Armory Rd	Dartmouth Hitchcock Medical Center

SELECTMEN PRINTED NAME	SIGNATURE OF SELECTMEN	DATE
GARY DANIELS		7/14/2014
MARK FOUGERE		7/14/2014
KATHERINE BAUER		7/14/2014
MICHAEL PUTNAM		7/14/2014
KEVIN FEDERICO		7/14/2014

MEMORANDUM

DATE: July 14, 2014

TO: Board of Selectmen

CC: Guy Scaife

FROM: Marti Noel, Assessor

RE: **PA-28/Inventory of Taxable Property Form for 2015**

---

**RSA 74:4-a Choice to Eliminate Inventory Blanks. –**

I. Any municipality, by vote of its board of selectmen, city council or board of aldermen may elect not to utilize the inventory form or procedure. Such a vote shall automatically exempt all property owners and others within that municipality from all requirements and provisions of law relating to the inventory form.

II. Every municipality so electing shall notify the department of revenue administration in writing, no later than October 1 each year of its decision affecting the following prescribed filing period.

**Source.** 1982, 17:1, eff. March 3, 1982. 2011, 206:2, eff. July 24, 2011.

For several years now the town of Milford has elected not to utilize this form. The assessing department annually reviews properties with open building permit or where a transfer has occurred. This practice, along with the cyclical review program and property review during the Revaluation year assures that each property is reviewed at least once in every five year cycle, as required by statute.

In the past, this form carried some implication in that if utilized, an inventory form is mailed to each taxpayer, and the form was required to be returned within 30 days. At one time, if the form was not returned by the property owner, there was no recourse for abatement or appeal. However, this penalty has been eliminated, and non-compliance on the property owners' part carries minimal penalty. Basically, it is considered an unnecessary cost (over \$5000 in postage alone) with little enforcement power, and lacks the thoroughness, objectivity and consistency that can be applied through physically visiting the property. Additionally, using this form does not eliminate or replace the statutory requirement of physically viewing properties.

I recommend the Board elect to NOT use the PA-28 Inventory form for 2013.

Thank You

MEMORANDUM

DATE: July 14, 2014

TO: Board of Selectmen

CC: Guy Scaife

FROM: Marti Noel, Assessor

RE: **2013 Property Abatement Applications**

**Recommendation for Denial - 2**

---

**Property Abatement Applications:**

Attached, please find a Summary of the abatement requests which have been reviewed for this session. The summary gives a brief discussion of the reason for the request, my recommendation with the results of the review and the total amount of the changes recommended. The final column represents the total difference in taxes to be abated upon Board approval. As has been done in the past, a tally of abatement resolutions is provided.

I have the complete files available in my office, should you wish to have more detail on any of the applications.

As a refresher on the Abatement process, important dates to remember include: The deadline for filing for Abatement for the 2013 tax year was March 3 this year because the statutory filing date of March 1 falls on a Saturday. This year there are a total of 48 Abatement Requests, which includes 35 requests by a single entity. After this evening's session, we will have addressed all abatement requests.

The deadline for response by the municipality to all abatements timely filed is July 1. If no decision has been made, the abatement is to be considered to have been denied, and the Appellants may begin filing for appeal at the state level, either the BTLA or Superior Court. This session formalizes the denial for the attached abatements.

Thank You



*Tel*

273127

**PETITION AND POLE LICENSE  
PETITION**

Manchester, New Hampshire  
To the Selectmen of Milford, New Hampshire.

Date: April 28, 2014 *PSNH-230382S*

FAIRPOINT COMMUNICATIONS and PUBLIC SERVICE OF NEW HAMPSHIRE desire a license to erect and maintain poles and structures, with wires, cables, conduits and devices thereon, together with sustaining, strengthening and protecting fixtures along, across and under the following highways in said municipality:

The licensing of 1 pole (912/4.5) on Nashua Street in the Town of Milford, New Hampshire, as per attached.

*kl*  
by Joye Flay  
Right-of-Way Department

PUBLIC SERVICE OF NEW HAMPSHIRE  
Lisa-Marie Pinks  
Right Of Way Department

Upon petition of the FAIRPOINT COMMUNICATIONS and PUBLIC SERVICE OF NEW HAMPSHIRE, it appearing that the public good so requires, it is hereby  
**ORDERED**

Date: \_\_\_\_\_

That FAIRPOINT COMMUNICATIONS and PUBLIC SERVICE OF NEW HAMPSHIRE be and hereby are granted a license to erect and maintain poles and structures, with wires, cables, conduits and devices thereon, together with sustaining, strengthening and protecting fixtures, in the highways covered by said petition. All of said wires except such as are vertically attached to poles and structures shall be placed in accordance with the National Safety Code in effect at the time of petition and/or license is granted.

The approximate location of the poles and structures shall be shown on plan marked FAIRPOINT COMMUNICATIONS and PUBLIC SERVICE OF NEW HAMPSHIRE No. 273127 dated April 28, 2014, attached to and made a part thereof.

\_\_\_\_\_  
Selectmen  
  
\_\_\_\_\_  
Selectmen  
  
\_\_\_\_\_  
Selectmen

By vote of Board of Selectmen  
Town of Milford, New Hampshire

Attest \_\_\_\_\_  
Town Clerk

of the Town of Milford, New Hampshire  
Received and entered in the records of the Town of Milford, New Hampshire,

Book \_\_\_\_\_, Page \_\_\_\_\_ Date \_\_\_\_\_

In accordance with RSA 72:23, I (b) this license is granted to the licensee subject to the condition that the licensee shall pay all properly assessed real and personal property taxes, and failure of the licensee to pay duly assessed personal and real property taxes when due shall be cause to terminate this license. In accordance with the requirement of RSA 72:23, I (b), the licensee shall be obligated to pay real and personal property taxes on structures or improvements added pursuant to this license."

**RECEIVED**

MAY 19 2014

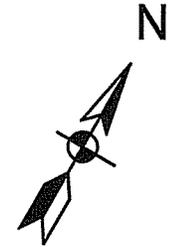
TOWN OF MILFORD

FairPoint License Form

FairPoint No: 273127 Municipality: MILFORD Exchange Code: 9164

Engineer Name: YEW CHAI Engineer Number: 603-315-2359 Date: 04/28/2014

License Detail: PLACING NEW MID-SPAN POLE



**NASHUA ST**

⊗  
P912/4 LTS P1/77

⊗  
P912/4.5 LTS P1/77Y

⊗  
P912/5 LTS P1/78

**WALGREEN**

NEW  
CUMBERLAND  
FARMS  
SITE

**MCDONALDS**

ELCO: XXXX

[ ] = ELCO POLE NUMBER

Memo #: XXXXXX

⊗ = PEDESTAL POST LOCATION

DOT NO. \_\_\_\_\_

INITIAL PROPOSED FACILITIES TO BE:

WS = WARNING SIGN LOCATION

CHECKED BY \_\_\_\_\_

POWER CO. = 7200 VOLTS Single PHASE.

MH = MANHOLE LOCATION

TEL CO. = XXXXXXXXXX

▬ = BURIED CABLE/CONDUIT LOCATION

**Board of Selectmen**  
**Agenda Date: 7/14/2014**

**Acceptance and Appropriation of Unanticipated Revenues Under \$5,000 (31:95(b))**

<b>Source</b>	<b>Amount</b>	<b>Purpose</b>
Marmon Utility	\$ 500.00	Donation to the Milford Fire Department. The Milford Fire Department wishes to designate these monies to the Fire & Life Safety Education Special Purpose Fund.
Milford Recreation Commission	\$ 100.00	Brick fundraiser monies to be used for the Keyes Pavilion Special Purpose Fund.
NH Charitable Foundation	\$ 1,000.00	Grant monies for the UNH Business Retention & Expansion Program. The Town of Milford's contribution of \$500 is from the 2014 Community Development Budget. The Town of Amherst is contributing \$500.

**Acceptance of Gifts of Property Under \$5,000 (31:95(e))**

None at this time.



**Fire Department  
MEMORANDUM**

**TO: Finance, BOS**

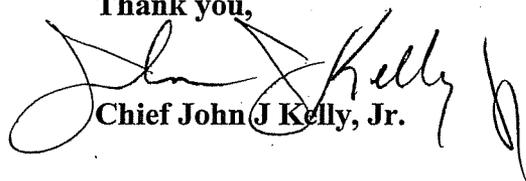
**FROM: Milford Fire Department**

**DATE: 6/17/14**

**SUBJECT: Donation**

**The Fire department is in receipt of a donation of \$500.00 from Marmon Utility. We ask that you accept this donation, and apply it to the account for:  
Fire and Life Safety Education 4800-48136**

**Thank you,**

  
**Chief John J Kelly, Jr.**

THIS DOCUMENT HAS A MULTI-COLORED FACE THAT CHANGES COLOR GRADUALLY.

SEE LIST OF SECURITY FEATURES ON THE BACK. DO NOT CASH UNLESS ALL ARE PRESENT.

Check Fraud Prevention

# Marmon Utility LLC

83 OLD WILTON ROAD, MILFORD, NH 03055

BANK OF AMERICA  
Commercial Disbursement Account  
Northbrook, IL

70-2328 / 719

075306

CHECK DATE CHECK NO.

06/12/2014 75306

CHECK AMOUNT

\*\*\*\*\*500.00

\*\*Five Hundred and 00/100\*\*

TO  
THE  
ORDER  
OF

Milford Fire Department  
39 School St

Milford, NH 03055

USA

*Ann Malterre*  
AUTHORIZED SIGNATURE

\_\_\_\_\_  
AUTHORIZED SIGNATURE

⑈075306⑈ ⑆071923284⑆ 87652⑈61099⑈

---

---

**MEMORANDUM**

---

---

**TO:** KATHY TOWNSEND, FINANCE  
**FROM:** ARENE BERRY, RECREATION DIRECTOR  
**SUBJECT:** FUNDRAISING FUNDS ACCEPTANCE  
**DATE:** 6/16/2014  
**NOTE:** KEYES BEAUTIFICATION PROJECT

---



The Recreation Commission is running a brick fundraiser to raise money for the Keyes Beautification Project- Pavilion. The total for this batch of orders is \$100.00 and is to be deposited into the Keyes Pavilion account #48399.

Checks: \$50.00  
Cash: \$50.00  
Total: \$100.00

Thank you,

**Arene Berry**  
**Recreation Director**  
**Town of Milford**  
**1 Union Square**  
**Milford, NH 03055-4240**  
**603/249-0625 phone**  
**603/673-2273 fax**  
**[aberry@milford.nh.gov](mailto:aberry@milford.nh.gov)**

June 18, 2014

**MEMO**

**TO:** Board of Selectmen  
**FROM:** Bill Parker, Community Development Director   
**RE:** **Request for Approval of Unanticipated Donations – UNH Cooperative Extension Business Retention & Expansion Program**

As has been previously mentioned to the Board of Selectmen, this Office is joining forces with the Souhegan Valley Chamber of Commerce and the Town of Amherst in participating in the UNH Cooperative Extension *Business Retention & Expansion Program*. The program involves developing a survey geared to the local business community and the training of volunteers that will then reach out to businesses to see how the Towns can best serve the business community to encourage both retention and expansion. Participants in this joint effort include a team of Amherst and Chamber representatives, and volunteers from EDAC and this Office.

