

APPROVED  
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING  
March 26, 2012

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

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

**INSTRUCTIONS:** Town Administrator Guy Scaife called the public meeting to order at 5:35 p.m. Guy Scaife introduced Board members, explaining that once per year he has the privilege of opening the meeting until the new Board members are sworn in. Guy Scaife then led the audience in the Pledge of Allegiance.

**2. APPOINTMENTS:**

**5:30 p.m. – Swearing in of Newly Elected Selectman Mark Fougere and Re-elected Selectman Gary Daniels and Election of Board of Selectmen Officers.** Guy Scaife noted that this is Gary Daniels fourth term on the Board of Selectman, and it is Mark Fougere’s first term. Guy Scaife asked that Town Clerk Peg Langell please step up to swear in the two members. Both Mr. Daniels and Mr. Fougere were sworn in. Guy Scaife asked for nominations for Chairman. Selectman Putnam nominated Gary Daniels for Chairman. Selectman Fougere seconded. All were in favor. Motion passed 5/0. Chairman Daniels thanked Guy Scaife for opening the meeting and asked for Board members to speak into the microphones in order to be heard. Chairman Daniels then asked for nominations for Vice Chairman. Selectman Putnam nominated Selectman Bauer for Vice Chairman. Selectman Bauer declined and nominated Selectman Finan for Vice Chairman. All were in favor of having Tim Finan as Vice Chairman. Motion passed 5/0. Chairman Daniels noted that those people in the audience who want to speak or add to the discussion should please use a microphone in order to be heard on the PEG Access live broadcast.

**5:40 p.m. – Discussion of Downtown Parking Issue.** Brendan Philbrick wished to speak to the Board regarding parking in downtown Milford. Mr. Philbrick indicated this might be a small matter with all the other issue in town, and discussions have been had, but nothing has been resolved. The parking for people that live on the oval and the streets around the oval is problematic. The parking ban in place was instituted in the 1970’s and is mainly for snow removal in winter months. Having been a plow truck driver, Mr. Philbrick said he knows there is an average of 10-15 storms per year. The fact is that 162 days per year there is a parking ban (November 15 to April 15). There are signs posted stating no overnight parking. Mr. Philbrick has one tenant that is handicapped and was told he could park in the handicapped space (near the ambulance bays) overnight, but he ended up getting fined. Another tenant received two parking tickets. The town should be able to strike a balance; both Nashua and Manchester have an odd/even system where residents can park on a certain side of the street depending on the day of the week. Milford does not have a garage like those cities. Nashua has a free parking lot. The odd/even systems are in effect after 1 a.m. When driving in Manchester after 1 a.m., you know if it is an odd or an even day depending on the side where cars are parked. Perhaps one of the lots could be used, it is difficult to plow when cars are there, and it does make it difficult not to have a completely open lot, however completely banning parking for 162 days per year seems excessive. Mr. Kokko’s lot is full all the time and he charges \$60 per year. People have talked about having a permit sticker on their window; we should be able to streamline and figure out something. April 15 is coming soon, maybe the snow is done for this year. Before we know it, November 15 will come around. These buildings have been around since the 1800’s, the winter parking ban has been in place for quite some time. Chairman Daniels asked for questions.

Vice Chairman Finan asked if there have been complaints about the winter parking ban over the years. Guy Scaife said we have not. A few weeks ago, Mr. Philbrick came in to speak with Guy Scaife and it was discussed two years ago, but this is the first time since then. Selectman Bauer remembers some landlords came in and there was some discussion. The new municipal lot (off Garden Street) had just been put in which has hopefully relieved some of the parking issues. Selectman Bauer at that time looked into a lighting system for snow events. At that time, it seemed too expensive to implement, this is an ongoing problem. Chairman Daniels said one of the landlords bought some property so their tenants could park during snow storms. A valid point was brought up, said Chairman Daniels, be-

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1 ing the number of storms this year and maybe there is something that can be done in those cases and come up with a  
2 compromise. Selectman Bauer would like to consult with the DPW Director to see what he thinks and talk about  
3 alternatives. Chairman Daniels agreed, stating they need to be involved in the discussions. There were no further  
4 comments. Brandon will be contacted if any further discussions are held. Mr. Philbrick thanked the Board for its  
5 time.  
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7 **6:00 p.m. – Interview of Katie Chambers as a Tax Increment Finance District Full Member Reappointment**  
8 **Candidate.** Katie Chambers was asked to join the Board at the table for this interview. Selectman Bauer indicated  
9 she is pleased that the town voted for the overlay district. Ms. Chambers agreed, stating it seems that a lot of work  
10 went into this to make it clearer for the voters. Chairman Daniels asked what Ms. Chambers sees in the upcoming  
11 years. Ms. Chambers sees this committee continuing to work with the people that have options and are looking at  
12 expanding their properties or developing the overlay district. Selectman Putnam moved to appoint Katie Chambers  
13 as a full member of the Tax Increment Finance District Advisory Board until March 31, 2015. Selectman Fougere  
14 seconded. All were in favor. Motion passed 5/0.  
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16 **6:10 p.m. – Interview of Erna Johnson as a Heritage Commission Full Member Reappointment Candidate.**  
17 Chairman Daniels asked that Erna Johnson join the Board at the table for this interview. Ms. Johnson has been on  
18 the Heritage commission as a full member for one year and was filling someone else’s term. Chairman Daniels  
19 asked if Ms. Johnson wants to jump right back in. Ms. Johnson said she is learning a lot and Chuck Worcester is so  
20 organized, it is enjoyable. Ms. Johnson has always been interested in Milford history and this is a good way to serve  
21 the town in a fun way. Selectman Bauer has served on this commission during the past year and knows that Ms.  
22 Johnson is interested and she is glad she wants to continue. Chairman Daniels mentioned that in talking with other  
23 candidates, it has been discussed to have the Heritage Commission join with the Recreation Commission to bring  
24 people to town to learn about the history of the town. Ms. Johnson said the Freedom’s Way trail is being worked on  
25 but that is through the Federal Government and is moving very slowly. Hollis is doing old home tours of a historic  
26 nature and that reached into Monson, it will bring people to Milford and other towns in southern New Hampshire.  
27 Eventually, signage will be there as well. Selectman Bauer moved to appoint Erna Johnson as a full member of the  
28 Heritage Commission through March 31, 2015. Selectman Fougere seconded. All were in favor. Motion passed  
29 5/0.  
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31 **6:15 p.m. – Interview of Leonard Harten as a Zoning Board of Adjustment Alternate Member Reappoint-**  
32 **ment Candidate.** Chairman Daniels asked that Len Harten join the Board at the table for this interview. Chairman  
33 Daniels asked why Len wants to continue as a full member of the ZBA? Mr. Harten responded that this is an alter-  
34 nate member reappointment, not full member. Chairman Daniels noted that there is a typo on the paperwork, but  
35 why does Mr. Harten wish to continue as an alternate ZBA member? Mr. Harten has an interest in the town, has  
36 been a resident for over 60 years and has served on the ZBA for many years. The ZBA is looking for alternates to  
37 fill in when the full members cannot attend. Selectman Fougere indicated the ZBA is a tough board to serve on and  
38 he is glad that Len is there. Mr. Harten noted the Zoning Board has to follow the zoning ordinance and give as  
39 much leeway to the applicant that it can. Selectman Bauer noted that Mr. Harten’s experience is invaluable and it is  
40 great that he is continuing to serve. Selectman Putnam moved to appoint Len Harten as an alternate member of the  
41 ZBA through March 31, 2015. Vice Chairman Finan seconded. All were in favor. Motion passed 5/0.  
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43 **6:20 p.m. – Second Public Hearing on Ordinance 2012-001 to Enact Modifications to Milford Municipal Code**  
44 **Book 3.20.010 – Taxicabs.** Chairman Daniels opened the public hearing at 6:20 p.m. Chairman Daniels asked for  
45 comments. There were no public comments. Chairman Daniels closed the public hearing at 6:21 p.m. Chairman  
46 Daniels asked for comments from the Board. Chairman Daniels asked if “arm’s length” is a legal term. Guy Scaife  
47 did not know that answer, but it is a common term. Chairman Daniels asked if a legal description should be in the  
48 ordinance. Selectman Fougere said that is a commonly used term in real estate and Assessing. Selectman Bauer  
49 believes it is commonly used and is a short way to say what is meant, that people understand; she feels it is safe.  
50 Selectman Fougere also feels it is safe. Chairman Daniels agreed that once it was explained at the first hearing,  
51 Michelle Knightly did understand what it meant, but initially the term was confusing. Selectman Putnam suggested  
52 that we call LGC before the third reading. The ordinance amendment was moved to the third reading at the April 9,  
53 2012 meeting.  
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55 **3. PUBLIC COMMENTS (regarding items that are not on the agenda).** There were no public comments made  
56 at this meeting.  
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58 **4. DECISIONS**