The survey will be analyzed and recommendations developed. The UNH Cooperative Extension Service supports the program, which has been successfully utilized across the country and is similar to the business visitation program undertaken by the Milford Industrial Development Corporation over 20 years ago.

The cost of this program is \$2000.00 and is being funded as follows:

- Grant 90960 from the New Hampshire Charitable Foundation (NHCF) to the Souhegan Valley Chamber of Commerce in the amount of \$1000.00.
- Town of Amherst contribution of \$500.00.
- Town of Milford contribution of \$500.00 (from the Community Development Office budget).

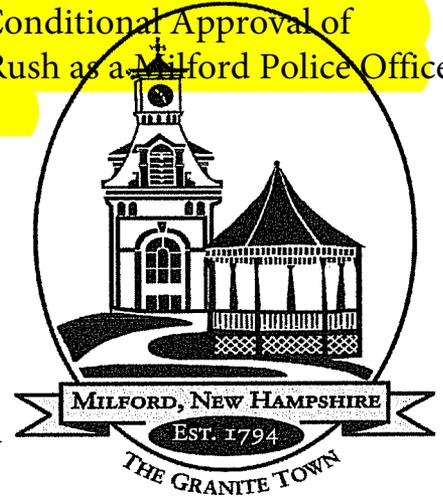
The Town of Milford is the fiduciary agent for this program.

By means of this memo, I respectfully request that the Board of Selectmen, in accordance with RSA 31:95 approve the unanticipated gifts of \$1000.00 from the NHCF and the contribution of \$500.00 from the Town of Amherst.

cc: Jack Sheehy, Finance Director

# TOWN OF MILFORD

BOARD OF SELECTMEN



STATE OF NEW HAMPSHIRE  
TOWN OF MILFORD

## NOTIFICATION OF APPOINTMENT BY BOARD OF SELECTMEN

TO: Stephen M. Rush of 40 Foch Street Goffstown, NH 03045

The Milford Board of Selectmen, at their meeting of July 14, 2014, voted to appoint you to fill the vacancy existing in the office of Full-time Police Officer. Upon your taking the Oath of Office and having this appointment and Certificate of Oath of Office recorded by the Town Clerk, you shall have the powers, perform the duties, and be subject to the liabilities of such office until you or the Town terminates this appointment.

### BOARD OF SELECTMEN FOR THE TOWN OF MILFORD

By:

\_\_\_\_\_  
Gary Daniels, Chairman

\_\_\_\_\_  
Mark Fougere, Vice-Chairman

\_\_\_\_\_  
Kathy Bauer, Selectman

\_\_\_\_\_  
Kevin Federico, Selectman

\_\_\_\_\_  
Mike Putnam, Selectman

I, \_\_\_\_\_, do solemnly swear that I will faithfully and impartially discharge and perform all of the duties incumbent upon me as Full-time Police Officer for the Town of Milford, NH, according to the best of my ability and agreeable to the rules and regulations of the Constitution of the State of New Hampshire. **SO HELP ME GOD.**

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

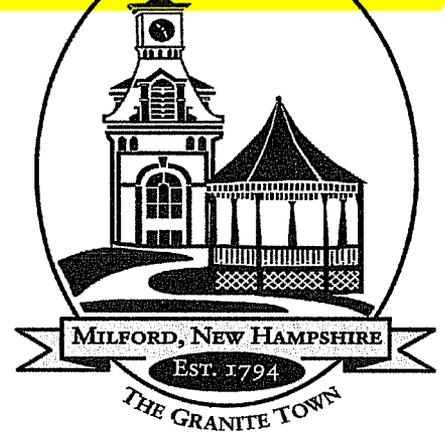
On this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ personally appeared the above-named Stephen Rush who took and subscribed the foregoing oath. Before me,

Received and Recorded:  
\_\_\_\_\_

\_\_\_\_\_  
Town Clerk

# TOWN OF MILFORD

BOARD OF SELECTMEN



STATE OF NEW HAMPSHIRE  
TOWN OF MILFORD

## NOTIFICATION OF APPOINTMENT BY BOARD OF SELECTMEN

TO: David R. Duquette of 90 Valhalla Drive, Milford NH 03055

The Milford Board of Selectmen, at their meeting of July 14, 2014, voted to appoint you to fill the vacancy existing in the office of Full-time Police Officer. Upon your taking the Oath of Office and having this appointment and Certificate of Oath of Office recorded by the Town Clerk, you shall have the powers, perform the duties, and be subject to the liabilities of such office until you or the Town terminates this appointment.

### BOARD OF SELECTMEN FOR THE TOWN OF MILFORD

By:

\_\_\_\_\_  
Gary Daniels, Chairman

\_\_\_\_\_  
Mark Fougere, Vice-Chairman

\_\_\_\_\_  
Kathy Bauer, Selectman

\_\_\_\_\_  
Kevin Federico, Selectman

\_\_\_\_\_  
Mike Putnam, Selectman

I, \_\_\_\_\_, do solemnly swear that I will faithfully and impartially discharge and perform all of the duties incumbent upon me as Full-time Police Officer for the Town of Milford, NH, according to the best of my ability and agreeable to the rules and regulations of the Constitution of the State of New Hampshire. **SO HELP ME GOD.**

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

On this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ personally appeared the above-named David Duquette who took and subscribed the foregoing oath. Before me,

Received and Recorded:

\_\_\_\_\_  
Town Clerk

**Town of Milford  
1 Union Square  
Milford, NH 03055**

**6.3) DRAFT  
ONLY - Brox  
Property DRAFT  
Request for  
Proposal**

## **Request for Proposals (RFP)**

**For: Phase 1 - Preliminary Engineering – Brox Property Community Lands and  
Phase 2 - Permitting Activities**

**Issued: [Date]                      Submission deadline: [Time/Date]**

**Deadline for final submission of questions: [Day/ Date/ Time]**

**ALL QUESTIONS PERTAINING TO THIS RFP MUST BE SUBMITTED BY [Day/Date/Time]**

**No interpretation of the meaning of the Bid Documents (drawings, specifications, et. al.) will be made to any bidder. Questions may be submitted, in written form, to: Mark Fougere % Board of Selectmen, 1 Union Square, Milford, NH, or emailed to \_\_\_\_\_.**

**Questions will be answered by the appropriate individuals and answered within 2 business days via email with a return reply acknowledging receipt of the email requested. Questions and answers will be shared with all bidders.**

### **Introduction**

**The Town of Milford invites proposals for Preliminary Engineering and Permitting– Brox Property Community Lands. Based on previous work experience, your firm has been selected to receive this RFP and is invited to submit a proposal to produce the exhibition experiences described herein. The bid is to be broken into two parts. The first is to include all professional services related to preliminary engineering as detailed in the attached “Brox Community Lands Planning and Engineering” document. The second part is to include all costs related to professional services for the application for permits as outlined in the attached “Brox Community Lands Planning and Engineering” document. The contract(s) will be let in two parts with the preliminary engineering contract being first. The permitting contract may follow the engineering contract provided voter authorization is obtained.**

**BIDDERS SHOULD NOTE THAT ANY AND ALL WORK INTENDED TO BE  
SUBCONTRACTED AS PART OF THE BID SUBMITTAL MUST BE ACCOMPANIED BY  
BACKGROUND MATERIALS AND REFERENCES FOR PROPOSED SUBCONTRACTOR(S) -NO EXCEPTIONS.**

**Exhibitions included in this RFP:**

Brox Community Lands Phase Engineering and Permitting

2014 Update and Recommendations for Brox Property Community Land Master Plan (Draft)

**Background**

The Town of Milford owns the former Brox Sand/Gravel removal site identified on the attached plan (see 2014 Update and Recommendations for Brox Property Community Land Master Plan (Draft)). The property has been divided into two conceptual portions. The southerly portion, known as the "Community Lands", is the subject of this RFP. The northerly portion is known as the industrial lands and is not included in this RFP. The Town is requesting preliminary engineering for the uses identified in the "Brox Community Master Plan" draft dated 2014. It is the desire of the Town to obtain plans at sufficient detail to identify final grades, including cuts and fills. The Town also desires an estimate of the quantity and value of remaining earth material resources that can be removed from the site without compromising the proposed uses. A second phase effort includes permitting as required for the removal and marketing of excess earth materials.

**Project Documents Available to Contractor:**

- 1) Brox Community Lands Engineering and Permitting (attached hereto)
- 2) 2014 Update and Recommendations for Brox Property Community Land Master Plan (attached hereto)
- 3) 2013 Wetlands Delineation by Fieldstone Land Consultants (available for review)
- 4) 2' Topography (2013) based GIS Aerial Photography (available for review)
- 5) 2005 Clough Harbor Report Estimate of Sand/Gravel Reserves (available for review)

**Submission Procedure**

Proposals conforming to the requirements set out below must be received by Fred Elkind, PE at the Town of Milford, 1 Union Square, Milford, NH 03055 by US mail or courier no later than the deadline given above. All submittals must be received in digital form (thumb drive or equivalent) along with 3 hard copies. Digital portions of the submittals are acceptable in Adobe Acrobat® form by the deadline. Proposals must state that they are valid for a period of at least ninety (90) days from the closing deadline. Physical proposals must be submitted in sealed opaque containers and marked, Proposal for Preliminary Engineering and for Permitting – Brox Property Community Lands.

The Town of Milford (Owner) reserves the right to waive irregularities and to reject any or all bids. The Owner also reserves the right to negotiate with the selected bidder in the event that the price exceeds available funds.

The Town of Milford may consider informal any bid not prepared and/or not submitted in accordance with the provisions hereof and may waive any informalities or reject any and all bids. Any bid may be withdrawn prior to the above scheduled time for the opening of bids or authorized postponement thereof. Any bid received after the time and date specified shall not be considered. No bidder may withdraw a bid within sixty (60) days after the actual date of the opening thereof.

At the request of bidders or pursuant to a Town decision, a pre-bid conference may be scheduled. Bidder attendance, should such a meeting be scheduled, shall be mandatory.

### **Modification of Bids**

Modifications to bids already submitted will be allowed if submitted in writing prior to the time fixed in the Request for Proposals. Modifications shall be submitted as such and shall not reveal the total amount of either the original or revised bids.