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2 a) **CONSENT CALENDAR.** Chairman Daniels asked if there were any items to be removed from the  
3 Consent Calendar. Vice Chairman Finan requested that items 4a1 and 4a3 be removed for discussion and Selectman  
4 Bauer requested that item 4a2 be removed for discussion. Selectman Putnam moved to accept the Consent Calendar  
5 as presented with the exception of items 4a1, 2 and 3. Selectman Fougere seconded. All were in favor. Motion  
6 passed 5/0.  
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- 8 (1) **Request for Road Reacceptance – Brookview Drive and Brookview Court.** Vice Chairman  
9 Finan requested this item to be removed from the Consent Calendar for discussion. Vice Chair-  
10 man Finan noted that these roads were in question a few months ago from a resident, regarding the  
11 new E911 system. Guy Scaife stated that has been resolved and he has verified that with Bill  
12 McKinney. Selectman Putnam moved to approve. Selectman Fougere seconded. All were in fa-  
13 vor of the road acceptances as follows:

14 **Brookview Drive:**

15 “From the intersection with Whitten Road easterly, northerly and easterly to a turn-around, a dis-  
16 tance of 1704.68 feet measured on the southerly side of the roadway, to the commencement of a  
17 hammerhead turn-around on Map 38 Lots 18 and 49, plus the turn-around, a 50 foot wide ham-  
18 merhead, as per As-Built Plan and Profile, Sta. 0+00 to Sta. 19+43, dated June 18, 1984, Sheet 3  
19 and 4 of 6, and as per plans recorded in the HCRD as Plans #16204, #16908 and #20897, and as  
20 conveyed to the Town of Milford in a deed recorded in Vol. 4992 Pg. 55, December 23, 1987,  
21 James R. Merrill to Town of Milford.”

22 **Brookview Court:**

23 “From its intersection with Brookview Drive, north west to a turn-around, a distance of 1070.21  
24 feet measured along the north side of the roadbed, 50 feet wide, to the commencement of a circu-  
25 lar turnaround with a radius of 75 feet, plus the turnaround, as depicted on As-Built Plan and Pro-  
26 file, Sta. 0+25 to Sta. 11+00 at the turnaround, said plan dated June 18, 1984, Sheets 5 and 6, and  
27 as per plan recorded in the HCRD as Plan #16908, and as conveyed to the Torn of Milford in a  
28 deed recorded in Vol. 4992 Pg. 55, dated December 23, 1987, James R. Merrill to Town of Mil-  
29 ford.”

- 30 (2) **Request for Acceptance of Unanticipated Funds Under \$5,000.** Selectman Bauer requested  
31 this item to be removed from the Consent Calendar for discussion in order to identify the dona-  
32 tions. The request to accept the listing of unanticipated revenues under \$5,000 was reviewed and  
33 approved on motion by Selectman Putnam and seconded by Selectman Fougere as follows with all  
34 in favor:

<u>Source</u>	<u>Amount</u>	<u>Purpose</u>
Milford Lions Club	\$ 100.00	Fundraising monies for the Milford Recreation Dept to be used for the Summer Teen Challenge Vacation program.
Milford Odd Fellows – Custos-Morum Lodge 42 IOOF	\$2,000.00	Fundraising monies for the Milford Recreation Dept to be used for the Summer Teen Challenge Vacation program.
BAE Systems Employee Comm. Fund. Inc.	\$ 15.22	General donation to the Milford Fire Department. The FD wishes to designate the donation to the Fire Rescue Donations Special Purpose Fund.

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46 (3) **Request to Authorize Town Administrator Guy Scaife as Signatory Agent – NH Highway**  
47 **Safety Project Grant – Milford Route 101 West Corridor Enforcement Patrols.** Vice Chair-  
48 man Finan requested this item to be removed from the Consent Calendar for discussion. Vice  
49 Chairman Finan suggested this is something that needs to be signed tonight by the Chairman of  
50 the Board of Selectman, therefore not requiring Guy Scaife to be the signatory agent. Selectman  
51 Putnam moved to have the Chairman sign. Selectman Fougere seconded. All were in favor.  
52 (4) **Request for Acceptance of a Donation toward the Pratt Property Purchase from Russell**  
53 **Piscataquog Watershed Foundation Per RSA 36-A:4.** The Conservation Commission request-  
54 ed acceptance of a donation in the amount of \$5,000 toward the Pratt Property Purchase from the  
55 Russell Piscataquog River Watershed Foundation Grant to assist in the purchase of the property  
56 known as the Pratt Property, Map 45, Lot 2. This item was approved.

- 1 (5) **Request for Board Certification of 2012 Appropriations Actually Voted Report (MS-2).** The  
2 report of appropriations actually voted (MS-2) was presented for Board approval, was approved  
3 and will be submitted to the NH DRA.
- 4 (6) **Request to Conduct Bike Riding Fundraiser through Milford.** The race coordinator for this  
5 fundraiser to benefit the Adult Learning Center to hold a bike race running through Milford on  
6 June 3, 2012 from 7 a.m. to 4 p.m. submitted this for Board approval, and was granted permission  
7 to hold the event.
- 8 (7) **Request to Allow Vending at Keyes Field – 2012 Easter Egg Hunt.** The Milford Recreation  
9 Department requested and received permission to allow vending by the Recreation Department  
10 and by the Milford Area Mother’s Club at Keyes Field during the annual Easter Egg Hunt (weath-  
11 er permitting) on April 7, 2012.

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13 **b) OTHER DECISIONS.**

- 14 (1) **Request for Input & Approval of 2012-2013 Board of Selectman Meeting Schedule.** The draft  
15 Board of Selectman meeting schedule was presented for discussion. The meeting nights in question  
16 were November and December, where the Monday meeting days are both town holidays. It was de-  
17 cided to have the first November meeting on Tuesday November 13 and the second December meeting  
18 on Wednesday December 26.
- 19 (2) **Requests for Board of Selectman’s Representatives to 2012-2013 Boards, Commission, etc.** The  
20 draft listing of Board representatives was presented for discussion. It was decided that the elected  
21 boards do not require Board representatives unless specifically requested, and therefore to take those  
22 boards off the listing. The Fletcher Cap Committee is no longer active so it will be removed. The  
23 Manifest and Payroll Manifest must be added, and Vice Chairman Finan agreed to take these on, with  
24 Selectman Putnam as a backup. There were other representative changes, which will be documented at  
25 the next regular meeting.
- 26 (3) **Request to Submit a Federal Hill Speeding Issue to the Traffic Safety Committee (TSC).** This is-  
27 sue has come up before and signage was erected, however, Chairman Daniels asked if this should be  
28 submitted to the TSC again. Selectman Putnam recommended dropping the speed limit to 25 mph.  
29 Chairman Daniels said that Federal Hill is a State road. Guy Scaife indicated that signage was added  
30 the last time this was discussed, but it could go to the TSC to be discussed again. Selectman Fougere  
31 indicated that part of this road is dirt, and as soon as the driver hits pavement, they speed up. Select-  
32 man Bauer asked which part of Federal Hill Road is State owned? Guy Scaife said he is not sure. Se-  
33 lectman Fougere does not believe it is the entire road. Selectman Putnam moved to send this issue  
34 back to the TSC with the history of the minutes of the discussion on this road. Vice Chairman Finan  
35 seconded. All were in favor. Motion passed 5/0.

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37 **5. TOWN ADMINISTRATOR REPORT:**

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39 **a) 66 Elm Street Property Update.** Guy Scaife stated that the Phase I feasibility work has been done. He  
40 hopes to have the report in by the end of the week. There has been no change on the easement document,  
41 but there has been dialogue with the land owners. Other items include the demolition quotes being looked  
42 at, and he is waiting on the third quote. The next big item is the Building Committee and where do we go  
43 from here.
- 44 **b) Miscellaneous.** Guy Scaife announced that Chief Douglas has decided to retire at the end of June; he has  
45 served this community for 30 years. Chief Douglas has a dedicated police force and deserves credit for a  
46 lot of that work. This announcement was made in order to seek a new chief. Over the next two months, the  
47 staff and Guy Scaife will work together to look both internally and externally for a replacement.  
48 A press release will be forthcoming from the Secretary of State and/or Primex regarding the policies of the  
49 trust. This morning they agreed to some organizational changes and to look at how the reserves are kept.  
50 Guy Scaife has notified the Finance Director about the town receiving a credit, but we do not know what  
51 the amount is. The credits issued last year totaled \$5 million, the big difference is that the credit will be  
52 distributed in the current year instead of going forward. This will probably set the stage for other similar  
53 arrangements for SchoolCare and LGC.

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55 **6. DISCUSSIONS.**

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57 **7. SELECTMEN’S REPORTS / DISCUSSIONS.**

1 a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.**

2 Selectman Putnam indicated that the Joint Services Committee (town/school) is starting up again; it was  
3 waiting for information from the Town Financial Department. The committee has been looking at common  
4 items such as alarm systems, vehicles, heavy equipment and several other categories. There are 9 commit-  
5 tee members. Selectman Bauer asked if any categories were ruled out. Selectman Putnam acknowledged  
6 some things were eliminated including HR. Now they are looking for other stuff where the big money is.  
7 Chairman Daniels asked about solid waste and recycling and if that is a category. Selectman Putnam was  
8 unsure. Selectman Putnam will continue to update the Board as this committee progresses.