## **Opening, Evaluation and Contracting**

Proposals may be opened by the Town of Milford at any time after the submission deadline. All proposals satisfying the requirements of this Request for Proposals will be evaluated to establish which of the proposers best fulfills the needs of the Town of Milford and this project. The Town of Milford anticipates entering into a contract with this/these proposers to execute the proposed work. This Request for Proposals, however, does not commit the Town of Milford to award a contract, to pay any costs incurred in the preparation of a proposal or to contract for the goods and/or services offered. The Town of Milford reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with all qualified proposers or to cancel this Request for Proposals, if it is in the best interests of The Town of Milford to do so. The decision of the Town of Milford shall be final.

After the selection of a Contractor the schedule should include a period of collaboration between the Town of Milford and the Contractor to better define, elaborate upon and fix the Contractor's exact and final scope of Work (the "Final Scope") starting with the date of this Agreement and extending until [date]. In collaboration with the Town of Milford, the Final Scope will be fixed no later than [date]. While the Contractor should assume work begins immediately upon notification that they have been selected, the Final Scope will be defined by editing, redlining or adding superseding documents or drawings to the Proposed Scope of Work as attached hereto. Once contracted, with respect to the Exhibit Documentation, Contractor warrants to Owner that the Scope of Work reflected therein can be completed by Contractor, in a form substantially similar to the preliminary scope, for the amount of the compensation set forth in the proposal.

### **Form of Contract**

The Town of Milford expects to enter into contract(s) with the successful bidder on the basis of contract typically used by the Town.

### **Project Completion**

The first phase of the Project is to be completed on or before [date].

### **Proposal Contents**

Proposals, together with letters of transmittal, should include the bidder's description of the work that would be performed and the following information:

For each exhibit describe the level work of work to be performed.

- The team of people who would execute the work, with descriptions of the experiences and skills of each and his/her role in the bidder's firm and in the team.
- Names, addresses and descriptions of key subcontractors which your firm would employ and a description of their relevant experience and past performance.

- Any subcontractors must be identified in the bid. The Town of Milford must know if work is being done outside of the firm. Please see the contract on details of subcontractors. Please remember that after contract signing the Town of Milford reserves the right to approve all subcontractors that were not approved during the RFP process. Denial of a subcontractor by the Town of Milford will NOT absolve the bidder from getting the work done for the contracted price.
- The name of the person in your firm who would be the official contact person for any contractual relationship.
- At least two comparable previous projects in which the bidder has engaged, with names and telephone numbers of contacts with whom the bidder's previous performance can be discussed.
- Examples from past projects that reflect the deliverables and scope that are listed in the scope of work.
- A management plan for the work.
- A schedule for the work, including the range of start dates to which your firm is prepared to commit and anticipated completion dates. This schedule should work within the timeframes outlined by the Town of Milford. Any conflict in the two should be described. The schedule should include a list of all anticipated meetings with the Town of Milford and their locations.
- Proof of insurance and bonding.
- Total calculated prices shall be given in both words and figures.

#### **PROPOSED SCOPE OF WORK:**

##### **Deliverables Covered by this Request for Proposals**

This Request for Proposals covers defined elements for each exhibition. These elements are described in the Scopes of Work section of the Drawings / Descriptions provided for each of the exhibits. These include the Scopes of Work listed under the header.

As mentioned in the "Opening, Evaluation and Contracting" section above, the final scope and thus final fee will be determined in meetings immediately following the award of the work. The actual elements and a list of implementation responsibilities are found for each exhibit in the Scope of Work section of the Exhibit Descriptions and the Exhibit Drawings. For each of these elements, the Contractor must perform "The Work" as listed in this document.

The Town of Milford will be operating as Project Manager and Coordinator for the work.

**Details on the required deliverables included in this Request for Proposals:**

**Phase 1 - Engineering**

(1) The first is the Exhibition Overview documents for Exhibitions, which provide a short summary of the exhibitions. This can be in the form of a project Executive Summary.

(2) The second is a description of natural resources, including sand and gravel, which should be retained on site to support the Town's future needs based on both the build-out of the community facilities and the needs of the Milford Department of Public Works.

(3) The third is a description and summary plan of locations of sand/gravel that may be available for mining and sale along with an estimate of value at each location.

(4) The fourth is a plan set depicting locations, dimensions, grading, and preliminary construction details of the elements included in the 2014 Update and Recommendations for the Brox Property Community Land Master Plan (draft). This is not intended to be a completed site plan and is not intended to include final construction details. Locations of potential onsite waste treatment facilities, including site requirements, are to be included. Detailed onsite wastewater treatment designs are not required. Roadways are to be depicted along with such sections as needed to present (2) above. A stormwater management plan is not required nor is detailed drainage analysis.

Additionally, meetings shall be required with the client to review progress and present final documents.

Three hard copies of the final set of exhibits are to be delivered along with an electronic set (thumb drive, CD)

**Phase 2 – Permitting**

Deliverables shall include all plans, reports, exhibitions, meetings and communications needed to make full and complete application for required permitting as determined through the Phase 1 effort. It is anticipated that Alteration of Terrain, RSA 155:E, and wetlands permits will be required.

**Contract**

The Town of Milford intends to enter into a contract, which will include the scope of work outlined in the successful proposal.

## **THE WORK:**

All proposals must account for the following scope of work for the deliverable described in the Scope of Work section of the Exhibit Descriptions and Drawings listed under the headers, “**Details on the required deliverables included in this Request for Proposals** .” If the proposer recommends additional scope, substitutions and/or value engineering alternatives, it should be clearly described in full with the reasons for the alternative and a separate pricing for its inclusion.

### **1. Work Parameters**

The introduction and deliverable descriptions describe in as much detail as possible at this time the design intent, pertinent content and any resources available for each of these exhibits. For each deliverable, bidders must describe in specific terms, the deliverable they will provide as compared to the description provided in the “Details on the required deliverables included in this Request for Proposals” section, above.

#### **Design**

The Contractor will be required to produce drawings of the deliverables as requested in in this RFP. The Contractor is to collaborate with the Town of Milford team to complete the required deliverables.

#### **Drawings**

The Contractor shall include in their proposal all elements required for a complete exhibition, even if not shown on the attached drawings or design development drawings when complete.

All exhibits must have drawings that are approved by the Town of Milford. Final approval will be from the official The Town of Milford representative, [Name/Title].

If required, the Contractor shall provide drawings and calculations, stamped by a NH registered professional engineer.

#### **Engineering/Permitting**

The Contractor is responsible for all necessary engineering drawings, including determining if stamped drawings and calculations are necessary for both Phases 1 and 2.

#### **Other Work**

If a bidder has identified a scope of work not listed in either the section called “The Work,” nor in “Proposed Scope of Work” that the bidder feels is required to complete the project, then the bidder should assume that scope falls within the bidder’s responsibilities. Any work identified as such must be listed and described separately in the Request for Proposals response and detailed estimates of costs provided.

## **Ownership**

Any and all drawings, specifications, studies, permits, electronic data, estimates, inventions, discoveries, improvements, concepts, enhancements, and ideas or any portion thereof that the Contractor may conceive, make, invent or suggest, either solely or jointly with the Town of Milford or any other person or persons, at any time during the provision of the Services, whether at the request or upon the suggestion of the Town of Milford or otherwise, and whether or not patentable or copyrightable (any such drawings, specifications, studies, electronic data, estimates, invention, discovery, improvement, concept, enhancement, idea, program or portion thereof and any and all derivative works created or prepared from the foregoing being hereinafter referred to as "Work Product") shall fully, freely and immediately be communicated by Contractor to The Town of Milford and shall belong to and be the Town of Milford's sole and exclusive property. Contractor shall not at any time, whether during or after the termination or expiration of this Agreement, apply for any letters of patent, design, copyright, trademark, mask work right or other form of protection whatsoever in the United States of America or elsewhere for the Work Product.

Without limiting any other provision of this Agreement, any Work Product qualifying for protection under the copyright laws of the United States shall be considered "works made for hire" under such copyright laws, and shall be the sole and exclusive property of the Town of Milford.

Contractor hereby irrevocably assigns to The Town of Milford any right, title, or interest Contractor now has or may hereafter acquire in, to, and under all Work Product, and to any patent, copyright, trademark, mask work right, or other proprietary or intellectual property rights or interests in, to, and under such Work Product. The Town of Milford and its assigns shall be the sole and exclusive owner of all patents, copyrights, trade secrets, mask work rights, and other proprietary or intellectual property right or interest in connection with such Work Product.

## **Insurance**

The contractor must maintain all insurances typical for the profession to include: errors and omissions, liability, and worker's comp, at a minimum.

## **Invoicing**

The contractor shall submit invoices monthly, and upon completion.

## **Attachments:**

### **Attachment 1**

## **Brox Community Lands Engineering and Permitting**

### **Introduction:**

In order to update the 2005 Brox Community Master Plan, the Planning Board established an ad hoc committee during 2013. The committee reviewed the existing master plan as well as a wealth of additional data that had been accumulated since the writing of the 2005 plan. Population growth and future needs were assessed. Needs incorporated responses to growth including: increased requirements for fire and other safety needs, recreation facilities, schools, public works, cemeteries, and earth materials. The planning effort recognized the additional need for important environmental resource protection and it helped define potential resource protection areas. This planning effort ultimately resulted in the development of the 2014 Update and Recommendations for the Brox Property Community Land Master Plan (presently in public review). Among the recommendations of the updated plan are to proceed with planning, design, and construction of recreational facilities, and to move forward with planning and permitting efforts associated with earth material removal.

To realize the objectives of the plan, preliminary planning, engineering, and permitting is required. The purpose is to “flesh-out” the recommendations of the updated Brox Property Community Master Plan by incorporating additional detail. This is to be accomplished in a two phase effort. The first phase is to include additional engineering that would move the plan from “conceptual” to preliminary”. In essence, a site plan would be initially developed which would detail the spatial and geomorphic requirements of the proposed uses. A byproduct of this effort would be identification of excess and otherwise available earth materials.

Following the first phase, a second phase is anticipated. The second phase would advance the plans developed during Phase 1 to the level required for application for necessary permits for the initial site development, including removal of excess sand and gravel. Anticipated permits include: Alteration of the Terrain (NHDES), permits required under RSA 155:E, and others as may be dictated by the engineered plans.

### **Site Plan Development – Phase 1 Activity**

As a result of data collection, such as wetland delineations within the Brox community property and topographic data available from the GIS aerial photography, it is possible to develop a preliminarily engineered site plan. The plan would depict the following types of information:

- 1) Defined locations of future uses based upon specific requirements such as: area, grading, water supply, sewage and waste management, parking, and general access and safety.
- 2) Roadway spatial and grading requirements to access the uses detailed in 1 above.
- 3) Onsite materials required for the defined uses. Included are earth material requirements for construction, grading, and for development of sewage disposal options. This task should review each proposed use and determine how much material should remain at each location given the proposed use. In some cases, material may have to be relocated because existing grades are close to the water table. This is the case in some of the areas proposed for recreational uses.
- 4) Protected areas of natural resources with associated buffers for the continued protection of important water, fauna, and flora resources.

### **Determination of Earth Materials Availability –Phase 1 Activity**

Following site plan development, the needs for earth materials for the proposed site development will be known. For example, the amount of sand needed for development of recreational fields, roadways, and onsite wastewater disposal will have been established. Future sand needs of DPW will also be identified.

As a result of this effort, earth materials that are excess to Town needs will be identified. These resources may be marketed and removed in anticipation of the development or coincidentally with the development. The quantities thus available will be based upon sufficiently detailed and engineered plans to provide a high level of confidence that the needs of the Town will continue to be met. While the plan notes “open space” areas, these areas may have gravel removed. Once removed, these areas will revert back to a natural state and can be restricted and managed to remain open and protected. This information can be considered by the residents of Milford during their deliberations at the 2014 Town Meeting relative to excavation of the site and the sale of earth materials.

### **Permitting Activities –Phase 2 Activity**

As the redevelopment of the Brox Community Lands will include site disturbances not covered by the “grandfathered” excavation activities, the project will require, at a minimum, an Alteration of Terrain (AoT) Permit from DES and, possibly, a Wetlands Permit for re-establishment of the access to Perry Rd. The plan and required drainage study prepared for this activity can serve as a basis for the development of applications for these and/or other required permits. If it is determined that there are excess earth materials to be removed from the site from areas outside of the “grandfathered” excavation area, an Earth Removal Plan and Permit shall be required in accordance with the Town of Milford Gravel and Earth Removal Requirements as well as NHRSA 155-E. With the consent of the residents, the required

sand and gravel mining permits will be obtained in anticipation of the sale of the excess earth materials. As part of the review process, the budget should include meetings with town officials, Board of Selectmen and one meeting with the Planning Board.

**Summary:**

A Brox Community Land Master Plan update was conducted during 2013/2014 by an ad hoc committee established by the Planning Board. Recommendations of the committee are being reviewed. In order to efficiently move forward with the recommendations, an engineered Site Plan will be required. While this plan may be preliminary to more detailed engineering that could be required for some of the possible site uses, it will rely upon data presently available for the site and proposed uses to define these in more detail and establish additional future needs. Resulting from this effort will be an identification of the possible development-phase requirement for onsite resources as well as identification of excess earth materials that could be available for removal from the site.

The above approach represents an efficient pathway which will detail cost-effective methods for site development and will incorporate high-value resource protection.

**Attachment 2**

2014 Update and Recommendations for Brox Property Community Land Master Plan (to be attached)

# **BROX Property Community Land Master Plan: 2014 Update and Recommendations**

**Report to the Milford Planning Board by the BROX Community Land Master Plan Committee**

**February 4, 2014**

## **I. INTRODUCTION, PURPOSE and CHARGE**

In 2013 the Milford Planning Board undertook the stated goal in the Milford Master Plan to ‘reevaluate the 2005 BROX Community Lands Master Plan to reflect projected changes in community facility needs’ (Chapter 3, Community Facilities, 2007). The 2005 Plan, prepared by Clough, Harbour & Associates LLP, laid out areas within the “community lands” portion (Tax Map 38/Lots 17 and 58) of the Town-owned BROX Property to accommodate potential future suitable locations for Town and School facilities in order to proactively guide long-range development. Although no development has occurred on the properties since that time there will continue to be Town needs for future facility locations. Over the past two years, inquiries into the near-term use of the property, specifically from recreation and conservation interests, has further necessitated an effort to review the 2005 plan relative to current Town circumstances and anticipated future needs.

The Planning Board appointed a seven-member ad-hoc committee to review the 2005 Study in the Fall of 2013. The Committee was given the following charge:

*Using the 2005 BROX Property Community Land Master Plan Study as a foundation, provide updated recommendations to the Planning Board on the best use of the BROX “community lands” (Tax Map 38/Lots 17 and 58) to meet the anticipated needs for municipal, school and recreation facilities and incorporating priority conservation actions through the year 2035. The recommendations shall be provided to the Planning Board no later than January 31, 2014.*

## **II. BACKGROUND ON THE BROX “COMMUNITY LANDS”**

BROX Industries approached the Board of Selectmen in 1994 to see if there was interest in Town acquisition of approximately 320 acres of undeveloped property the company owned in west Milford. The site consisted of several parcels located adjacent to both sides of the NH Route 101 Bypass, east of Whitten Road, and north of Great Brook to the south. After several years of review and analysis on its value to the Town by a voter-established BROX Commission, and input from boards, commissions, and the public, the Town authorized purchase of 270 acres in March 2000 for \$1.4 million. 50 acres had previously been purchased by the Milford School District in 1999 for the site of Heron Pond Elementary School.

At the time of purchase approximately 123 acres of the property were zoned Industrial (subsequently rezoned Integrated Commercial-Industrial 2, “ICI-2”, in 2007). Two parcels (Map 38/Lots 17 and 58) make up the “community lands” and consist of 146.87 acres. These parcels are zoned Residence “R” and lie within the Commerce and Community overlay district. The Industrial/ICI-2 parcels have since been designated to be sold for

property tax generating development, while the “community lands” have since been set aside for municipal, recreational, educational, and conservation uses.

The Planning Board adopted a report prepared by the Planning Department in October 2000 which provided an assessment of land area projections for future community uses, inclusive of schools, recreation, emergency services, cemeteries, and conservation. An ad-hoc committee representing the above stakeholder groups further refined land area needs for the community lands, and upon further direction from the Board of Selectmen the committee sought Town authorization for the 2005 Study. This Study included an approximate delineation of wetlands from available topography and mapping, a conceptual master plan, an analysis of gravel resources and estimated value, and a preliminary estimate of construction costs for a road connection and utilities. The 2005 Study was distributed for review by the Planning Board and Community Facilities Committee and additional public input. In October 2005 this Study was accepted as the conceptual master plan for development by the Board of Selectmen.

The BROX community lands are currently undeveloped and consist of significant wetlands, extensive wooded areas, and large open unreclaimed area created from BROX Industries earth removal activity during the 1970s through 1990s. Based on the 2005 Study there are approximately 88 buildable acres located in the BROX community lands. Buildable area was calculated as:

$$\text{BUILDABLE AREA} = (\text{TOTAL AREA}) - (\text{AREA OF WETLANDS} + \text{AREA IN SETBACKS} + \text{SIDE SLOPES})$$

### **III. 2014 UPDATE OF 2005 PLAN**

The seven member ad-hoc committee appointed by the Planning Board to update the 2005 Plan consisted of the following representatives: Planning Board: Tom Sloan; Conservation Commission: Audrey Fraizer; Recreation Commission: Tim Finan; MCAA Fields Committee: Dan Ayotte and Justin Wisbey; Department of Public Works: Rick Riendeau; and citizen-at-large: Jerry Guthrie. Town staff support was provided by Bill Parker, Community Development Director and Jodie Levandowski, Town Planner/GIS Coordinator.

The Committee utilized the 2005 BROX Community Land Master Plan Study, its associated conceptual plan, and prior studies and reports as baseline information. Population growth projections were provided by the Community Development Office and the Committee utilized for planning purposes a ‘moderate’ growth rate for the Town, with a projected 2035 population of approximately 17,700 (2013 population estimated at 15,129). The Committee solicited input from the following Town departments on what each department anticipated for land needs at the BROX Property for the future planning period of 2015-2035: Fire Department, Ambulance Service, Public Works Department, Recreation Department, MCAA Fields Committee, the Cemetery Trustees, the Milford School Board, and the Conservation Commission. The base mapping utilized by the Committee consisted of the 2005 conceptual master plan, 2013 Town of Milford aerial orthoimagery; GIS topography; and a current (July 2013) certified wetland delineation conducted by Fieldstone Land Consultants, which was mapped on the 2005 conceptual master plan.

Facility land requirements and recommendations as submitted by potential users of the community land for the 2014 update are as follows:

<b>Emergency Services:</b>	2 acres located on the southerly side of existing Heron Pond Road, near the intersection with Whitten Road. Site would allow for a future west end substation for the Fire Department, consisting of a 2-3 bay fire station with a full training facility. Site would allow for colocation of an ambulance if determined necessary. The facility is listed in the 2014-2019 Capital Improvements Plan for the year 2022.
<b>Public Works:</b>	4 acres located adjacent to the existing Heron Pond Road and adjacent to future west end substation. The facility is anticipated to be needed in the year 2021/2022.
<b>Recreation Fields/Facilities:</b>	25 acres located southerly of the proposed extension of Heron Pond Road for recreation playing fields for soccer, field hockey, lacrosse, baseball, and softball; with associated parking and structures for maintenance, concessions, storage, and restrooms. Recreation fields are an immediate need based upon findings documented in the 2013 MCAA Needs Analysis, MCAA BROX Property Project.
<b>Cemeteries:</b>	16-17 acres located in eastern portion of community land identified on the 2005 Plan. Current cemetery capacity in Town should be sufficient for the next twenty-year timeframe. Additional cemetery space may be needed in 2035.
<b>Schools:</b>	40 acres located southerly of proposed Heron Pond Road extension. Depending upon future school construction needs and based on State of New Hampshire Department of Education minimum school site requirements, an elementary school with a capacity of 600 students requires 11 acres; a middle school with a 1000 student capacity requires 20 acres; and a high school with a 1400 student capacity requires 29 acres.
<b>Conservation:</b>	The Conservation Commission requested the minimum calculation for open space be designated upon initial development, including planned recreation uses (2015). Priority conservation areas include what is necessary for protection of the significant wetlands, inclusive of the 'fen' area, vernal pools, and buffers primarily located on the northerly side of the community lands. Additionally, existing trails should be incorporated in future development areas where feasible and trail connections and pedestrian linkages should be created both internal to the properties and outside property boundaries.
<b>Earth Materials and Natural Resources:</b>	As identified in the 2005 Study, there are significant earth material and natural resources (timber) contained with the BROX community lands that can provide the Town revenue. Additional engineering should be undertaken to develop a feasible earth material removal plan that anticipates reclamation consistent with future uses. Timber management plans should also be undertaken to insure good forestry best management practices.