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

10 Traffic Safety Committee: Chairman Daniels indicated the Traffic Safety Committee has been looked at as  
11 far as the membership and if there should be terms on the members. In September 2011, this Board talked  
12 about changing the makeup of the Traffic Safety Committee (TSC). At that time, Selectmen did not have  
13 documentation of that, so it was tabled. There has since been some discussion with the TSC. Right now,  
14 the committee does not match up with the original configuration. Chairman Daniels is recommending that  
15 the position held by the Zoning/Code Enforcement Officer be combined with that held by the Community  
16 Development Director. Terms were questioned and it has been decided that the TSC be an advisory com-  
17 mittee to the Board of Selectman. Chairman Daniels moved to modify TSC membership so that 7 members  
18 are designated as follows, and that it is an advisory committee to the Board of Selectman with staggered  
19 terms (to be determined at the next Board meeting):

- 20 Police Chief
- 21 DPW Director
- 22 Community Development Director
- 23 Board of Selectman Representative
- 24 Citizen member (Gil Archambault)
- 25 Citizen member (Dick Tortorelli)
- 26 Citizen member (Dave Wheeler)

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28 Selectman Putnam seconded. All were in favor. Motion passed 5/0.

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30 Parking on Grove Street/Amherst Street: Selectman Putnam remembers this Board approving parking  
31 along Grove Street (across from Rite Aid next to the church) and that it would be striped as such, but it has  
32 never been done. Also, the loading zone across from the Red Arrow was also discussed, but where does  
33 that stand? After discussion it was agreed that the loading zone is still there and is used for parking and  
34 loading. The striping on Grove Street next to the church needs to be looked at.

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36 **8. APPROVAL OF FINAL MINUTES – January 30, and March 12, 2012.** Selectman Putnam moved to ap-  
37 prove the minutes of January 30 and March 12, 2012 as presented. Vice Chairman Finan seconded. Selectman  
38 Bauer requested amendments to both sets. All were in favor as amended, with Selectman Fougere abstaining. Mo-  
39 tion passed 4/0/1 with Selectman Fougere abstaining.

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

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43 **10. NOTICES.** Notices were read by Chairman Daniels.

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45 **11. NON-PUBLIC SESSION.** Selectman Putnam moved to enter into Non-public session at 7:30 p.m. in accord-  
46 ance with RSA 91:A3(a & c) for a reputation discussion and a personnel discussion as well as approval of non-  
47 public minutes. Vice Chairman Finan seconded. All were in favor.

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49 The non-public minutes of January 30, 2012 (2 sets), March 12, 2012 and March 20, 2012 were unsealed on motion  
50 made by Selectman Fougere and seconded by Selectman Putnam. All were in favor.

51  
52 The non-public minutes of January 30, 2012 (2 sets), March 12, 2012 and March 20, 2012 were resealed upon their  
53 approval, on motion made by Selectman Fougere and seconded by Selectman Putnam. All were in favor.

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55 Vice Chairman Finan moved to seal the minutes of this non-public session. Selectman Fougere seconded. All were  
56 in favor. Motion passed 5/0.

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1 After adjournment of the non-public session at 8:55 p.m., Chairman Daniels announced that in the non-public ses-  
2 sion the Board discussed a reputation matter and a personnel matter and non-public minutes were approved from  
3 January 30, March 12 and March 20, 2012. Beyond the approval of the non-public minutes, no votes were taken  
4 and no decisions were made.

5  
6 Selectman Putnam moved the following individuals be appointed to the Ambulance Building Committee: Mark  
7 Fougere, Bill Kokko, Steve Sareault, Kent Chappell, Kevin Drew, Paul Hemmerich and Eric Schelberg. Selectman  
8 Fougere seconded. Motion passed 5/0.

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10 **12. ADJOURNMENT:** There being no further business to come before this Meeting, Selectman Putnam moved to  
11 adjourn at 9:05 p.m. Selectman Fougere seconded. All were in favor. Motion passed 5/0.  
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15 Gary L. Daniels, Chairman

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Tim Finan, Vice Chairman

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18 Katherine Bauer, Member

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Mike Putnam, Member

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21 Mark Fougere, Member  
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