## BROX Community Land Needs: 2014 Update

<u>Facility/Use</u>	<u>Buildable Area Needed</u>	<u>Year Needed</u>	<u>Location Considerations</u>
Emergency Services/ Fire Substation/Training Facility	2-3 acres	2022	For best access, south side of existing Heron Pond Road, close to intersection with Whitten Road
Public Works Facility	3 acres	2021-2022	Preferred location is co-located with Emergency Services
Recreation Field Complex Phase I - temporary	4-5 acres	2015	South side of existing Heron Pond Road, to be utilized until such time as Emergency Services and/or Public Works facility is needed
Phase II and ongoing	25 acres	2018	Southerly side of Heron Pond Road extended alignment; planned phased development easterly along Heron Pond Road; potential joint use with possible future school facilities
Cemeteries	16 acres	2035	Location that minimizes traffic impacts; additional land needs not foreseen for 20 years based on current cemetery capacity
Schools	40 acres	2035	Good multi-directional access; large developable area to accommodate potential facility/facilities and minimum site requirements
Conservation/Open Space	Undetermined	Ongoing	Where necessary to minimize development impacts and protect environmental priorities; trail connections and open space corridors are high priority
Earth Material Operations	Undetermined	2015	Based on further geotechnical and engineering review; reclamation plans must be designed with future facility location/development and Heron Road alignment

## IV. CONCLUSIONS AND RECOMMENDATIONS FOR 2014 UPDATE

After a review of all available materials, knowledge and discussion generated within the Committee, and input from the community use groups the BROX Community Land Master Plan Update Committee has reconfirmed or determined:

- The BROX “Community Lands” contain suitable buildable and available land to meet the needs for emergency service, public works, recreation, cemetery, school, and conservation needs for the next 20 – 25 years.
- Facility land area needs have not significantly changed over the past ten years on which the 2005 Plan was formulated.
- There continues to be a demonstrated shortage of recreation field space in Town. Of all community needs appropriate for development within the BROX community lands, addressing this shortage is most immediate and should begin in 2015.

- A new location for a Public Works facility was identified for the 2014 Plan that was not included in the 2005 Plan.
- There are significant wetland areas and vernal pools that should continue to be protected from the impacts of future development and should be deeded as conservation land/permanent open space immediately (2015).
- The 2013 wetlands delineation indicates that Tax Map 38/Lot 17 is unbuildable due to the apparent extent of wetlands and should be deeded as conservation land/permanent open space immediately (2015).
- The 2005 Study remains a solid foundation to utilize for future detailed engineering and site design for development.
- The 2005 Study includes a Geotechnical Engineering Report/Soil Mining Feasibility Study for the property that remains a solid foundation for Town initiatives to harvest and sell a significant amount of earth materials.
- There is potential for joint use of school and recreation facilities.
- Given that the planning horizon for this area is 20 plus years, conditions, priorities, and locations for community facilities may change over time.

**Recommendations for the development of the BROX Community Lands are:**

Site development should follow a phased approach that follows these steps:

A. Phasing of recreation fields

1. Phase 1A – 2014/2015
  - a. Using Town of Milford resources with cooperation from invested stakeholders, build recreation field space along the southerly side of the existing stretch of Heron Pond Road within the next two years to help alleviate documented shortage of recreational field space in Town.
  - b. Acknowledgement that these fields may be temporary in nature as this location is designated for a future emergency services/fire department substation.
2. Phase 1 – 2014/2018
  - a. Coordinate with the Board of Selectmen and Town departments to develop an earth material removal and associated reclamation plan to incorporate design and engineering for the first phases of recreational field development and extension of Heron Pond Road easterly according to the 2014 conceptual plan. This should be completed by end of 2015 to allow for next phase of field development scheduled for the year 2018 in the 2014-2019 Capital Improvements Plan.
  - b. Initiate the effort in 2014 to obtain NHDES Alteration of Terrain permit approval for earth material removal based on the 2005 Geotechnical Engineering Report/Soil Mining Feasibility Study.

- c. Form a partnership between the Town and the MCAA/MCAA Fields Needs Committee to obtain funding for a design, engineering, and construction costs to implement the Phase 1 of recreational field development in the area as shown on the 2014 conceptual plan.
- 3. Future Phases – 2018 to 2035
  - a. Develop a phasing and implementation plan for ongoing development of recreational fields incorporating estimated costs and timeframe for construction.
  - b. Locate future field development south of the Heron Pond Road extension for likelihood of joint use with any potential school facility.
  - c. Identify and incorporate those capital projects associated with recreation field development that have a cost of \$75,000 or more into the annual Capital Improvements Plan process.
- B. Conservation and Open Space Planning
  - 1. Open space for permanent protection should be identified and designated in the northerly area of the community lands adjacent to the significant Heron Pond wetland complex at the time any development or alteration of terrain begins. Develop under the direction of the Conservation Commission and in accordance with NHRSA 36-A and Section 6.04.0 of the Zoning Ordinance (Open Space and Conservation District). Additional open space, trail connections, and bicycle and pedestrian connections can be integrated into future facility site development.
- C. Extension of Heron Pond Road
  - 1. Design the extension of Heron Pond Road to Town of Milford road standards and specifications to provide a street connection to developable parcels to the north, as well as allowing for a practical street connection to developable parcels to the east.
  - 2. Adjust the proposed alignment of Heron Pond Road northerly and maintain the area north of the roadway as open space to create a sizable buffer zone between the wetlands and facility development south of the roadway.
  - 3. Incorporate within the Heron Pond Road engineering design the extension of a six-foot detached sidewalk/bike path as currently exists on the built portion of Heron Pond Road.
- D. Considerations of Future Development of Land to the North and East of the BROX Community Land
  - 1. If future private development interests on abutting parcels approach the Town for use of BROX community land for uses other than those designated in the 2014 Update,

consider these interests only if there is a reasonable and comparable area/plan to replace designated municipal or school land areas.

2. Future development of the BROX Community Lands and abutting parcels is subject to applicable Commerce and Community District overlay zoning requirements.
3. Undertake a review of the 2014 Update Study every five years to evaluate its timeliness and consistency with changing Town conditions.

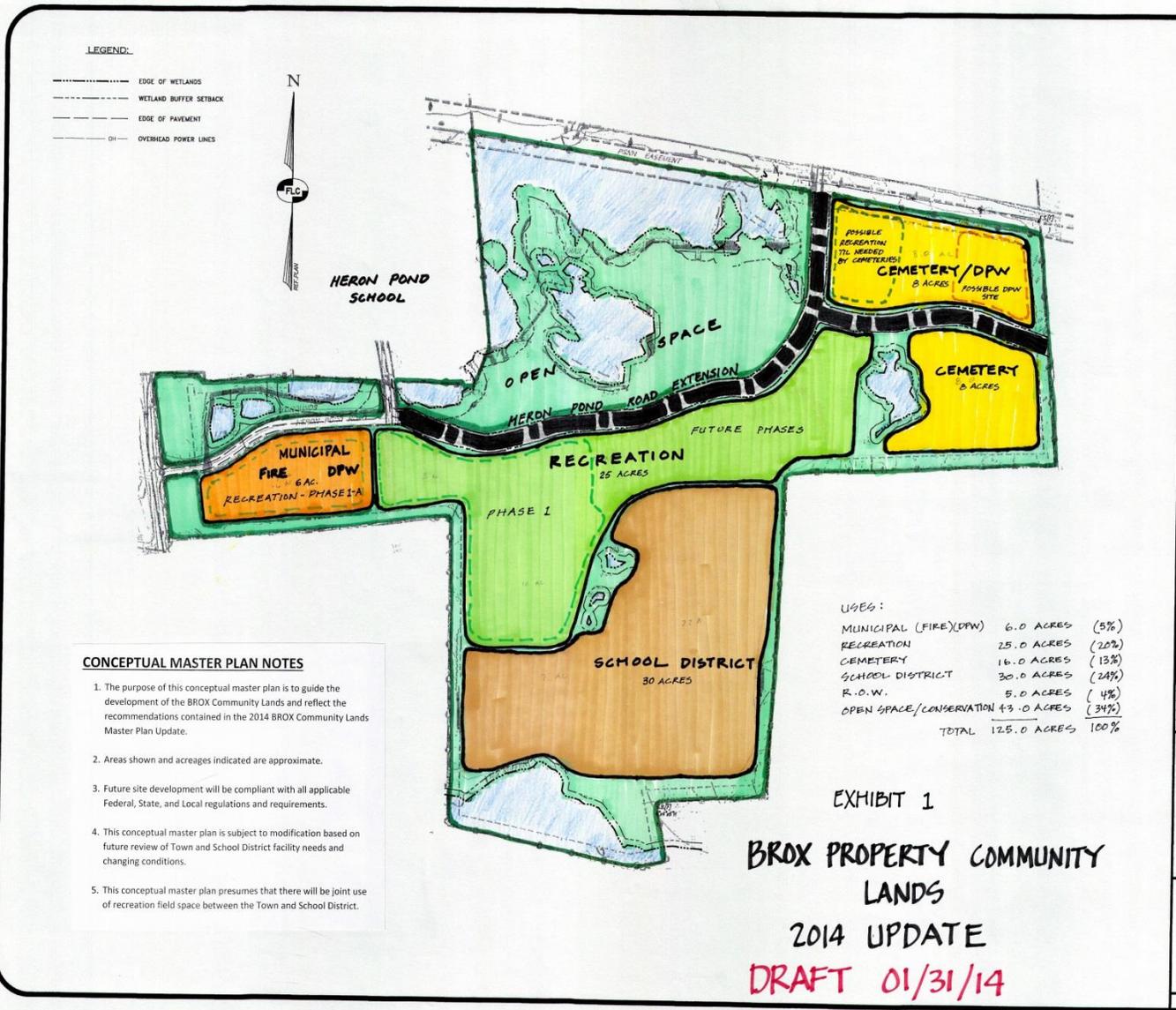
## **V. EXHIBITS**

- A. 2014 BROX Community Land Conceptual Master Plan
- B. Schematic Future Development Plan

## **VI. LIST OF SUPPORTING DOCUMENTS**

1. *Report and Recommendations on Providing and Preserving Land for Future Community Needs*; Town of Milford Planning Board and Department of Planning and Community Development; October 17, 2000
2. *BROX Property Community Land Master Plan Study, Milford, New Hampshire*; prepared by Clough, Harbour & Associates LLP; February 17, 2005
3. *Geotechnical Engineering Report; Soil Mining Feasibility Study for Milford, New Hampshire*; prepared by Clough, Harbour & Associates LLP; October 8, 2004
4. *Needs Analysis, MCAA BROX Property Project*; Milford Community Athletic Association; 2013
5. *Milford Master Plan, Chapter 3 – Community Facilities*; 2007
6. *Wetland Classification Report, BROX Community Lands, Map 38, Lots 17 & 58, Heron Pond Road, Milford, NH 03055*; prepared by Fieldstone Land Consultants, PLLC; June 9, 2013
7. *Information and Materials About Wetland Complex, Habitat and Wildlife, at the BROX Property for Use in Planning for Conservation*; BROX Environmental Citizens; December 2, 2013
8. Various BROX property-related file documents from the Office of Community Development, Milford, NH

**EXHIBIT A**  
2014 BROX Community Land Conceptual Master Plan

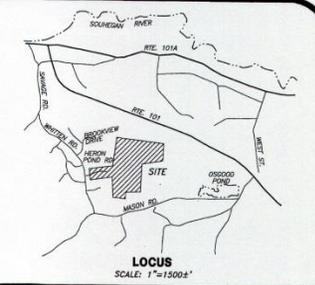


- CONCEPTUAL MASTER PLAN NOTES**
1. The purpose of this conceptual master plan is to guide the development of the BROX Community Lands and reflect the recommendations contained in the 2014 BROX Community Lands Master Plan Update.
  2. Areas shown and acreages indicated are approximate.
  3. Future site development will be compliant with all applicable Federal, State, and Local regulations and requirements.
  4. This conceptual master plan is subject to modification based on future review of Town and School District facility needs and changing conditions.
  5. This conceptual master plan presumes that there will be joint use of recreation field space between the Town and School District.

USES:

MUNICIPAL (FIRE) DPW	6.0 ACRES	(5%)
RECREATION	25.0 ACRES	(20%)
CEMETERY	16.0 ACRES	(13%)
SCHOOL DISTRICT	30.0 ACRES	(24%)
R.O.W.	5.0 ACRES	(4%)
OPEN SPACE/CONSERVATION	43.0 ACRES	(34%)
<b>TOTAL</b>	<b>125.0 ACRES</b>	<b>100%</b>

**EXHIBIT 1**  
**BROX PROPERTY COMMUNITY**  
**LANDS**  
**2014 UPDATE**  
**DRAFT 01/31/14**



**REFERENCE PLAN:**  
"BROX PROPERTY COMMUNITY LANDS - MASTER PLAN STUDY", SCALE: 1"= 200', DATED: NOVEMBER 1, 2004 BY CLOVER HANCOCK & ASSOCIATES, LLC.

- NOTES:**
1. THE PURPOSE OF THIS PLAN IS TO DEPICT THE JURISDICTIONAL WETLANDS ON THE SUBJECT PARCELS.
  2. THE WETLANDS WERE FIELD LOCATED BY THIS OFFICE WITH A GLOBAL POSITIONING SYSTEM (GPS).
  3. THE WETLAND AREAS HAVE BEEN OVERLAPPED ONTO THE REFERENCE PLAN, AS SHOWN. THIS HAS BEEN ACCOMPLISHED THROUGH THE LOCATION OF LINE FEATURES AND SHOULD THEREFORE BE CONSIDERED APPROXIMATE.
  4. PRIOR TO ANY FUTURE DEVELOPMENT OF THE MAP 38 LOTS 17 AND 25 ADJACENT TO JURISDICTIONAL WETLANDS AS DEPICTED ON THIS PLAN, A PRELIMINARY WETLAND LOCATION RELATIVE TO PROPERTY BOUNDARIES SHOULD BE CONDUCTED CONCURRENT WITH ANY NECESSARY BOUNDARY AND TOPOGRAPHIC SURVEYING.
  5. JURISDICTIONAL WETLANDS HAVE BEEN CLASSIFIED IN ACCORDANCE WITH US FISH AND WILDLIFE CLASSIFICATION OF WETLANDS AND DEEPWATER HABITATS IN THE UNITED STATES (COMANOR ET AL. 1979).

**CERTIFICATION:**  
WETLANDS WERE DELINEATED IN ACCORDANCE WITH THE US ARMY CORPS OF ENGINEERS' WETLAND Delineation MANUAL, 4-81-1 AND REGIONAL SUPPLEMENTS FOR NORTHEAST AND NORTH-CENTRAL REGIONS AND FIELD INDICATORS FOR FRESHWATER WETLANDS IN NEW ENGLAND BY CHRISTOPHER A. GUIDA, C.I.S. IN APRIL OF 2013.

DATE: 1/1/14

GRAPHIC SCALES

REV.	DATE	DESCRIPTION	C/O	DR	CK
C	8/10/13	WETLAND CLASSIFICATION AREAS	C/O	CAG	CEB
B	12/7/13	ADD NOTES AND BUFFER LINES	C/O	CAG	CEB
A	4/29/13	VERIFY LOCATION AND ADD DESCRIPTION	C/O	CAG	CEB

**WETLANDS LOCATION PLAN**  
**PREPARED FOR:**  
**TOWN OF MILFORD**  
**BROX COMMUNITY LANDS**  
**TAX MAP 38 LOTS 17 & 25**  
**MILFORD, NEW HAMPSHIRE**

SCALE: 1" = 200'      APRIL 23, 2013

Surveying • Engineering • Land Planning • Permitting • Septic Designs

**FIELDSTONE**  
**LAND CONSULTANTS, PLLC**

778 Elm Street Suite C, Milford, NH 03055  
Phone: (603) 672-5456 Fax: (603) 412-5456  
www.fieldstonelandconsultants.com

FILE: 519W100C.dwg      PROJ. NO.: 519.00      SHEET NO.: 1 OF 1

**BROX PROPERTY COMMUNITY LANDS**  
**UPDATE COMMITTEE / OFFICE OF COMMUNITY**  
**DEVELOPMENT**

# EXHIBIT B

## Schematic Future Development Plan



SYMBOL	ITEM
	Edge of Wetlands
	Wetland Buffer Setback
	Property Line
	Proposed Spot Elevation
	Proposed Building
	Proposed Parking
	Proposed Tennis Court
	Proposed Basketball Court
	Proposed Bleachers
	Shrubs / Trees / Woods

### EXHIBIT 2 SCHEMATIC DEVELOPMENT PLAN

Scale: 1" = 200'	CONCEPTUAL MASTER PLAN / LAND DEVELOPMENT PLAN		<b>L - 1</b>
Date: 1/12/2014	<b>BROX COMMUNITY PROPERTY</b>		
File: 2022	PREPARED BY :		Drwg # 1
Drawn by: J G	<b>BROX COMMITTEE</b>		
Rev.	MILFORD, NEW HAMPSHIRE		
	Bill Parker Community Development Director 1 Union Square, Milford, NH 03055 (603)249-0620		

**DRAFT**  
**MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING**  
May 27, 2014

**PRESENT:** Gary Daniels, Chairman  
Katherine Bauer, Member  
Mike Putnam, Member  
Kevin Federico, Member  
Guy Scaife, Town Administrator  
Darlene J. Bouffard, Recording Secretary  
Niko Giokas, Videographer

**EXCUSED:** Mark Fougere, Vice Chairman

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

**INSTRUCTIONS:** Chairman Daniels called the public meeting to order at 5:30 p.m., introduced Board members and then led the audience in the Pledge of Allegiance. Chairman Daniels explained that the Board met in non-public session at 5:15 p.m. to discuss Personnel, Reputation and Legal issues. Chairman Daniels introduced members of the Board. Chairman Daniels indicated 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. Chairman Daniels announced that in non-public session the Board discussed one Personnel issue, one legal issue and one reputation issue. There were no votes taken, nor decisions made.

**2. APPOINTMENTS:**

**5:30 p.m. – Assessing.** Marti Noel, Town Assessor, explained she has one Elderly Exemption being recommended for approval tonight. Chairman Daniels asked if there were extenuating circumstances for this applicant. Ms. Noel responded that the applicant simply failed to provide the additional paperwork that was requested within the timeframe. Selectman Putnam moved to approve the one Elderly Exemption as presented. Selectman Bauer seconded. All were in favor. Motion passed 4/0

**3. PUBLIC COMMENTS (regarding items that are not on the agenda).** There were no public comments.

**4. DECISIONS**

a) **CONSENT CALENDAR.** Chairman Daniels asked if any items need to be removed from the Consent Calendar for discussion. No items were removed. Selectman Putnam motioned to approve the Consent Calendar. Selectman Federico seconded. All were in favor. Motion passed 4/0.

- 1) **Request for Approval of Drinking Water State Revolving Loan #1561010 – Dram Cup Hill Tank Rehabilitation Project.** The Original Loan Agreement (OLA) for the Drinking Water State Revolving Loan Project #1561010 for the Dram Cup Hill Tank Rehabilitation Project was approved by the Board of Selectmen.
- 2) **Request for Approval of 31:95 Unanticipated Funds and Gifts under \$5,000 – Marmon Utility and Milford Police Department - Evidence.** The request for acceptance and appropriation of unanticipated revenues under \$5,000 in accordance with RSA 31:95(b) was approved as follows:

<u>SOURCE</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
Marmon Utility	\$500.00	Donation to the Milford Fire Department. The Milford Fire Department wishes to designate the Monies to the Fire Rescue Donations Special Purpose Fund
Milford Police Department- Evidence	\$534.60	Monies returned to the Milford Police Dept. for the State Drug Forfeiture Special Purpose Fund per the court's order

- 3) **Request for Acceptance of Property Tax Warrant – First Half 2014.** This item was accepted by the Board of Selectmen in the amount of \$17,220,546.65.

1 b) **OTHER DECISIONS.**

2 1) **Request for Approval of 127 Elm Street Purchase and Sales Agreement.** Guy Scaife asked that  
3 this be put on the agenda under Other Decisions in order for a discussion to be had. Vice Chairman  
4 Fougere has raised several questions. What is on tonight's agenda is the Purchase and Sales Agree-  
5 ment and contingencies that must be addressed before it is signed off. This would allow the town to  
6 ensure a second egress to the Keyes Park facility so that when the Fletcher clean-up begins, the town  
7 can still keep the site open. Without that access, the town risks losing that park for up to two seasons.  
8 This was previously discussed with the Board of Selectmen who gave direction to proceed with filing  
9 with Superior Court for an Emergency Town Meeting. June 25 at 9 a.m. is the court date for that hear-  
10 ing. One of the contingencies is that the Special Meeting be allowed on September 9 with the State  
11 Primary. The most significant contingency is the fact that voters would approve the appropriation at  
12 that Special Town Meeting. The other contingency is that the problems identified by the Department  
13 of Environmental Services (DES) get addressed by the current owner and the town gets a letter that the  
14 property is in compliance with their requests. The Terms and Conditions are also included in this doc-  
15 ument. A cash appropriation of up to \$190,000 is a contingency as well. Several weeks ago, this  
16 Board authorized the Recreation Commission to pursue fundraising to lower the cash outlay and so far  
17 there is a hard commitment of \$10,000 (10%). Other (commitments) will be coming through; there-  
18 fore we already know it will be less than the \$190,000 outlay of cash that is in this Purchase & Sales  
19 Agreement. This agreement was drafted by the Town Attorney Drescher and the owner (Mayo) is in  
20 agreement and have already signed the contract. It is important that before the town goes to court that  
21 we have an executed contract.

22  
23 Vice Chairman Fougere had previously asked if Attorney Drescher has reviewed the document. Guy  
24 Scaife responded that Attorney Drescher drafted the document. Vice Chairman Fougere had also  
25 asked if there is an estimated time frame of when a decision will be made. Guy Scaife responded that  
26 within a couple of weeks at the most, the judge will have a decision. Vice Chairman Fougere had also  
27 asked about demo bids. Guy Scaife indicated that he has gotten one quote for demo, but the Recrea-  
28 tion Commission has been clear that they would like the building to be evaluated by an engineer to see  
29 if there is salvage value so it is premature to get bids for demo while it is still possible there is salvage  
30 value. Vice Chairman Fougere had pointed out previously that the town should also have an outside  
31 representative review the environmental clean up plan. Guy Scaife responded that Tom Roy has and  
32 will continue to assist the town in that role.

33  
34 Chairman Daniels questioned Section 14 of the agreement regarding Contingencies and Due Diligence,  
35 and asked if the town is fully aware of the issues on the property and that if the issues are not resolved  
36 the town can back out of the deal. And will the DES require certain covenants or restrictions on that  
37 property once the issues are dealt with? Guy Scaife said we do not anticipate any unforeseen issues  
38 and expect it should be easily cleaned up. Chairman Daniels asked if we will have answers to these  
39 questions before the September 9 vote. Guy Scaife hopes that is the case, however, Mayo has until  
40 December 1<sup>st</sup>.

41  
42 Selectman Bauer asked how many acres this property has. Guy Scaife answered 5.8 acres which is  
43 pretty flat and usable for future buildings, fields and parking, and this site would also allow for dual  
44 egress. Selectman Bauer said during the Memorial Day Parade, Keyes Drive was closed but people  
45 were using it. Guy Scaife said there is an easement agreement from several years ago with PermaTach  
46 which the current owners are not willing to update, so the town will not have that access when Keyes  
47 Drive closes for the Fletcher clean-up. Guy Scaife asked if the Board of Selectmen is ready to approve  
48 this and then we can move forward. It is important for the public so that when fundraising, people un-  
49 derstand this is a strong commitment.

50  
51 Selectman Putnam moved to approve the 127 Elm Street Purchase and Sales Agreement in order to  
52 move forward with the P&S Agreement. Selectman Bauer seconded. All were in favor. Motion  
53 passed 4/0.

54  
55 **5. TOWN ADMINISTRATOR REPORT.**

56  
57 **6. DISCUSSIONS.**

DRAFT MINUTES OF BOARD OF SELECTMEN MEETING - 5/27/14

1 a) **Board of Selectmen Goals Review 2014.** Chairman Daniels asked if there were any further advances on  
2 streamlining the Community Development process. Community Development Director Bill Parker re-  
3 sponded yes, forms are now on line, we do not have the capability to fill them out on line, which is being  
4 looked into as far as cost and what it will take to do that and put it in the budget; additionally looking at  
5 getting the Economic Development website together.  
6

7 Chairman Daniels indicated that Vice Chairman Fougere is looking into additional parking along Middle  
8 Street. Selectman Bauer thinks it is important to keep Middle Street two-way, which is part of what Vice  
9 Chairman Fougere is looking into. Selectman Bauer asked if Lot 26-165 is for sale. Guy Scaife said he did  
10 not know the current status. Chairman Daniels said the downtown parking does not rise to the priority level  
11 of the roads and bridges in town and therefore purchasing any property for parking would not be a consid-  
12 eration. Selectman Bauer asked if the Board could find out the availability of that property. Chairman  
13 Daniels said we could add that to the list of things to do, but Vice Chairman Fougere was already looking at  
14 the parking in the oval area.  
15

16 Bill Parker indicated there have been discussions with the Economic Development Advisory Committee  
17 (EDAC) last Wednesday and Norwood was pulled in about the Brox Property and looking at selling small-  
18 er portions of it. The TIFF Board will have to meet to discuss. Chairman Daniels asked if all options of  
19 dealing with Brox have been exhausted. Bill Parker responded no, we have looked into a few, but have not  
20 exhausted all options. Selectman Bauer asked what the NH unemployment rate currently is. Chairman  
21 Daniels said it is about the same as the Milford unemployment rate (about 4.5%). Chairman Daniels asked  
22 about removing technology items from the Board of Selectmen goals. Selectman Federico had mentioned  
23 that a few months ago; Bruce Dickerson is handling the technology and it is continuing to move forward.  
24 All Board members concurred that the technology piece should come off this Board of Selectmen goals list.  
25

26 Selectman Putnam indicated he is still working on the MACC base item. Selectman Bauer asked about  
27 bridges. Guy Scaife explained sometime in June there will be more information available on bridges. The  
28 Cartegraph kick off meeting is on May 29 to get that started. Currently the easements on the South Street  
29 project are being worked on for PSNH and Fairpoint, and it might be close to Pumpkin Festival, but it is in  
30 process. Emerson Road and Route 13 projects are still being worked on.  
31

32 Bill Parker, indicated they have just signed paperwork with an appraisal firm for four properties on South  
33 Street where there will be a little more impact. A lot of progress has been done, the bank property will be  
34 the most affected. Three of the parking spaces in the northeast corner of the TD Bank parking lot will go  
35 away. Guy Scaife said the bank is giving up the spaces and has been very cooperative. There are a lot of  
36 utilities that were in the air on poles that all have to go somewhere. Selectman Federico asked what hap-  
37 pens next. Bill Parker responded the next hurdle is getting signed easement agreements all along South  
38 Street. Selectman Bauer said that people are concerned that the construction for this will be in the middle  
39 of Pumpkin Festival, is there a goal date? Bill Parker said the goal is to get it done before the festival, but  
40 there are so many variables, we trying our best to get it done but he is not making any promises. If it hap-  
41 pens during Pumpkin Festival we will have to try to minimize its affect. Once construction starts, it is pret-  
42 ty quick, maybe 6-8 weeks. Guy Scaife said it could also get done after Pumpkin Festival, not the best op-  
43 tion, but it can be done.  
44

45 The turning lanes addition in front of St. Joseph's is planned for late in the year. Chairman Daniels would  
46 still like to see the documentation on what is the town's obligation for the turn lanes. Bill Parker believes it  
47 is in the 1999 ZBA records. Chairman Daniels asked if the town ever voted on the turn lanes. Bill Parker  
48 responded does not believe so, the plan is to be a joint effort between DPW and St. Joseph's to work on the  
49 turn lanes. Bill Parker said they are assisting with the work to get the lanes completed. Guy Scaife said  
50 that plan is ready to begin this year and St. Joseph's is helping and paying about one third of the cost. Se-  
51 lectman Bauer wants to see Kaley Park developed, we need more playing fields. The ZBA put that condi-  
52 tion on that plan years ago and the traffic has only increased since then.  
53

54 The timeline for the town hall renovations was provided to the Board of Selectmen, Selectman Putnam had  
55 the outline for renovations prepared to discuss it at the last meeting when Selectman Putnam was excused.  
56 If the Board of Selectmen is in favor of that outline, Selectman Putnam will start work on it. Selectman  
57 Bauer asked how this affects the Library renovation that has been on the books for 12 years. The original  
58 CIP costs for the Library renovation was \$500,000; Selectman Bauer asked for a refresher about how the

DRAFT MINUTES OF BOARD OF SELECTMEN MEETING - 5/27/14

1 town hall renovation would be done. Selectman Putnam said the immediate needs are for Bruce Dickerson  
2 (IT) and Mike McInerney (Community Media) – their space requires very little engineering and is quick  
3 and easy and the remodel as recommended by the engineer would open up space for Recreation. After that,  
4 the Board of Selectmen room would be looked at and renovations in that area would span out over 4-5  
5 years. Selectman Putnam said we do not have the money to do anything big right now. Selectman Bauer  
6 asked where Bruce and Mike would be moved. Selectman Putnam indicated the ambulance space would be  
7 used, we have a plan already done by the engineer that he had been working off of. Selectman Putnam is  
8 not going to put any time into it if the Board of Selectmen is not in favor of it. Selectman Putnam wants  
9 roads and bridges to be the focus right now. Selectman Bauer said if the Board agrees to a Phase 1 with an  
10 estimated cost and would like for it to go before the voters in March, she does not want the Library renova-  
11 tion to be affected as that is scheduled for 2015 so she would have a hard time with that conflict. If both  
12 are before the voters it would be confusing.

13  
14 Selectman Federico pointed out on Selectman Putnam’s outline, April 28 was when an outline was present-  
15 ed to the Board of Selectmen, then on May 12 the space needs and urgency would be reviewed. Selectman  
16 Federico is not interested in putting any money into this immediately until we know what we are talking  
17 about. This is something we want to look at first and not spend \$2.5 million on it. We were in agreement  
18 that we would go ahead with your breakdown and outline and maybe it was not clear at the meeting, but  
19 Selectman Federico thought Selectman Putnam was working on that already. Selectman Federico asked if  
20 Selectman Putnam wants to put real dates down and move forward. Selectman Bauer would like to do that.  
21 Chairman Daniels asked if the review of Facility Committee meeting minutes could be done before the next  
22 Board of Selectmen meeting (June 9). Selectman Putnam responded it would be difficult but he could try.  
23 Selectman Bauer asked if the CIP members are ongoing. Bill Parker said the CIP is appointed by the Plan-  
24 ning Board and next Wednesday is the next meeting. The CIP is the same group as last year and they will  
25 get right into the requests. June 4 is their next meeting.

26  
27 Chairman Daniels asked at what point does the CIP need to get Board of Selectmen input? Bill Parker re-  
28 sponded right now would work, because they expect to get the project requests at the first meeting. Chair-  
29 man Daniels asked if the Board gets something to the CIP Committee after the next Board of Selectmen  
30 meeting (June 9), would that work. Bill Parker said he would let them know.

31  
32 Selectman Putnam explained the engineering on the Wastewater Main is about 99% complete, they have  
33 done a walk through. Chairman Daniels indicated everyone needs to check their committees for policies  
34 and minutes being posted on the website. Chairman Daniels thinks the minutes are getting posted for the  
35 most part.

36  
37 **b) Transfer Station Mobile Office.** The Recycling Committee, working with the Building Inspector, would  
38 like to manage the Mobile Office Project, according to Chairman Daniels. Chairman Daniels would like to  
39 have them involved in the process since they have been involved in it for years and they would like to get it  
40 done. Selectman Bauer would like to get it done as well. Guy Scaife said DPW has a lot of projects on  
41 their plate, and this is one of many, once approved, there are other elements that must be engineered and be  
42 in compliance. We have to go out to bid for the trailer. DPW will be doing a lot of this work, it will get  
43 done this year, but it has to be done along with a lot of other projects. We will go in for a permit when it is  
44 all engineered. There is the ADA compliance issue that came up at the last meeting that must be resolved  
45 before we can move forward with a fully engineered plan. We hope to have work commence in late Au-  
46 gust for installation in September; it will take about 3 weeks for completion. It is not a weekend project.  
47 Selectman Bauer asked when will the bid process be done? Guy Scaife answered that Rick will get that  
48 done in the next couple of weeks.

49  
50 Chairman Daniels indicated if we do not have an ADA compliant building now, isn’t that grandfathered?  
51 Guy Scaife does not know exactly what the rules are but believes it is grandfathered. However all new fa-  
52 cilities must be ADA compliant.

53  
54 Selectman Federico asked if the town needs a facility committee for a prefab trailer that we are putting on a  
55 concrete pad. There are a lot of reasons it is taking a long time, and Selectman Federico would like to see a  
56 timeline of when it is going to be done and stick to it. If DPW is doing the majority of the work, I want to  
57 see a timeline for when it will be done. The Recycling Committee also wants to see it done as well as the  
58 voters that voted it in. Selectman Federico does not think we need a committee and he is not comfortable

1 with September; it seems like a long time to get it done. Guy Scaife reminded the Board about the things  
2 that DPW and Ricky Riendeau have been involved in that take up time, he is working it into the schedule.  
3

4 Selectman Federico understands the DPW Director is jumping around, and he is working on it, and that  
5 brings him to the Recycling Committee assistance and asked if that would help Mr. Riendeau. Chairman  
6 Daniels said there are 12 people on the Recycling Committee who want to be involved in this project. Guy  
7 Scaife said if the Recycling Committee wants to take over the entire project, fine, but we cannot have them  
8 as project manager to manage the whole project as they do not have the authorization to go out and bid.  
9 The committee did come to an agreement on the interior of the facility. No one on that committee is quali-  
10 fied to design an ADA compliant structure. Chairman Daniels said there were some questions that came up  
11 with the Recycling Committee about a public building and a publicly-owned building. Chairman Daniels  
12 read from the RSA that defines where the ADA compliance is needed. Selectman Bauer asked if the office  
13 is in a mobile building, does the public go in there all the time. Chairman Daniels said there is a sign that  
14 says "Employees Only". So the new facility will have it established that it is employee only and it is not  
15 for the public, asked Selectman Bauer. Guy Scaife said this is the first time he has heard that the public  
16 will be restricted from entering the facility. If there is a complaint the customer needs to talk about with the  
17 Supervisor, they will be brought into the office. Or if there is an employee on crutches, they can work at  
18 the window, but not if there is no access for them. Chairman Daniels said there has been a decision made  
19 without the Recycling Committee, that there will be a ramp there without regard to whether or not the pub-  
20 lic will even go in there. Guy Scaife does not think that is the responsibility of the Recycling Committee to  
21 decide. Selectman Federico said he has been yelled at by the Transfer Station Supervisor for going in the  
22 building. It sounds like DPW should be the one responsible for the decision. Selectman Federico said the  
23 people who voted for this want to know when it will be done and why is it being delayed. Selectman Fed-  
24 erico wants a timeline  
25

26 Selectman Bauer said we are all volunteers, but had people asked about this, she agrees with Selectman  
27 Federico, it is different from the ambulance or police facilities, this is a mobile home having adjustments  
28 made to use it as an office and being placed on a concrete pad. Selectman Federico said we just need to  
29 follow the law in making it compliant.  
30

31 **7. SELECTMEN'S REPORTS / DISCUSSIONS.**  
32

33 a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Selectman Put-  
34 nam indicated MACC Base is waiting on the audit to know how much is coming back to the town. There  
35 might be a request coming in from MACC Base to replace a generator up at Pead Hill which is on its last  
36 leg. Selectman Bauer asked when the Pead Hill generator was installed. Selectman Putnam responded it  
37 was installed by Wilton telephone and is a belt-driven generator.  
38

39 b) **OTHER ITEMS (that are not on the agenda).**  
40

41 **8. APPROVAL OF FINAL MINUTES.** Selectman Federico moved to approve the Board of Selectmen minutes  
42 of April 28, 2014 as presented. Selectman Bauer seconded. All were in favor with Selectman Putnam abstaining.  
43 Motion passed 3/0/1. Selectman Putnam moved to approve the Board of Selectmen minutes of May 5, 2014 as pre-  
44 sented. Selectman Federico seconded. All were in favor. Motion passed 4/0.  
45

46 **9. INFORMATION ITEMS REQUIRING NO DECISIONS.**  
47

48 **10. NOTICES.** Notices were read by Chairman Daniels.  
49

50 **11. NON-PUBLIC SESSION.** Selectman Federico moved to enter non-public session at 7:00 p.m. Selectman  
51 Bauer seconded. All were in favor. Motion passed 4/0. Selectman Federico moved to approve the non-public  
52 minutes of April 28, 2014 (Personnel and Reputation) as amended. Selectman Bauer seconded. All were in favor  
53 with Selectman Putnam abstaining. Motion passed 3/0/1. Selectman Federico moved to approve the non-public  
54 minutes of May 5, 2014 (Reputation and Legal) as amended. Chairman Daniels seconded. All were in favor. Mo-  
55 tion passed 4/0.  
56

57 **12. ADJOURNMENT:** There being no further business to come before this meeting, Selectman Putnam moved to  
58 adjourn at 8:25 p.m. Selectman Federico seconded. All were in favor. Motion passed 4/0.

DRAFT MINUTES OF BOARD OF SELECTMEN MEETING - 5/27/14

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16

\_\_\_\_\_  
Gary L. Daniels, Chairman

\_\_\_\_\_  
Katherine Bauer, Member

\_\_\_\_\_  
Mike Putnam, Member

\_\_\_\_\_  
Kevin Federico, Member

---

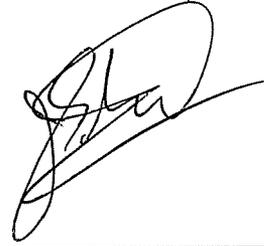
---

TOWN OF MILFORD FINANCE DEPARTMENT

---

---

**TO:** BOARD OF SELECTMEN  
**FROM:** JACK SHEEHY, DIRECTOR OF FINANCIAL OPERATIONS  
**SUBJECT:** TREASURER'S REPORT, MAY 2014  
**DATE:** 6/11/2014



---

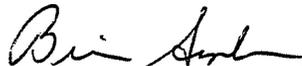
Please find attached the Treasurer's Report for the month of May 2014.

Deposits processed for the month totaled \$800 thousand while cash disbursements processed for the month totaled \$2.9 million.

Variances on "Detail Statement of Other Revenues" include: Cable Franchise Fee, quarterly payment received in May 2014 and June 2013; General Obligation Bonds, disbursement of Ambulance Facility Bond funds in 2013, not in 2013; Income from Departments, reduction in 2014 from 2013 due to decreases in customer tax prepayments, ambulance payments, insurance claims payable and solid waste revenue.

TREASURER'S REPORT  
TOWN OF MILFORD, NEW HAMPSHIRE  
MAY, 2014  
(unaudited)

	CHECKING ACCOUNT	ESCROW ACCOUNT	NHPDIP ACCOUNT	DISBURSEMENT ACCOUNT	LAKE SUNAPEE ACCOUNTS	TOTAL
Beginning Balance as 5/1/14	4,515,952.40	64,462.23	90.01	135,121.49	10,610.50	\$ 4,726,236.63
<b>Receipts:</b>						
Taxes and Interest	86,179.46	-	-	-	-	\$ 86,179.46
Water & Sewer User Fees	234,097.95	-	-	-	-	\$ 234,097.95
Other Revenues - (See Detail Schedule)	440,929.74	-	-	-	-	\$ 440,929.74
Ambulance	-	-	-	28,615.38	-	\$ 28,615.38
Recreation	-	-	-	10,962.00	-	\$ 10,962.00
Escrow Deposit	-	-	-	-	-	\$ -
Escrow Transfers	-	-	-	-	-	\$ -
Interest Income	-	0.55	-	-	1.58	\$ 2.13
Investment Transfers	150,000.00	-	-	-	-	\$ 150,000.00
TAN Deposit	-	-	-	-	-	\$ -
Bond Proceeds	-	-	-	-	-	\$ -
<b>Total Receipts:</b>	<b>\$ 911,207.15</b>	<b>\$ 0.55</b>	<b>\$ -</b>	<b>\$ 39,577.38</b>	<b>\$ 1.58</b>	<b>\$ 950,786.66</b>
<b>Disbursements:</b>						
Accounts Payable Warrants	(746,080.13)	-	-	(4,836.73)	-	\$ (750,916.86)
Payroll Warrants	(355,250.57)	-	-	-	-	\$ (355,250.57)
Milford School District Appropriation	(1,800,000.00)	-	-	-	-	\$ (1,800,000.00)
Hillsborough County Appropriation	-	-	-	-	-	\$ -
Escrow Transfers	-	-	-	-	-	\$ -
Investment Transfers	-	-	-	(150,000.00)	-	\$ (150,000.00)
TAN Disbursement	-	-	-	-	-	\$ -
Suntrust Disbursement	-	-	-	-	-	\$ -
Bank Charges	(1,003.77)	-	-	-	-	\$ (1,003.77)
Voided Checks	153.40	-	-	-	-	\$ 153.40
<b>Total Disbursements:</b>	<b>\$ (2,902,181.07)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (154,836.73)</b>	<b>\$ -</b>	<b>\$ (3,057,017.80)</b>
<b>Ending Balance as of 5/31/14</b>	<b>\$ 2,524,978.48</b>	<b>\$ 64,462.78</b>	<b>\$ 90.01</b>	<b>\$ 19,862.14</b>	<b>\$ 10,612.08</b>	<b>\$ 2,620,005.49</b>



BRIAN SANBORN  
TOWN TREASURER

**TOWN TREASURER  
 DETAIL STATEMENT OF OTHER REVENUES**

MAY 2014      MAY 2013

**DESCRIPTION**

Business Licenses & Permits	780.00	
Cable Franchise Fee	35,917.07	
Motor Vehicle Permit Fees	217,879.25	194,849.85
Building Permits	6,455.95	20,566.68
Dog Licenses	2,204.00	2,085.00
Marriage Licenses	450.00	720.00
Civil Union Licenses		
Taxi Cab Licenses		
Vital Records	1,120.00	1,590.00
Fire Alarm Permits & Fees	135.00	45.00
Site Plan/Subdivision Fees	290.00	112.50
Zoning Application Fees	615.50	593.75
Miscellaneous Other Permits & Fees	494.50	265.00
Intergovernmental - Federal	368.50	762.56
Intergovernmental - State & County	55,550.21	58,507.34
Income from Departments	88,744.69	126,322.54
Sale of Town Owned Property	15,000.00	
Rental of Town Owned Property	6,391.52	5,028.30
Fines and Forfeits	424.66	262.74
Insurance Reimbursements		540.00
Misc. Other Reimbursements	7,608.89	7,961.43
Contributions & Donations	500.00	618.00
Other Grant Revenue		
Impact Fees		1,181.60
General Obligation Bonds		500,000.00
Inspection Fee Escrows		
MACC Base - Surplus Return		
Deposits & Prepayments		
Transfers from Trust Funds		
Legal Settlement		
Transfer in from Special Purpose Funds		
Transfer from Capital Reserve		
<b>GRAND TOTAL:</b>	<b>\$ 440,929.74</b>	<b>\$ 922,012.29</b>